

# Florida Department of Environmental Protection

Bob Martinez Center  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Rick Scott  
Governor

Jennifer Carroll  
Lt. Governor

Herschel T. Vinyard Jr.  
Secretary

*Electronic Mail – Received Receipt Requested*

Mr. Larry Mattem, Vice President of Power Supply  
Kissimmee Utility Authority  
1701 West Carroll Street  
Kissimmee, Florida 34741

Re: Draft Permit No. 0970043-018-AC and Draft/Proposed Permit No. 0970043-019-AV  
Kissimmee Utility Authority, Cane Island Power Park  
Air Construction and Title V Air Operation Permit Revisions

Dear Mr. Mattem:

Enclosed is the permit package for an air construction permit revision and a revised Title V air operation permit for the the Cane Island Power Park. This facility is located in Osceola County at 6075 Old Tampa Highway, Intercession City, Florida. The permit package includes the following documents:

- The draft air construction permit and supporting technical evaluation and preliminary determination document.
- The statement of basis, which summarizes the facility, the equipment and the primary rule applicability for the initial Title V air operation permit.
- The draft/proposed revised Title V air operation permit, which includes the specific permit conditions that regulate the emissions units covered by the proposed project.
- The Written Notice of Intent to Issue Air Permits provides important information regarding: the Permitting Authority's intent to issue air permits for the proposed project; the requirements for publishing a Public Notice of the Permitting Authority's intent to issue air permits; the procedures for submitting comments on the draft/proposed permits; the process for filing a petition for an administrative hearing; and the availability of mediation.
- The Public Notice of Intent to Issue Air Permits is the actual notice that you must have published in the legal advertisement section of a newspaper of general circulation in the area affected by this project. The Public Notice of Intent to Issue Title V Air Permits must be published as soon as possible and the proof of publication must be provided to the Department within seven days of the date of publication. Because this permit is being processed as a combined draft/proposed permit in order to reduce processing time, a duplicate copy of the proof of publication must also be transmitted by electronic mail within seven days of the date of publication to Ms. Ana Oquendo at EPA Region 4 at the following address: [oquendo.ana@epamail.epa.gov](mailto:oquendo.ana@epamail.epa.gov).

If you have any questions, please contact the Project Engineer, Teresa Heron by telephone at (850) 717-9082 or by email at [teresa.heron@dep.state.fl.us](mailto:teresa.heron@dep.state.fl.us) or the Power Plant Section Administrator P.E., Jonathan Holtom by telephone at (850) 717-9079 or by email at [jonathan.holtom@dep.state.fl.us](mailto:jonathan.holtom@dep.state.fl.us).

Sincerely,

Jeffery F. Koerner, Program Administrator  
Office of Permitting and Compliance  
Division of Air Resource Management

10-28-11

Date

Enclosures  
JFK/jkh/tmh

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

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*In the Matter of an  
Application for Title V Air Operation Permit by:*

Kissimmee Utility Authority  
1701 W. Carroll Street  
Kissimmee, Florida 34741

Permit No. 0970043-018-AC  
Permit No. 0970043-019-AV  
Facility ID No. 0970043  
Cane Island Power Park  
Air Construction Permit Revision  
Title V Air Operation Permit Revision  
Osceola County, Florida

*Responsible Official:*  
Mr. Larry Mattern  
Vice President of Power Supply

**Facility Location:** Kissimmee Utility Authority operates the existing Cane Island Power Park, which is located in Osceola County at 6075 Old Tampa Highway, Intercession City, Florida.

**Project:** The purpose of this project is to revise the Title V air operation permit No. 0970043-017-AV. This Title V air operation permit revision is being issued to incorporate Unit 4, a nominal 300 MW combined cycle combustion turbine and its auxiliary equipment contained in construction permit No. 0970043-014-AC (PSD-FL-400) issued on September 5, 2008. Also, to incorporate certain revised specific conditions established in construction permit No. 0970043-018-AC (PSD-FL-400A) for Unit 4. Details of the project are provided in the application and the enclosed Statement of Basis.

**Permitting Authority:** Applications for air construction permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210 and 62-212 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and an air permit is required to perform the proposed work.

Applications for Title V air operation permits with Acid Rain units are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, 62-213 and 62-214 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and a Title V air operation permit is required to operate the facility. The Division of Air Resource Management is the Permitting Authority responsible for making a permit determination for this project. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, Tallahassee, Florida. The Permitting Authority's mailing address is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/717-9000.

**Project File:** A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at the address indicated above for the Permitting Authority. The complete project file includes the draft/proposed permits, the statement of basis, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may view the draft/proposed permits by visiting the following website: <http://www.dep.state.fl.us/air/emission/apds/default.asp> and entering the permit number shown above. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address or phone number listed above.

**Notice of Intent to Issue Permits:** The Permitting Authority gives notice of its intent to issue an air construction permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of the proposed equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296 and 62-297, F.A.C. The Permitting Authority will issue a final permit in accordance with the conditions of the draft air construction permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

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Kissimmee Utility Authority  
Cane Island Power Park

Permit No. 0970043-018-AC and 0970043-019-AV  
Air Construction and Title V Air Operation Permit Revisions  
Page 1 of 4

## WRITTEN NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT

comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

The Permitting Authority gives notice of its intent to issue a revised Title V air operation permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of the proposed equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-214, 62-296 and 62-297, F.A.C. The Permitting Authority will issue a final permit in accordance with the conditions of the draft/proposed permit unless a response received in accordance with the following procedures results in a different decision or a significant change of terms or conditions.

**Public Notice:** Pursuant to Section 403.815, F.S. and Rules 62-110.106 and 62-210.350, F.A.C., you (the applicant) are required to publish at your own expense the enclosed Public Notice of Intent to Issue Air Permit (Public Notice). The Public Notice shall be published one time only as soon as possible in the legal advertisement section of a newspaper of general circulation in the area affected by this project. The newspaper used must meet the requirements of Sections 50.011 and 50.031, F.S. in the county where the activity is to take place. If you are uncertain that a newspaper meets these requirements, please contact the Permitting Authority at the above address or phone number. Pursuant to Rule 62-110.106(5) and (9), F.A.C., the applicant shall provide proof of publication to the Permitting Authority at the above address within 7 days of publication. Failure to publish the notice and provide proof of publication may result in the denial of the permit pursuant to Rule 62-110.106(11), F.A.C.

**Comments:** The Permitting Authority will accept written comments concerning the draft air construction permit for a period of 14 days from the date of publication of the Public Notice. Written comments must be received by the Permitting Authority by close of business (5:00 p.m.) on or before the end of this 14-day period. If written comments received result in a significant change to the draft air construction permit, the Permitting Authority shall revise the draft air construction permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

The Permitting Authority will accept written comments concerning the draft/proposed Title V air operation permit for a period of 30 days from the date of publication of the Public Notice. Written comments must be received by the close of business (5:00 p.m.), on or before the end of this 30-day period by the Permitting Authority at the above address. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location in the Florida Administrative Weekly (FAW). If a public meeting is requested within the 30-day comment period and conducted by the Permitting Authority, any oral and written comments received during the public meeting will also be considered by the Permitting Authority. If timely received written comments or comments received at a public meeting result in a significant change to the draft/proposed permit, the Permitting Authority shall issue a revised draft/proposed permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection. For additional information, contact the Permitting Authority at the above address or phone number.

**Petitions:** A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed with (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by the applicant or any of the parties listed below must be filed within 14 days of receipt of this Written Notice of Intent to Issue Air Permit. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the attached Public Notice or within 14 days of receipt of this Written Notice of Intent to Issue Air Permit, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority for notice of agency action may file a petition within 14 days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at

## WRITTEN NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT

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the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Permitting Authority's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination; (c) A statement of when and how each petitioner received notice of the agency action or proposed decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action including an explanation of how the alleged facts relate to the specific rules or statutes; and, (g) A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the agency to take with respect to the agency's proposed action. A petition that does not dispute the material facts upon which the Permitting Authority's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

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

**Mediation:** Mediation is not available in this proceeding.

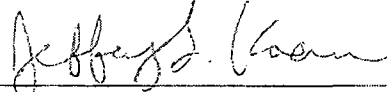
**EPA Review:** EPA has agreed to treat the draft/proposed Title V air operation permit as a proposed Title V air operation permit and to perform its 45-day review provided by the law and regulations concurrently with the public comment period, provided that the applicant also transmits an electronic copy of the required proof of publication directly to EPA at the following email address: [oquendo.ana@epamail.epa.gov](mailto:oquendo.ana@epamail.epa.gov). Although EPA's 45-day review period will be performed concurrently with the public comment period, the deadline for submitting a citizen petition to object to the EPA Administrator will be determined as if EPA's 45-day review period is performed after the public comment period has ended. The final Title V air operation permit will be issued after the conclusion of the 45-day EPA review period so long as no adverse comments are received that result in a different decision or significant change of terms or conditions. The status regarding EPA's 45-day review of this project and the deadline for submitting a citizen petition can be found at the following website address: <http://www.epa.gov/region4/air/permits/Florida.htm>.

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

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

information regarding EPA review and objections, visit EPA's Region 4 web site at <http://www.epa.gov/region4/air/permits/Florida.htm> .

Executed in Tallahassee, Florida.



10-28-11

Jeffery F. Koerner, Program Administrator  
Office of Permitting and Compliance  
Division of Air Resource Management

Date

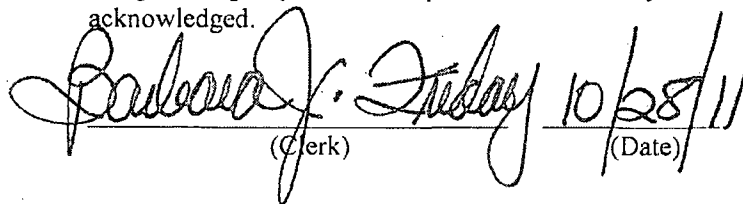
**CERTIFICATE OF SERVICE**

The undersigned duly designated deputy agency clerk hereby certifies that either this Written Notice of Intent to Issue an Air Construction Permit and an a Revised Title V Air Operation Permit (including the Public Notice, the Statement of Basis, the Draft/Proposed Permits and Technical Evaluation and Preliminary Determination), or a link to these documents available electronically on a publicly accessible server, was sent by electronic mail with received receipt requested before the close of business on 10/28/11 to the persons listed below.

- Mr. Larry Mattern, Kissimmee Utility Authority: [lmattern@kua.com](mailto:lmattern@kua.com)
- Mr. Jerome Guidry, P.E., Perigee Technical Services, Inc.: [jerome.guidry@att.net](mailto:jerome.guidry@att.net)
- Ms. Caroline Shine, DEP-CD: [caroline.shine@dep.state.fl.us](mailto:caroline.shine@dep.state.fl.us)
- Ms. Katy Forney, U.S. EPA Region 4: [forney.kathleen@epamail.epa.gov](mailto:forney.kathleen@epamail.epa.gov)
- Ms. Ana Oquendo, U.S. EPA Region 4: [oquendo.ana@epamail.epa.gov](mailto:oquendo.ana@epamail.epa.gov)
- Ms. Lynn Scarce, DEP-BAR: [lynn.scarce@dep.state.fl.us](mailto:lynn.scarce@dep.state.fl.us) (for reading file)
- Ms. Barbara Friday, DEP-BAR: [barbara.friday@dep.state.fl.us](mailto:barbara.friday@dep.state.fl.us) (for posting with U.S. EPA, Region 4)

Clerk Stamp

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



(Clerk) 10/28/11 (Date)

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

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Florida Department of Environmental Protection  
Division of Air Resource Management, Bureau of Air Regulation  
Air Construction Modification Permit No. 0970043-018-AC  
Title V Draft/Proposed Permit No. 0970043-019-AV  
Kissimmee Utility Authority, Cane Island Power Park  
Osceola County, Florida

**Applicant:** The applicant for this project is Kissimmee Utility Authority. The applicant's responsible official and mailing address are: Mr. Larry Mattern, Vice President of Power Supply, Kissimmee Utility Authority, Cane Island Power Park, 1701 West Carroll Street, Kissimmee, Florida 34741.

**Facility Location:** The applicant operates the existing Cane Island Power Park, which is located in Osceola County at 6075 Old Tampa Highway, Intercession City, Florida.

**Project:** The applicant applied on August 3, 2011 to the Department for a Title V air operation permit revision. This is the first revision of Title V air operation permit No. 0970043-017-AV.

This facility consists of three fossil fuel-fired combustion turbine electric generating units, a cooling tower, three distillate oil storage tanks and ancillary equipment.

This Title V air operation permit revision is being issued to incorporate Unit 4 (Emission Unit 009), a nominal 300 MW combined cycle combustion turbine and its auxiliary equipment contained in construction permit No. 0970043-014-AC (PSD-FL-400) issued on September 5, 2008. Also, to incorporate certain revised specific conditions established in construction permit No. 0970043-018-AC (PSD-FL-400A) for this Unit.

**Permitting Authority:** Applications for air construction permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210 and 62-212 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and an air permit is required to perform the proposed work. The Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination for this project.

Applications for Title V air operation permits with Acid Rain units are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, 62-213 and 62-214, of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and a Title V air operation permit is required to operate the facility. The Division of Air Resource Management is the Permitting Authority responsible for making a permit determination for this project. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, Tallahassee, Florida. The Permitting Authority's mailing address is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/717-9000.

**Project File:** A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at the address indicated above for the Permitting Authority. The complete project file includes the draft air construction permit, the draft/proposed Title V air operation permit, the Statement of Basis, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may view the draft/proposed permits by visiting the following website:

<http://www.dep.state.fl.us/air/emission/apds/default.asp> and entering the permit number shown above.

Interested persons may contact the Permitting Authority's project review engineer for additional information at the address or phone number listed above.

**Notice of Intent to Issue Air Permit:** The Permitting Authority gives notice of its intent to issue an air construction permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of proposed equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296 and 62-297, F.A.C.

**(Public Notice to be Published in the Newspaper)**

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

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The Permitting Authority will issue a final permit in accordance with the conditions of the proposed draft air construction permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

The Permitting Authority gives notice of its intent to issue a Title V air operation permit to the applicant for the project described above. The applicant has provided reasonable assurance that continued operation of existing equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-214, 62-296 and 62-297, F.A.C. The Permitting Authority will issue a final Title V air operation permit in accordance with the conditions of the draft/proposed Title V air operation permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

**Comments:** The Permitting Authority will accept written comments concerning the draft air construction permit for a period of 14 days from the date of publication of the Public Notice. Written comments must be received by the Permitting Authority by close of business (5:00 p.m.) on or before the end of this 14-day period. If written comments received result in a significant change to the draft air construction permit, the Permitting Authority shall revise the draft air construction permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

The Permitting Authority will accept written comments concerning the draft/proposed Title V air operation permit for a period of 30 days from the date of publication of the Public Notice. Written comments must be received by the close of business (5:00 p.m.), on or before the end of this 30-day period by the Permitting Authority at the above address. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location in the Florida Administrative Weekly (FAW). If a public meeting is requested within the 30-day comment period and conducted by the Permitting Authority, any oral and written comments received during the public meeting will also be considered by the Permitting Authority. If timely received written comments or comments received at a public meeting result in a significant change to the draft/proposed Title V air operation permit, the Permitting Authority shall issue a revised draft/proposed Title V air operation permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection. For additional information, contact the Permitting Authority at the above address or phone number.

**Petitions:** A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed with (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S. must be filed within 14 days of publication of the Public Notice or receipt of a written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority for notice of agency action may file a petition within 14 days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Permitting Authority's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address and telephone number of the petitioner; the name

(Public Notice to be Published in the Newspaper)

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

address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial rights will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency action or proposed decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action including an explanation of how the alleged facts relate to the specific rules or statutes; and, (g) A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the agency to take with respect to the agency's proposed action. A petition that does not dispute the material facts upon which the Permitting Authority's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

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

**Mediation:** Mediation is not available for this proceeding.

**EPA Review:** EPA has agreed to treat the draft/proposed Title V air operation permit as a proposed Title V air operation permit and to perform its 45-day review provided by the law and regulations concurrently with the public comment period, provided that the applicant also transmits an electronic copy of the required proof of publication directly to EPA at the following email address: [oqueando.ana@epamail.epa.gov](mailto:oqueando.ana@epamail.epa.gov). Although EPA's 45-day review period will be performed concurrently with the public comment period, the deadline for submitting a citizen petition to object to the EPA Administrator will be determined as if EPA's 45-day review period is performed after the public comment period has ended. The final Title V air operation permit will be issued after the conclusion of the 45-day EPA review period so long as no adverse comments are received that result in a different decision or significant change of terms or conditions. The status regarding EPA's 45-day review of this project and the deadline for submitting a citizen petition can be found at the following website address: <http://www.epa.gov/region4/air/permits/Florida.htm>.

**Objections:** Finally, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 days of the expiration of the Administrator's 45-day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to the issuance of any Title V air operation permit. Any petition shall be based only on objections to the permit that were raised with reasonable specificity during the 30-day public comment period provided in the Public Notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460. For more information regarding EPA review and objections, visit EPA's Region 4 web site at <http://www.epa.gov/region4/air/permits/Florida.htm>.



## Friday, Barbara

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**From:** Friday, Barbara  
**Sent:** Friday, October 28, 2011 11:40 AM  
**To:** 'lmattern@kua.com'  
**Cc:** 'jerome.guidry@att.net'; Shine, Caroline; 'forney.kathleen@epamail.epa.gov'; 'oquendo.ana@epa.gov'; Searce, Lynn; Heron, Teresa; Holtom, Jonathan  
**Subject:** Draft Permit No. 0970043-018-AC and Draft/Proposed Permit No. 0970043-019-AV - Kissimmee Utility Authority, Cane Island Power Park  
**Attachments:** 0970043-018-AC-019-AV Signed Written Notice of Intent.pdf

Tracking:	Recipient	Delivery	Read
	✓ 'lmattern@kua.com'		
	✓ 'jerome.guidry@att.net'		
	Shine, Caroline	Delivered: 10/28/2011 11:40 AM	
	'forney.kathleen@epamail.epa.gov'		
	'oquendo.ana@epa.gov'		
	✓ Searce, Lynn	Delivered: 10/28/2011 11:40 AM	Read: 10/28/2011 12:30 PM
	✓ Heron, Teresa	Delivered: 10/28/2011 11:40 AM	Read: 10/28/2011 11:47 AM
	✓ Holtom, Jonathan	Delivered: 10/28/2011 11:40 AM	Read: 10/28/2011 12:24 PM

Dear Mr. Mattern:

Attached is the official **Notice of Draft/Proposed Permit** for the project referenced below. Click on the link displayed below to access the permit project documents and send a "reply" message verifying receipt of the document(s) provided in the link; this may be done by selecting "Reply" on the menu bar of your e-mail software, noting that you can view the documents, and then selecting "Send".

*Note: We must receive verification that you are able to access the documents. Your immediate reply will preclude subsequent e-mail transmissions to verify accessibility of the document(s).*

Attention: Teresa Heron

Owner/Company Name: KISSIMMEE UTILITY AUTHORITY  
Facility Name: KUA CANE ISLAND POWER PARK  
Project Number: 0970043-018-AC/0970043-019-AV  
Permit Status: DRAFT/DRAFT-PROPOSED  
Permit Activity: CONSTRUCTION/TITLE V REVISION  
Facility County: OSCEOLA

Click on the following link to access the permit project documents:

[http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf\\_permit\\_zip\\_files/0970043.018.AC.D\\_pdf.zip](http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf_permit_zip_files/0970043.018.AC.D_pdf.zip)

Click on the following link to access the permit project documents:

[http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf\\_permit\\_zip\\_files/0970043.019.AV.D\\_pdf.zip](http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf_permit_zip_files/0970043.019.AV.D_pdf.zip)

The Office of Permitting and Compliance is issuing electronic documents for permits, notices and other correspondence in lieu of hard copies through the United States Postal System, to provide greater service to the applicant and the engineering community. Access these documents by clicking on the link provided above, or

**Friday, Barbara**

---

**From:** Microsoft Exchange  
**To:** 'lmatern@kua.com'  
**Sent:** Friday, October 28, 2011 11:40 AM  
**Subject:** Relayed: Draft Permit No. 0970043-018-AC and Draft/Proposed Permit No. 0970043-019-AV - Kissimmee Utility Authority, Cane Island Power Park

**Delivery to these recipients or distribution lists is complete, but delivery notification was not sent by the destination:**

'lmatern@kua.com'

**Subject:** Draft Permit No. 0970043-018-AC and Draft/Proposed Permit No. 0970043-019-AV - Kissimmee Utility Authority, Cane Island Power Park

---

Sent by Microsoft Exchange Server 2007

## Friday, Barbara

---

**From:** Larry Mattern [LMATTERN@kua.com]  
**To:** Friday, Barbara  
**Sent:** Friday, October 28, 2011 1:01 PM  
**Subject:** Read: Draft Permit No. 0970043-018-AC and Draft/Proposed Permit No. 0970043-019-AV - Kissimmee Utility Authority, Cane Island Power Park

Your message was read on Friday, October 28, 2011 1:01:07 PM (GMT-05:00) Eastern Time (US & Canada).

**Friday, Barbara**

---

**From:** Larry Mattern [LMATTERN@kua.com]  
**Sent:** Friday, October 28, 2011 1:12 PM  
**To:** Friday, Barbara  
**Cc:** 'jerome.guidry@att.net'; Shine, Caroline; 'forney.kathleen@epamail.epa.gov'; 'oquendo.ana@epa.gov'; Searce, Lynn; Heron, Teresa; Holtom, Jonathan  
**Subject:** RE: Draft Permit No. 0970043-018-AC and Draft/Proposed Permit No. 0970043-019-AV - Kissimmee Utility Authority, Cane Island Power Park

I have received and can access the documents.

*Larry Mattern*  
*Vice President of Power Supply*  
*Kissimmee Utility Authority*  
[lmattern@kua.com](mailto:lmattern@kua.com)  
407-933-7777 ext. 6801  
P.O. Box 423219  
Kissimmee, Fla. 34742

**From:** Friday, Barbara [<mailto:Barbara.Friday@dep.state.fl.us>]  
**Sent:** Friday, October 28, 2011 11:40 AM  
**To:** Larry Mattern  
**Cc:** 'jerome.guidry@att.net'; Shine, Caroline; 'forney.kathleen@epamail.epa.gov'; 'oquendo.ana@epa.gov'; Searce, Lynn; Heron, Teresa; Holtom, Jonathan  
**Subject:** Draft Permit No. 0970043-018-AC and Draft/Proposed Permit No. 0970043-019-AV - Kissimmee Utility Authority, Cane Island Power Park

Dear Mr. Mattern:

Attached is the official **Notice of Draft/Proposed Permit** for the project referenced below. Click on the link displayed below to access the permit project documents and send a "reply" message verifying receipt of the document(s) provided in the link; this may be done by selecting "Reply" on the menu bar of your e-mail software, noting that you can view the documents, and then selecting "Send".

*Note: We must receive verification that you are able to access the documents. Your immediate reply will preclude subsequent e-mail transmissions to verify accessibility of the document(s).*

Attention: Teresa Heron

Owner/Company Name: KISSIMMEE UTILITY AUTHORITY  
Facility Name: KUA CANE ISLAND POWER PARK  
Project Number: 0970043-018-AC/0970043-019-AV  
Permit Status: DRAFT/DRAFT-PROPOSED  
Permit Activity: CONSTRUCTION/TITLE V REVISION  
Facility County: OSCEOLA

Click on the following link to access the permit project documents:

[http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf\\_permit\\_zip\\_files/0970043.018.AC.D\\_pdf.zip](http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf_permit_zip_files/0970043.018.AC.D_pdf.zip)

Click on the following link to access the permit project documents:

[http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf\\_permit\\_zip\\_files/0970043.019.AV.D\\_pdf.zip](http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf_permit_zip_files/0970043.019.AV.D_pdf.zip)

## Friday, Barbara

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**From:** jerome.guidry@att.net  
**Sent:** Friday, October 28, 2011 2:03 PM  
**To:** Friday, Barbara  
**Subject:** Re: Draft Permit No. 0970043-018-AC and Draft/Proposed Permit No. 0970043-019-AV - Kissimmee Utility Authority, Cane Island Power Park

I have received and was able to open the documents.

Jerome J. Guidry, P.E., Q.E.P.  
Perigee Technical Services, Inc.  
3214 Deer Chase Run  
Longwood, FL 32779-3173  
Voice: 407/333-7374  
FAX: 407/479-3433

--- On Fri, 10/28/11, Friday, Barbara <[Barbara.Friday@dep.state.fl.us](mailto:Barbara.Friday@dep.state.fl.us)> wrote:

From: Friday, Barbara <[Barbara.Friday@dep.state.fl.us](mailto:Barbara.Friday@dep.state.fl.us)>  
Subject: Draft Permit No. 0970043-018-AC and Draft/Proposed Permit No. 0970043-019-AV - Kissimmee Utility Authority, Cane Island Power Park  
To: "lattern@kua.com" <[lattern@kua.com](mailto:lattern@kua.com)>  
Cc: "jerome.guidry@att.net" <[jerome.guidry@att.net](mailto:jerome.guidry@att.net)>, "Shine, Caroline" <[Caroline.Shine@dep.state.fl.us](mailto:Caroline.Shine@dep.state.fl.us)>, "forney.kathleen@epamail.epa.gov" <[forney.kathleen@epamail.epa.gov](mailto:forney.kathleen@epamail.epa.gov)>, "oquendo.ana@epa.gov" <[oquendo.ana@epa.gov](mailto:oquendo.ana@epa.gov)>, "Scearce, Lynn" <[Lynn.Scearce@dep.state.fl.us](mailto:Lynn.Scearce@dep.state.fl.us)>, "Heron, Teresa" <[Teresa.Heron@dep.state.fl.us](mailto:Teresa.Heron@dep.state.fl.us)>, "Holtom, Jonathan" <[Jonathan.Holtom@dep.state.fl.us](mailto:Jonathan.Holtom@dep.state.fl.us)>  
Date: Friday, October 28, 2011, 11:39 AM

Dear Mr. Mattern:

Attached is the official **Notice of Draft/Proposed Permit** for the project referenced below. Click on the link displayed below to access the permit project documents and send a "reply" message verifying receipt of the document(s) provided in the link; this may be done by selecting "Reply" on the menu bar of your e-mail software, noting that you can view the documents, and then selecting "Send".

*Note: We must receive verification that you are able to access the documents. Your immediate reply will preclude subsequent e-mail transmissions to verify accessibility of the document(s).*

Attention: Teresa Heron  
Owner/Company Name: KISSIMMEE UTILITY AUTHORITY  
Facility Name: KUA CANE ISLAND POWER PARK  
Project Number: 0970043-018-AC/0970043-019-AV  
Permit Status: DRAFT/DRAFT-PROPOSED  
Permit Activity: CONSTRUCTION/TITLE V REVISION  
Facility County: OSCEOLA  
Click on the following link to access the permit project documents:

**Friday, Barbara**

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**From:** Microsoft Exchange  
**To:** Shine, Caroline; Heron, Teresa  
**Sent:** Friday, October 28, 2011 11:40 AM  
**Subject:** Delivered: Draft Permit No. 0970043-018-AC and Draft/Proposed Permit No. 0970043-019-AV  
- Kissimmee Utility Authority, Cane Island Power Park

**Your message has been delivered to the following recipients:**

Shine, Caroline

Heron, Teresa

Subject: Draft Permit No. 0970043-018-AC and Draft/Proposed Permit No. 0970043-019-AV - Kissimmee Utility Authority,  
Cane Island Power Park

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Sent by Microsoft Exchange Server 2007

**Friday, Barbara**

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**From:** Heron, Teresa  
**To:** Friday, Barbara  
**Sent:** Friday, October 28, 2011 11:47 AM  
**Subject:** Read: Draft Permit No. 0970043-018-AC and Draft/Proposed Permit No. 0970043-019-AV - Kissimmee Utility Authority, Cane Island Power Park

Your message was read on Friday, October 28, 2011 11:46:36 AM (GMT-05:00) Eastern Time (US & Canada).

**Friday, Barbara**

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**From:** Microsoft Exchange  
**To:** Holtom, Jonathan; Searce, Lynn  
**Sent:** Friday, October 28, 2011 11:40 AM  
**Subject:** Delivered: Draft Permit No. 0970043-018-AC and Draft/Proposed Permit No. 0970043-019-AV  
- Kissimmee Utility Authority, Cane Island Power Park

**Your message has been delivered to the following recipients:**

Holtom, Jonathan

Searce, Lynn

Subject: Draft Permit No. 0970043-018-AC and Draft/Proposed Permit No. 0970043-019-AV - Kissimmee Utility Authority,  
Cane Island Power Park

---

Sent by Microsoft Exchange Server 2007



**Friday, Barbara**

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**From:** Searce, Lynn  
**To:** Friday, Barbara  
**Sent:** Friday, October 28, 2011 12:30 PM  
**Subject:** Read: Draft Permit No. 0970043-018-AC and Draft/Proposed Permit No. 0970043-019-AV - Kissimmee Utility Authority, Cane Island Power Park

Your message was read on Friday, October 28, 2011 12:30:28 PM (GMT-05:00) Eastern Time (US & Canada).

**Friday, Barbara**

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**From:** Holtom, Jonathan  
**To:** Friday, Barbara  
**Sent:** Friday, October 28, 2011 12:24 PM  
**Subject:** Read: Draft Permit No. 0970043-018-AC and Draft/Proposed Permit No. 0970043-019-AV - Kissimmee Utility Authority, Cane Island Power Park

Your message was read on Friday, October 28, 2011 12:24:17 PM (GMT-05:00) Eastern Time (US & Canada).

# Memorandum

# Florida Department of Environmental Protection

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TO: Jeff Koerner, OPC Administrator   
THROUGH: Jon Holtom, Power Plant Group Manager   
FROM: Teresa Heron, Power Plant Group Engineer   
DATE: October 27, 2011  
SUBJECT: Draft Air Construction Permit No. 0970043-018-AC  
Draft/Proposed Permit No. 0970043-019-AV  
Kissimmee Utility Authority, Cane Island Power Park  
Title V Air Operation Permit and Air Construction Permit Revisions

Attached for your review are the following items:

- Written Notice of Intent to Issue Air Permits;
- Public Notice of Intent to Issue Air Permits;
- Statement of Basis;
- Draft/Proposed Title V Air Operation Permit;
- Draft Air Construction Permit Modification;
- Technical Evaluation and Preliminary Determination; and,
- P.E. Certification.

The draft/proposed Title V air operation permit revises Title V air operation permit No. 0970043-017-AV for the Cane Island Power Park. The Statement of Basis provides a summary of the project and the rationale for issuance. The construction permit modification revises certain specific conditions of air construction permit No. 0970043-014-AC (PSD-FL-400) for Unit 4, a nominal 300 MW combined cycle combustion turbine and its auxiliary equipment. The P.E. certifications briefly summarize the proposed projects.

The application was received on August 3, 2011. Day 90 is November 1, 2011. There is no ongoing/open enforcement case for this facility, as advised by the District Office.

I recommend your approval of the attached renewed Title V air operation permit and the draft air construction permit modification.

Attachments

**P.E. CERTIFICATION STATEMENT**

**PERMITTEE**

Kissimmee Utility Authority  
1701 West Carroll Street  
Kissimmee, FL 34741

Permit No. 0970043-018-AC  
Permit No. 0970043-019-AV  
Facility ID No. 0970043  
Cane Island Power Park  
Title V and PSD Air Permit  
Revisions  
Osceola County, Florida

**PROJECT DESCRIPTION**


This Title V air operation permit revision is being issued to incorporate Unit 4 (Emission Unit 009), a nominal 300 MW combined cycle combustion turbine and its auxiliary equipment contained in construction permit No. 0970043-014-AC (PSD-FL-400) issued on September 5, 2008. Also, to incorporate certain revised specific conditions established in construction permit No. 0970043-018-AC (PSD-FL-400A) for this Unit.

The existing facility consists of three fossil fuel-fired combustion turbine electric generating units, a cooling tower, three distillate oil storage tanks and ancillary equipment

This project is the first revision of Title V permit No. 0970043-017-AV for the above referenced facility. Revisions to the construction permit, PSD-FL-400 (0970043-014-AC), were requested by the applicant as part of this permitting project.

***I HEREBY CERTIFY** that the air pollution control engineering features described in the above referenced application and subject to the proposed permit conditions provide reasonable assurance of compliance with applicable provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Chapters 62-4 and 62-204 through 62-297. However, I have not evaluated and I do not certify aspects of the proposal outside of my area of expertise (including, but not limited to, the electrical, mechanical, structural, hydrological, geological, and meteorological features).*

This review was conducted by Teresa Heron under my responsible supervision.

 10/27/11  
Jonathan K. Holtom, P.E. Date  
Registration Number: 0052664

**TECHNICAL EVALUATION  
AND  
PRELIMINARY DETERMINATION**

Florida Municipal Power Agency  
Cane Island Power Park Unit 4  
Osceola County

DEP File No. 0970043-018-AC  
PSD-FL-400A Permit Revision  
300-Megawatts Natural Gas-Fueled Combined Cycle Unit



Florida Department of Environmental Protection  
Division of Air Resource Management  
Bureau of Air Regulation

October 27, 2011

**I. APPLICATION INFORMATION**

**A. Applicant Name and Address**

Florida Municipal Power Agency (FMPA)  
8553 Commodity Circle  
Orlando, Florida 32819

*Authorized Representative:* Roger Fontes, General Manager and CEO

**B. Processing Schedule**

August 3, 2011: Department received an application for a minor source air pollution construction permit.  
October 28, 2011: The Intent to Issue PSD Permit Revision and Title V Permit Revision was distributed.

**C. Facility Location**

FMPA and the Kissimmee Utilities Authority (KUA) jointly own the Cane Island Power Plant (CIPP), which is located in Osceola County at 6075 Old Tampa Highway, Intercession City, Florida. The CIPP presently consists of one 40 megawatt (MW) simple cycle combustion turbine (Unit 1), and three combined cycle units with supplementary-fired heat recovery steam generator (HRSG): 120 MW (Unit 2), 250 MW (Unit 3) and the new 300 MW (Unit 4)

The location of the CIPP is shown in Figure 1 with a view of the facility in Figure 2. Unit 4 is seen in Figure 3, which is a complete view of the facility as of 2011.

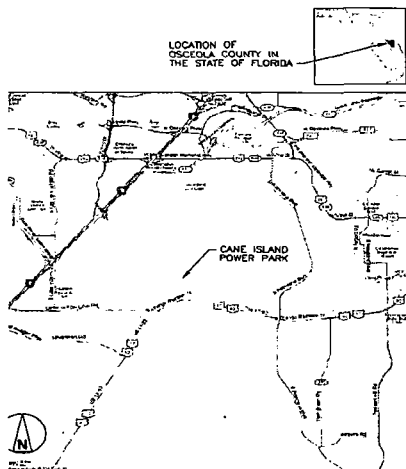


Figure 1. Project Location

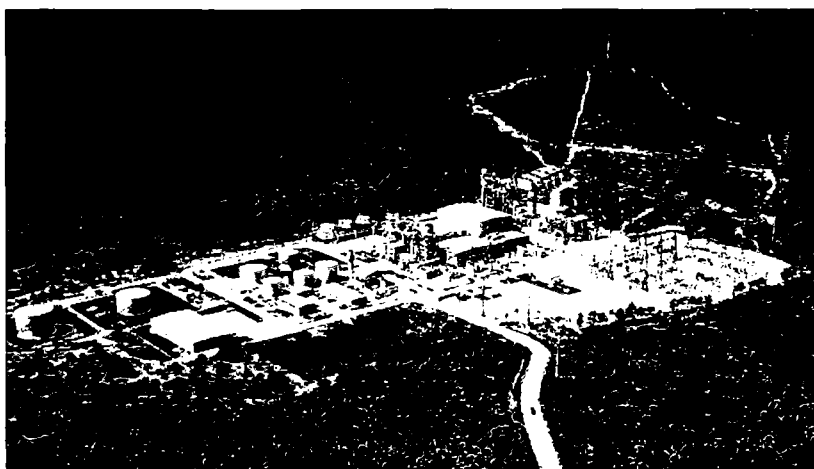


Figure 2. Aerial View of CIPP Units 1, 2 and 3 (left to right)

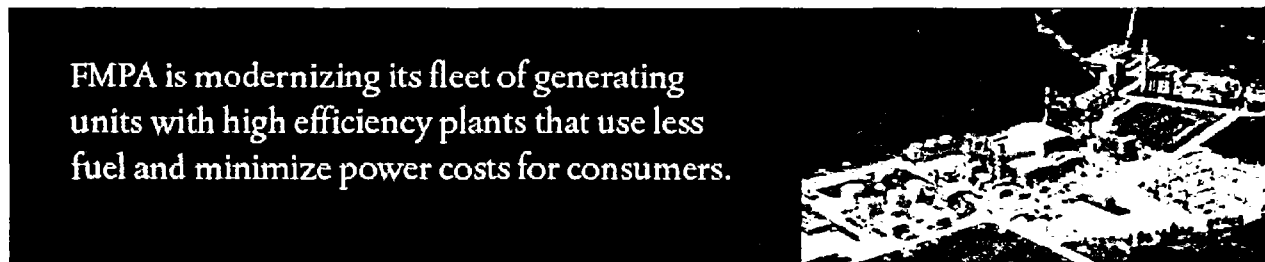


Figure 3. Cane Island Power Plant including new Unit 4 (to the far right)

**D. Standard Industrial Classification Codes (SIC)**

Industry Group No.	49	Electric, Gas, and Sanitary Services
Industry No.	4911	Electric Services

**E. Air Pollution Regulations.**

Projects at stationary sources with the potential to emit air pollution are subject to the applicable environmental laws specified in Section 403 of the Florida Statutes (F.S.). The statutes authorize the Department of Environmental Protection (Department) to establish regulations regarding air quality as part of the Florida Administrative Code (F.A.C.), which includes the following applicable chapters: 62-4 (Permits); 62-204 (Air Pollution Control – General Provisions); 62-210 (Stationary Sources – General Requirements); 62-212 (Stationary Sources – Preconstruction Review); 62-213 (Operation Permits for Major Sources of Air Pollution); 62-296 (Stationary Sources - Emission Standards); and 62-297 (Stationary Sources – Emissions Monitoring). Specifically, air construction permits are required pursuant to Rules 62-4, 62-210 and 62-212, F.A.C.

In addition, the U. S. Environmental Protection Agency (EPA) establishes air quality regulations in Title 40 of the Code of Federal Regulations (CFR). Part 60 specifies New Source Performance Standards (NSPS) for numerous industrial categories. Part 61 specifies National Emission Standards for Hazardous Air Pollutants (NESHAP) based on specific pollutants. Part 63 specifies NESHAP based on the Maximum Achievable Control Technology (MACT) for numerous industrial categories. The Department adopts these federal regulations on a quarterly basis in Rule 62-204.800, F.A.C.

**F. Glossary of Common Terms.**

Because of the technical nature of the project, the permit contains numerous acronyms and abbreviations, which are defined in Appendix A of this permit.

**G. Facility Regulatory Categories.**

The facility is a major source of hazardous air pollutants (HAP).

The facility operates units subject to the National Emissions Standards for Hazardous Air Pollutants (NESHAP) of 40 Code of Federal Regulations (CFR) 63.

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

The facility is a Title V major source of air pollution in accordance with Chapter 62-213, F.A.C.

The facility is a major stationary source in accordance with Rule 62-212.400, F.A.C. for the Prevention of Significant Deterioration (PSD) of Air Quality.

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

The facility operates units subject to the provisions of the clean air interstate rule (CAIR) set forth in Rule 62-296.470, F.A.C.

The facility operates units that were certified under the Florida Power Plant Siting Act, 403.501-518, F.S., and Chapter 62-17, F.A.C.

**H. Project Description.**

The applicant requests revisions to several specific conditions of PSD-FL-400 (0970043-014-AC) for new Unit 4, to clarify language of conditions related to unit capacity, tuning, ammonia emissions, CO averaging time and testing requirements. Unit 4 is regulated for purposes of the Air Resource Management System (ARMS) as Emissions Unit No. 009 and it is subject to the applicable requirements of 40 CFR 60, Subpart KKKK – Standards of Performance for Stationary Combustion Turbines that Commence Construction after February 18, 2005. In addition, Unit 4 is potentially subject to 40 CFR 63, Subpart YYYY - National Emission Standards for

## TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

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Hazardous Air Pollutants (NESHAP) for Stationary Combustion Turbines. The applicability of this rule has been stayed for lean premix and diffusion flame gas-fired combustion turbines such as installed for this project.

### PSD APPLICABILITY.

#### A. General PSD Applicability.

For areas currently in attainment with the state and federal ambient air quality standards (AAQS) or areas otherwise designated as unclassifiable, the Department regulates major stationary sources of air pollution in accordance with Florida's PSD preconstruction review program as defined in Rule 62-212.400, F.A.C. Under preconstruction review, the Department first must determine if a project is subject to the PSD requirements ("PSD applicability review") and, if so, must conduct a PSD preconstruction review. A PSD applicability review is required for projects at new and existing major stationary sources. In addition, proposed projects at existing minor sources are subject to a PSD applicability review to determine whether potential emissions *from the proposed project itself* will exceed the PSD major stationary source thresholds. A facility is considered a major stationary source with respect to PSD if it emits or has the potential to emit:

- 250 tons per year or more of any regulated air pollutant; or
- 100 tons per year or more of any regulated air pollutant and the facility belongs to one of the following 28 PSD-major facility categories: fossil fuel-fired steam electric plants of more than 250 million British thermal units per hour heat input, coal cleaning plants (with thermal dryers), Kraft pulp mills, Portland cement plants, primary zinc smelters, iron and steel mill plants, primary aluminum ore reduction plants, primary copper smelters, municipal incinerators capable of charging more than 250 tons of refuse per day, hydrofluoric, sulfuric, and nitric acid plants, petroleum refineries, lime plants, phosphate rock processing plants, coke oven batteries, sulfur recovery plants, carbon black plants (furnace process), primary lead smelters, fuel conversion plants, sintering plants, secondary metal production plants, chemical process plants, fossil fuel boilers (or combinations thereof) totaling more than 250 million British thermal units per hour heat input, petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels, taconite ore processing plants, glass fiber processing plants and charcoal production plants.

Once it is determined that a project is subject to PSD preconstruction review, the project emissions are compared to the "significant emission rates" defined in Rule 62-210.200, F.A.C. for the following pollutants: carbon monoxide (CO); nitrogen oxides (NO<sub>x</sub>); sulfur dioxide (SO<sub>2</sub>); particulate matter (PM); particulate matter with a mean particle diameter of 10 microns or less (PM<sub>10</sub>); volatile organic compounds (VOC); lead (Pb); fluorides (Fl); sulfuric acid mist (SAM); hydrogen sulfide (H<sub>2</sub>S); total reduced sulfur (TRS), including H<sub>2</sub>S; reduced sulfur compounds, including H<sub>2</sub>S; municipal waste combustor organics measured as total tetra- through octa-chlorinated dibenzo-p-dioxins and dibenzofurans; municipal waste combustor metals measured as particulate matter; municipal waste combustor acid gases measured as SO<sub>2</sub> and hydrogen chloride (HCl); municipal solid waste landfills emissions measured as non-methane organic compounds (NMOC); and mercury (Hg). In addition, significant emissions rate also means any emissions rate or any net emissions increase associated with a major stationary source or major modification which would construct within 10 kilometers of a Class I area and have an impact on such area equal to or greater than 1 µg/m<sup>3</sup>, 24-hour average.

If the potential emission exceeds the defined significant emissions rate of a PSD pollutant, the project is considered "significant" for the pollutant and the applicant must employ the Best Available Control Technology (BACT) to minimize the emissions and evaluate the air quality impacts. Although a facility or project may be *major* with respect to PSD for only one regulated pollutant, it may be required to install BACT controls for several "significant" regulated pollutants.

#### B. PSD Applicability for Project.

The proposed project, revision of permit language, is a minor revision to the above mentioned PSD permit. This project will not increase any emissions limits or energy capacity; therefore is not subject to PSD construction review. Consequently, no air modeling was submitted and a new BACT determination is not required.



## II. DEPARTMENT REVIEW.

This permit application request is for a minor source air construction permit revision of permit No. PSD-FL-400 (0970043-014-AC) for Unit 4. This Unit consists of: a nominal 150 MW gas fueled General Electric 7241 FA combustion turbine generator (CTG); a supplementary-fired heat recovery steam generator (HRSG) with natural gas-fueled duct burner (DB); and a nominal 150 MW steam turbine generator (STG) for an overall nominal rating of 300 MW. It includes highly automated controls, described as the GE Mark VI Gas Turbine Control System, to fulfill all of the gas turbine control requirements. Auxiliary equipment includes the following: a nominal 160-foot stack, a mechanical draft cooling tower with drift eliminators, an emergency diesel engine fire pump with small diesel fuel storage tank, and a nominal 750 kilowatts safe shutdown diesel generator with a small diesel fuel storage tank.

The proposed revisions to permit language do not affect emissions, production rates or any other significant change. A brief description of these request are stated below, followed by the Department's position on the requested changes.

### A. Requested Permit Revisions for Unit 4 Section III of PSD-FL-400 permit.

With the process of revising the Title V permit to incorporate Unit 4, KUA requested changes to certain conditions related to the original PSD permit. The Department advised KUA that the requested changes required associated revisions to the underlying construction permit conditions, consequently KUA applied for a minor source air construction permit revision. This is the first air construction permit revision for Unit 4.

The requested changes can be grouped into five categories. These include:

- *Nominal Heat Input of Unit 4:* Clarification of language to reflect the nominal heat input rating of 1,900 MMBtu/hr.
- *Averaging Times for Nitrogen Oxides (NO<sub>x</sub>) and Carbon Monoxide (CO):* Clarification of language and rearrangement of the Table for the CO limit averaging time. Also, to add the word "block" to the 24-hr "block" average for NO<sub>x</sub> emissions.
- *Ammonia Injection:* Clarification to explicitly include language regarding other designated periods such as fuel switching and dry low NO<sub>x</sub> (DLN) tuning in the context of the condition. Also, to exclude annual testing. *Ammonia Compliance Test:* Relocating the sentence "NO<sub>x</sub> emissions recorded by the CEMS shall be reported for each ammonia slip test run." from Condition 22 to Condition 21.
- *DLN Tuning:* Defining further what is a major tuning.
- *Compliance Tests:* Clarification of language to refer to either Method 7E or 20 for NO<sub>x</sub> testing.

The Department reviewed these requests and generally agrees with the intent of the changes to the proposed permit language (except to exclude annual ammonia slip testing). The Department believes there will be no change in the original permit intent or in emissions limits. Similar requests have previously been approved for other power plants in Florida. The approved changes are further discussed in Section 4, below.

### B. Previously Authorized Construction Project Related to the Current Request.

PSD-FL-400 (0970043-014-AC) was issued for Unit 4 in 2008, construction started in 2009.



Figure 3. Unit 4 under construction

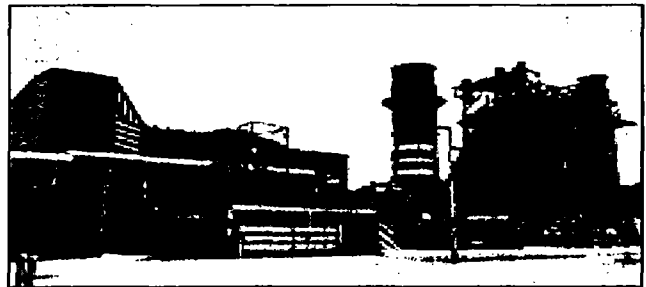


Figure 4. Unit 4 in operation since July 12, 2011

## TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

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The following link shows the relevant PSD Permit and the original Technical Evaluation and Preliminary Determination (TEPD) related to the construction of Unit 4.

[http://www.dep.state.fl.us/Air/emission/construction/cane\\_island.htm](http://www.dep.state.fl.us/Air/emission/construction/cane_island.htm)

### III. CHANGES TO PSD-FL-400 PERMIT.

This project is being processed as line-item changes to applicable specific conditions of the previously issued air construction permit (AC). Through the conditions of this permit, where changes are made to the original conditions, additions are shown with underlined formatting and deletions are shown as ~~striketrough~~. For ease of location, all changes are highlighted in yellow in the draft permit.

In general, the requested changes (revision of the unit heat input and clarifications of CEMS average time) are acceptable based on the applicant's assurance that Unit 4 is in compliance with all the emissions limits. The request to add the choice of using either EPA Method 7E or 20 to determine compliance with the NO<sub>x</sub> standard is not necessary, as condition 20 presently allows either method.

Clarifications will be made to better define if and/or when ammonia injection is required; however, KUA requested to add a footnote ("ammonia slip testing is required for initial testing only") to Condition 12 suggesting that the ammonia slip testing requirements are no longer necessary, because the test was completed during the period of the initial performance tests of Unit 4.

The Department believes the testing of ammonia slip is an annual requirement. Ammonia slip is required to be tested initially and annually in Condition 12 (Emission Standards) together with all the other tests for all pollutants listed. It appears the words "ammonia slip" were inadvertently not included in Condition 22 (Annual Compliance Tests). This request will not be granted as part of this project, and the words "ammonia slip" will be inserted in the text of Condition 22. It is the intention of the Department to require initial and annual tests for ammonia slip in all combined cycle turbine projects. Even though potential annual emissions of ammonia are less than 100 tons per year, annual testing to determine the ammonia slip level (and corresponding NO<sub>x</sub> CEMS readings) was specifically imposed in the PSD permit (Condition 12) to provide an indicator of catalyst viability and to maintain a correlation between the ammonia injection rate and actual NO<sub>x</sub> emissions to be used as a surrogate parameter in the event the NO<sub>x</sub> CEMS is temporarily out of service.

Regarding DLN tuning, the Department encourages operators to keep their combustion turbines properly tuned to ensure that emissions during normal operations are as low as possible, so clarifications that encourage tuning are routinely granted.

### IV. PRELIMINARY DETERMINATION.

The Department makes a preliminary determination that the proposed project will comply with all applicable state and federal air pollution regulations as conditioned by the draft permit. This determination is based on a technical review of the complete application, reasonable assurances provided by the applicant, and the conditions specified in the draft permit. No air quality modeling analysis is required because the project does not result in a significant increase in emissions. Teresa Heron is the project engineer responsible for reviewing the application and drafting the permit documents. Jonathan Holtom, P.E., is the Air Permitting Supervisor responsible for reviewing, editing and approving these documents. Additional details of this analysis may be obtained by contacting the project engineer at the Department's Division of Air Resource Management, Office of Permitting and Compliance at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400.

# DRAFT

## PERMITTEE

Florida Municipal Power Agency (FMPA)  
8553 Commodity Circle  
Orlando, Florida 32819

Permit No. 0970043-018-AC/PSD-FL-400A  
Cane Island Power Park  
Unit 4 Permit Revisions  
Osceola County, Florida  
Expires: December 31, 2011

### *Authorized Representative:*

Mr. Roger Fontes, General Manager and CEO

## PROJECT AND LOCATION

This is the final air construction permit authorizing the revision of several specific conditions of permit No. 0970043-014-AC/PSD-FL-400 for combined cycle Unit 4. The facility is located in Osceola County at 6075 Old Tampa Highway, Intercession City. The UTM coordinates for this site are 447.5 km East and 3128.0 North.

This final permit is organized into the following sections: Section 1 (General Information); Section 2 (Administrative Requirements); Section 3 (Emissions Unit Specific Conditions); and Section 4 (Appendices). Because of the technical nature of the project, the permit contains numerous acronyms and abbreviations which are defined in Appendix A of Section 4 of this permit.

Changes to previously established permitting language is indicated by ~~strikethrough~~ formatting to indicate deletions and by double underline formatting to indicate new text.

## STATEMENT OF BASIS

This air pollution construction permit is issued under the provisions of Chapter 403 of the Florida Statutes (F.S.), and Chapters 62-4, 62-204, 62-210, 62-212, 62-296 and 62-297 of the Florida Administrative Code (F.A.C.). The permittee is authorized to conduct the proposed work in accordance with the conditions of this permit and as described in the application, approved drawings, plans, and other documents on file with the Department. This project is subject to the general preconstruction review requirements in Rule 62-212.300, F.A.C.

Upon issuance of this final permit, any party to this order has the right to seek judicial review of it under Section 120.68 of the Florida Statutes by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department of Environmental Protection in the Office of General Counsel (Mail Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000) and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The notice must be filed within 30 days after this order is filed with the clerk of the Department.

Executed in Tallahassee, Florida

(DRAFT)

\_\_\_\_\_  
Jeffery F. Koerner, Program Administrator  
Office of Permitting and Compliance  
Division of Air Resource Management

\_\_\_\_\_  
(Date)

JFK/jh/th

**SECTION I. GENERAL INFORMATION**

**FACILITY AND PROJECT DESCRIPTION**

**Existing Facility**

Florida Municipal Power Agency (FMPA) and the Kissimmee Utilities Authority (KUA) jointly own the Cane Island Power Park (CIPP), which is located in Osceola County at 6075 Old Tampa Highway, Intercession City, Florida. The site is located approximately 105 km southeast from the Chassahowitzka National Wildlife Area; the nearest Federal Prevention of Significant Deterioration (PSD) Class I Area. The UTM coordinates are 447.5 km East and 3128.0 North.

This facility is a 710 MW electric power generating plant. This facility's emissions units are:

<b>E.U. ID No.</b>	<b>Brief Description</b>
<i>Regulated Emissions Units</i>	
001	Unit 1 is a Simple-Cycle Combustion Turbine rated at 40 megawatts (MW), 367 million British thermal unit per hour (MMBtu/hr) for natural gas and 372 MMBtu/hr for No. 2 fuel oil.
002	Unit 2 is a Combined-Cycle Combustion Turbine rated at 120 MW, 869 MMBtu/hr for natural gas and 928 MMBtu/hr for No. 2 fuel oil.
003 005	Unit 3 is a Combined-Cycle Combustion Turbine (EU 003) with duct burner (EU 005) rated at 250 MW combined, 1,696 MMBtu/hr for natural gas and 1,910 MMBtu/hr for No. 2 fuel oil.
004	No.2 Distillate Fuel Oil Storage Tank (one million gallon capacity).
009	Unit 4 is a nominal 150 MW natural gas-fueled General Electric 7FA CTG equipped with evaporative inlet air cooling equipment; a supplementary-fired heat recovery steam generator (HRSG) with a nominal 600 million Btu per hour (MMBtu) duct burner (DB); a HRSG stack; and a nominal 150 MW steam turbine generator (STG).
010	Emergency fire pump diesel engine and ULSD FO storage tank.
011	Diesel electric generator for safe shutdown of Unit 4 and ULSD FO storage tank.
012	Unit 4 Cooling Tower – consisting of eight cells with eight individual exhaust fans.
<i>Unregulated Emissions Units and Activities</i>	
006	Cooling Tower.
007	Distillate Fuel Oil Tank No. 2 (700,000 gal. capacity).
008	Distillate Fuel Oil Tank No. 1 (300,000 gal. capacity).

These units fire natural gas as the primary fuel, with distillate fuel as backup.

**Project Description**

This proposed project is to modify several specific conditions of permit No. 0970043-014-AC (PSD-FL-400) for Unit 4, as detailed in Section III, below.

**REGULATORY CLASSIFICATION**

The facility is a major Prevention of Significant Deterioration (PSD) stationary source in accordance with Rule 62-212.400, F.A.C. Unit 4 is subject to the PSD rules including a determination of best available control technology (BACT).

## SECTION I. GENERAL INFORMATION

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The facility is a Title V major source of air pollution in accordance with Chapter 62-213, F.A.C.

The facility operates existing units subject to the Acid Rain provisions of Title IV of the Clean Air Act (CAA).

The facility operates units subject to the Standards of Performance for New Stationary Sources (NSPS) pursuant to 40 CFR Part 60. Unit 4 is subject to 40 CFR 60, Subpart KKKK – NSPS for Stationary Combustion Turbines that Commence Construction after February 18, 2005. This rule also covers DB burners that are incorporated into combined cycle projects. The emergency fire pump diesel engine and the safe shutdown diesel generator are subject to 40 CFR 60, Subpart IIII – NSPS for Stationary Compression Ignition Internal Combustion Engines.

The existing facility is a major source of hazardous air pollutants (HAP). Unit 4 is potentially subject to 40 CFR 63, Subpart YYYY - National Emission Standards for Hazardous Air Pollutants (NESHAP) for Stationary Combustion Turbines. The applicability of this rule has been stayed for lean premix and diffusion flame gas-fired combustion turbines such as installed for this project. The safe shutdown diesel generator was subject only to the initial notification requirements of 40 CFR 60, Subpart ZZZZ – NESHAP for Stationary Reciprocating Internal Combustion Engines.

The facility is subject to the Federal Clean Air Interstate Rule (CAIR) in accordance with the Department's final rule at Section 62-296.470, F.A.C.

The facility operates units that were certified under the Florida Power Plant Siting Act (FPPSA), 403.501-518, F.S. (Unit 4 is also subject to the requirements of the FPPSA).

### RELEVANT DOCUMENTS

Several documents shown in the following link are not a part of this permit, but helped form the basis for this permitting action. Documents related to this permitting action are posted under permit No. 0970043-018-AC at the following web site address: <http://appprod.dep.state.fl.us/air/emission/apds/default.asp>.

## SECTION II. ADMINISTRATIVE REQUIREMENTS

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1. Permitting Authority: The Permitting Authority for this project is the Office of Permitting and Compliance (OPC) in the Division of Air Resource Management of the Department. The mailing address for OPC is 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400.
2. Compliance Authority: All documents related to compliance activities such as reports, tests, and notifications shall be submitted to the Central District Office. The mailing address and phone number of the Central District Office are: Department of Environmental Protection, Central District Office, 3319 Maguire Boulevard, Suite 232, Orlando Florida 32803-3767. Telephone: (407) 894-7555. Fax: (407) 897-5963.
3. Appendices: The following Appendices are attached as part of this permit:
  - a. Appendix A. Citation Formats and Glossary Terms;
  - b. Appendix B. General Conditions; and
  - c. Appendix C. Common Conditions.
4. Applicable Regulations, Forms and Application Procedures: Unless otherwise specified in this permit, the construction and operation of the subject emissions units shall be in accordance with the capacities and specifications stated in the application. The facility is subject to all applicable provisions of: Chapter 403, F.S.; and Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-214, 62-296, and 62-297, F.A.C. Issuance of this permit does not relieve the permittee from compliance with any applicable federal, state, or local permitting or regulations.
5. New or Additional Conditions: For good cause shown and after notice and an administrative hearing, if requested, the Department may require the permittee to conform to new or additional conditions. The Department shall allow the permittee a reasonable time to conform to the new or additional conditions, and on application of the permittee, the Department may grant additional time. [Rule 62-4.080, F.A.C.]
6. Modifications: No emissions unit shall be constructed or modified without obtaining an air construction permit from the Department. Such permit shall be obtained prior to beginning construction or modification. [Rules 62-210.300(1) and 62-212.300(1)(a), F.A.C.]
7. Construction and Expiration: This permit does not authorize any physical construction. The expiration date is established to provide adequate time for the concurrently processed Title V air operation permit revision to be issued as a final permit. For good cause, the permittee may request that these PSD air construction permits be extended. Such a request shall be submitted to the Department's Bureau of Air Regulation at least sixty (60) days prior to the expiration of this permit. [Rules 62-4.070(4), 62-4.080, 62-210.300(1) and 62-212.400(6)(b), F.A.C.]

**SECTION III - EMISSIONS UNITS SPECIFIC CONDITIONS**

This section of the permit addresses the following emissions unit.

EU ID NO.	EMISSION UNIT DESCRIPTION
009	Unit 4 is a nominal 150 MW natural gas-fueled General Electric 7FA CTG equipped with evaporative inlet air cooling equipment; a supplementary-fired heat recovery steam generator (HRSG) with a nominal 600 million Btu per hour (MMBtu) duct burner (DB); a HRSG stack; and a nominal 150 MW steam turbine generator (STG).

**APPLICABLE STANDARDS AND REGULATIONS**

1. Issuance of this permit does not relieve the facility owner or operator from compliance with any applicable federal, state, or local permitting requirements or regulations. [Rule 62-210.300, F.A.C.]
2. Except as specified below, the facility remains subject to all of the requirements contained in all previously issued air permits for this facility. (Note: These requirements are reflected in the current Title V Air Operation Permit No. 0970043-017-AV issued on November 25, 2009 and the air construction permit No. 0970043-014-AC (PSD-FL-400) for Unit 4 issued on September 5, 2008.

**PERMIT BEING MODIFIED: 0970043-014-AC (PSD-FL-400)**

3. Specific Condition 7 is revised to properly reflect the nominal heat input of this Unit, as installed.
  7. Capacity – CTG: The nominal heat input rating of the CTG is ~~1,860~~ 1,900 MMBtu per hour based on a compressor inlet air temperature of 59° F, International Organization for Standardization (ISO) conditions, the HHV of natural gas and 100% load. Heat input rates will vary depending upon gas turbine characteristics, ambient conditions, alternate methods of operation, and evaporative cooling. The permittee shall provide manufacturer’s performance curves (or equations) that correct for site conditions to the Permitting and Compliance Authorities within 45 days of completing the initial compliance testing. Operating data may be adjusted for the appropriate site conditions in accordance with the performance curves and/or equations on file with the Department. [Rule 62-210.200(Definitions – Potential to Emit), F.A.C.]
4. Specific Condition 12 is revised to add the word “block” to the 24-hr average for NO<sub>x</sub>, as per Condition 26 of permit (PSD-FL-400), and to rearrange the column for the average time for CO.
  12. Emission Standards: Emissions from the CTG/HRSG system shall not exceed the following standards.

Pollutant	Method of Operation	Initial and Annual Stack Test 3-Run Average		CEMS Average
		ppmvd @15% O <sub>2</sub>	lb/hr <sup>f</sup>	ppmvd @ 15% O <sub>2</sub>
CO <sup>a</sup>	CTG Normal	4.1	16.7	8.0, 24-hr block
	CTG & DB	7.6	40.8	<del>6.0, 12-month rolling</del>
	All Modes	NA	NA	<del>6.0, 12-month rolling</del>
NO <sub>x</sub> <sup>b</sup>	CTG Normal	2.0	13.4	2.0, 24-hr <del>block</del>
	CTG & DB	2.0	17.6	and 15, 30 days rolling <sup>g</sup>

No change to the rest of this Condition.

5. The Department encourages operators to keep their combustion turbines properly tuned to ensure that emissions during normal operations are as low as possible, so clarifications to provisions that encourage tuning are routinely granted. Specific Conditions 18 and 19 are revised to include requested circumstances for DLN tuning.

### SECTION III - EMISSIONS UNITS SPECIFIC CONDITIONS

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18. Ammonia Injection: Ammonia injection shall begin as soon as operation of the CTG/HRSG system achieves the operating parameters specified by the manufacturer. As authorized by Rule 62-210.700(5), F.A.C., the above condition allows excess emissions only for specifically defined periods of startup, shutdown, fuel switching, DLN tuning and documented malfunction of the CTG/HRSG system including the pollution control equipment. [Design; Rules 62-212.400(BACT) and 62-210.700, F.A.C.]
19. DLN Tuning: CEMS data collected during initial or other major DLN tuning sessions shall be excluded from the CEMS compliance demonstration provided the tuning session is performed in accordance with the manufacturer's specifications. A "major tuning session" would occur after completion of initial construction, a combustor change-out, a major repair or maintenance to a combustor, or ~~other similar~~ circumstances as identified by the equipment manufacturer. Prior to performing any major tuning session, the permittee shall provide the Compliance Authority with an advance notice of at least 14 days that details the activity and proposed tuning schedule. The notice may be by telephone, facsimile transmittal, or electronic mail. [Design; Rule 62-4.070(3), F.A.C.]
6. Specific Condition 22 is revised to clarify that ammonia testing is required, since the word ammonia was inadvertently omitted (by the Department) from this condition. As per condition 12 of the original PSD-FL-400 (Emission Standards) that requires initial and annual testing for all pollutants, the ammonia test requirement is added to this condition. It is the intent of the Department to require annual testing of ammonia for combined cycle combustion turbines with SCR. The test is to provide an indicator of catalyst viability and to maintain a correlation between the ammonia injection rate and actual NO<sub>x</sub> emissions to be used as a surrogate parameter in the event the NO<sub>x</sub> CEMS is temporarily out of service.
22. Annual Compliance Tests: During each federal fiscal year (October 1<sup>st</sup>, to September 30<sup>th</sup>), the CTG shall be tested to demonstrate compliance with the emission standard for ammonia slip and visible emissions. NO<sub>x</sub> and CO emissions data collected during the required continuous monitor RATA may be used to demonstrate compliance with the CO and NO<sub>x</sub> standards. NO<sub>x</sub> emissions recorded by the CEMS shall be reported for each ammonia slip test run. CO emissions recorded by the CEMS shall be reported for the visible emissions observation period. [Rules 62-212.400 (BACT) and 62-297.310(7)(a)4, F.A.C.]



**SECTION 4. APPENDICES**

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Appendix A. Citation Formats and Glossary of Common Terms

Appendix B. General Conditions

Appendix C. Common Conditions

**SECTION 4. APPENDIX A**  
**Citation Formats and Glossary of Common Terms**

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**CITATION FORMATS**

The following illustrate the formats used in the permit to identify applicable requirements from permits and regulations.

**Old Permit Numbers**

Example: Permit No. AC50-123456 or Permit No. AO50-123456

Where: “AC” identifies the permit as an Air Construction Permit  
“AO” identifies the permit as an Air Operation Permit  
“123456” identifies the specific permit project number

**New Permit Numbers**

Example: Permit Nos. 099-2222-001-AC, 099-2222-001-AF, 099-2222-001-AO, or 099-2222-001-AV

Where: “099” represents the specific county ID number in which the project is located  
“2222” represents the specific facility ID number for that county  
“001” identifies the specific permit project number  
“AC” identifies the permit as an air construction permit  
“AF” identifies the permit as a minor source federally enforceable state operation permit  
“AO” identifies the permit as a minor source air operation permit  
“AV” identifies the permit as a major Title V air operation permit

**PSD Permit Numbers**

Example: Permit No. PSD-FL-317

Where: “PSD” means issued pursuant to the preconstruction review requirements of the Prevention of Significant Deterioration of Air Quality  
“FL” means that the permit was issued by the State of Florida  
“317” identifies the specific permit project number

**Florida Administrative Code (F.A.C.)**

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

Means: Title 62, Chapter 213, Rule 205 of the Florida Administrative Code

**Code of Federal Regulations (CFR)**

Example: [40 CRF 60.7]

Means: Title 40, Part 60, Section 7

**GLOSSARY OF COMMON TERMS**

° F: degrees Fahrenheit

µg: microgram

AAQS: Ambient Air Quality Standard

acf: actual cubic feet

acfm: actual cubic feet per minute

ARMS: Air Resource Management System  
(Department’s database)

**BACT:** best available control technology

**bhp:** brake horsepower

**Btu:** British thermal units

**CAM:** compliance assurance monitoring

**CEMS:** continuous emissions monitoring system

**cfm:** cubic feet per minute

**CFR:** Code of Federal Regulations

**SECTION 4. APPENDIX A**  
**Citation Formats and Glossary of Common Terms**

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<b>CAA:</b> Clean Air Act	<b>NESHAP:</b> National Emissions Standards for Hazardous Air Pollutants
<b>CMS:</b> continuous monitoring system	<b>NO<sub>x</sub>:</b> nitrogen oxides
<b>CO:</b> carbon monoxide	<b>NSPS:</b> New Source Performance Standards
<b>CO<sub>2</sub>:</b> carbon dioxide	<b>O&amp;M:</b> operation and maintenance
<b>COMS:</b> continuous opacity monitoring system	<b>O<sub>2</sub>:</b> oxygen
<b>DARM:</b> Division of Air Resource Management	<b>Pb:</b> lead
<b>DEP:</b> Department of Environmental Protection	<b>PM:</b> particulate matter
<b>Department:</b> Department of Environmental Protection	<b>PM<sub>10</sub>:</b> particulate matter with a mean aerodynamic diameter of 10 microns or less
<b>dscf:</b> dry standard cubic feet	<b>ppm:</b> parts per million
<b>dscfm:</b> dry standard cubic feet per minute	<b>ppmv:</b> parts per million by volume
<b>EPA:</b> Environmental Protection Agency	<b>ppmvd:</b> parts per million by volume, dry basis
<b>ESP:</b> electrostatic precipitator (control system for reducing particulate matter)	<b>QA:</b> quality assurance
<b>EU:</b> emissions unit	<b>QC:</b> quality control
<b>F:</b> fluoride	<b>PSD:</b> prevention of significant deterioration
<b>F.A.C.:</b> Florida Administrative Code	<b>psi:</b> pounds per square inch
<b>F.A.W.:</b> Florida Administrative Weekly	<b>PTE:</b> potential to emit
<b>F.D.:</b> forced draft	<b>RACT:</b> reasonably available control technology
<b>F.S.:</b> Florida Statutes	<b>RATA:</b> relative accuracy test audit
<b>FGD:</b> flue gas desulfurization	<b>RBLC:</b> EPA's RACT/BACT/LAER Clearinghouse
<b>FGR:</b> flue gas recirculation	<b>SAM:</b> sulfuric acid mist
<b>ft<sup>2</sup>:</b> square feet	<b>scf:</b> standard cubic feet
<b>ft<sup>3</sup>:</b> cubic feet	<b>scfm:</b> standard cubic feet per minute
<b>gpm:</b> gallons per minute	<b>SIC:</b> standard industrial classification code
<b>gr:</b> grains	<b>SIP:</b> State Implementation Plan
<b>HAP:</b> hazardous air pollutant	<b>SNCR:</b> selective non-catalytic reduction (control system used for reducing emissions of nitrogen oxides)
<b>Hg:</b> mercury	<b>SO<sub>2</sub>:</b> sulfur dioxide
<b>I.D.:</b> induced draft	<b>TPD:</b> tons/day
<b>ID:</b> identification	<b>TPH:</b> tons per hour
<b>kPa:</b> kilopascals	<b>TPY:</b> tons per year
<b>lb:</b> pound	<b>TRS:</b> total reduced sulfur
<b>MACT:</b> maximum achievable technology	<b>UTM:</b> Universal Transverse Mercator coordinate system
<b>MMBtu:</b> million British thermal units	<b>VE:</b> visible emissions
<b>MSDS:</b> material safety data sheets	<b>VOC:</b> volatile organic compounds
<b>MW:</b> megawatt	

## SECTION 4. APPENDIX B

### General Conditions

The permittee shall comply with the following general conditions from Rule 62-4.160, F.A.C.

1. The terms, conditions, requirements, limitations and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, F.S. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in subsections 403.987(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other department permit that may be required for other aspects of the total project which are not addressed in this permit.
4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.
6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, access to the premises where the permitted activity is located or conducted to:
  - a. Have access to and copy any records that must be kept under conditions of the permit;
  - b. Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
  - c. Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules. Reasonable time may depend on the nature of the concern being investigated.
8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:
  - a. A description of and cause of noncompliance; and
  - b. The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.
9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Sections 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

**SECTION 4. APPENDIX B**

**General Conditions**

10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules. A reasonable time for compliance with a new or amended surface water quality standard, other than those standards addressed in Rule 62-302.500, F.A.C., shall include a reasonable time to obtain or be denied a mixing zone for the new or amended standard.
11. This permit is transferable only upon Department approval in accordance with Rules 62-4.120 and 62-730.300, F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.
12. This permit or a copy thereof shall be kept at the work site of the permitted activity.
13. This permit also constitutes:
  - a. Determination of Best Available Control Technology (not applicable);
  - b. Determination of Prevention of Significant Deterioration (not applicable); and
  - c. Compliance with New Source Performance Standards (applicable).
14. The permittee shall comply with the following:
  - a. Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
  - b. The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.
  - c. Records of monitoring information shall include:
    - (a) The date, exact place, and time of sampling or measurements;
    - (b) The person responsible for performing the sampling or measurements;
    - (c) The dates analyses were performed;
    - (d) The person responsible for performing the analyses;
    - (e) The analytical techniques or methods used;
    - (f) The results of such analyses.
15. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

## SECTION 4. APPENDIX C

### Common Conditions

Unless otherwise specified in the permit, the following conditions apply to all emissions units and activities at the facility.

#### EMISSIONS AND CONTROLS

1. Plant Operation - Problems: If temporarily unable to comply with any of the conditions of the permit due to breakdown of equipment or destruction by fire, wind or other cause, the permittee shall notify each Compliance Authority as soon as possible, but at least within one working day, excluding weekends and holidays. The notification shall include: pertinent information as to the cause of the problem; steps being taken to correct the problem and prevent future recurrence; and, where applicable, the owner's intent toward reconstruction of destroyed facilities. Such notification does not release the permittee from any liability for failure to comply with the conditions of this permit or the regulations. [Rule 62-4.130, F.A.C.]
2. Circumvention: The permittee shall not circumvent the air pollution control equipment or allow the emission of air pollutants without this equipment operating properly. [Rule 62-210.650, F.A.C.]
3. Excess Emissions Allowed: Excess emissions resulting from startup, shutdown or malfunction of any emissions unit shall be permitted providing (1) best operational practices to minimize emissions are adhered to and (2) the duration of excess emissions shall be minimized but in no case exceed 2 hours in any 24-hour period unless specifically authorized by the Department for longer duration. Pursuant to Rule 62-210.700(5), F.A.C., the permit subsection may specify more or less stringent requirements for periods of excess emissions. Rule 62-210.700(Excess Emissions), F.A.C., cannot vary or supersede any federal NSPS or NESHAP provision. [Rule 62-210.700(1), F.A.C.]
4. Excess Emissions Prohibited: 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. [Rule 62-210.700(4), F.A.C.]
5. Excess Emissions - Notification: In case of excess emissions resulting from malfunctions, the permittee shall notify the Compliance Authority 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.]
6. VOC or OS Emissions: No person shall 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. [Rule 62-296.320(1), F.A.C.]
7. Objectionable Odor Prohibited: No person shall cause, suffer, allow or permit the discharge of air pollutants, which cause or contribute to an objectionable odor. An "objectionable odor" means any odor present in the outdoor atmosphere which by itself or in combination with other odors, is or may be harmful or injurious to human health or welfare, which unreasonably interferes with the comfortable use and enjoyment of life or property, or which creates a nuisance. [Rules 62-296.320(2) and 62-210.200(Definitions), F.A.C.]
8. General Visible Emissions: No person shall cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity equal to or greater than 20% opacity. This regulation does not impose a specific testing requirement. [Rule 62-296.320(4)(b)1, F.A.C.]
9. Unconfined Particulate Emissions: During the construction period, unconfined particulate matter emissions shall be minimized by dust suppressing techniques such as covering and/or application of water or chemicals to the affected areas, as necessary. [Rule 62-296.320(4)(c), F.A.C.]

#### RECORDS AND REPORTS

10. Records Retention: All measurements, records, and other data required by this permit shall be documented in a permanent, legible format and retained for at least 5 years following the date on which such measurements, records, or data are recorded. Records shall be made available to the Department upon request. [Rule 62-213.440(1)(b)2, F.A.C.]
11. Emissions Computation and Reporting:
  - a. Applicability. This rule sets forth required methodologies to be used by the owner or operator of a facility for computing actual emissions, baseline actual emissions, and net emissions increase, as defined at Rule 62-210.200, F.A.C., and for computing emissions for purposes of the reporting requirements of subsection 62-210.370(3) and paragraph 62-212.300(1)(e), F.A.C., or of any permit condition that requires emissions be computed in accordance with this rule. This rule is not intended to establish methodologies for determining compliance with the emission

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limitations of any air permit. [Rule 62-210.370(1), F.A.C.]

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

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material or fuel used in or at the emissions unit if it cannot otherwise be accounted for in the process or in the capture and destruction of the pollutant by the unit's air pollution control equipment.

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

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



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c. *Annual Operating Report for Air Pollutant Emitting Facility*

- (1) The Annual Operating Report for Air Pollutant Emitting Facility (DEP Form No. 62-210.900(5)) shall be completed each year for the following facilities:
  - a. All Title V sources.
  - b. All synthetic non-Title V sources.
  - c. All facilities with the potential to emit ten (10) tons per year or more of volatile organic compounds or twenty-five (25) tons per year or more of nitrogen oxides and located in an ozone nonattainment area or ozone air quality maintenance area.
  - d. All facilities for which an annual operating report is required by rule or permit.
- (2) Notwithstanding paragraph 62-210.370(3)(a), F.A.C., no annual operating report shall be required for any facility operating under an air general permit.
- (3) The annual operating report shall be submitted to the appropriate Department of Environmental Protection (DEP) division, district or DEP-approved local air pollution control program office by April 1 of the following year. If the report is submitted using the Department's electronic annual operating report software, there is no requirement to submit a copy to any DEP or local air program office.
- (4) Emissions shall be computed in accordance with the provisions of subsection 62-210.370(2), F.A.C., for purposes of the annual operating report.
- (5) Facility Relocation. Unless otherwise provided by rule or more stringent permit condition, the owner or operator of a relocatable facility must submit a Facility Relocation Notification Form (DEP Form No. 62-210.900(6)) to the Department at least 30 days prior to the relocation. A separate form shall be submitted for each facility in the case of the relocation of multiple facilities which are jointly owned or operated.

[Rule 62-210.370(3), F.A.C.]