



Florida Department of Environmental Protection

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2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

August 31, 2007

Mr. Jeffrey Swartz
Plant Manager
Florida Power Corporation dba Progress Energy Florida, Inc.
299 First Avenue North, MAC PEF-903
Saint Petersburg, Florida 33701

Re: Title V Air Operation Permit Revision
PROPOSED Permit Project No. 1010017-010-AV
Revision to Title V Air Operation Permit No. 1010017-008-AV
Anclote Power Plant

Dear Mr. Jeffrey Swartz:

One copy of the "PROPOSED Determination" for the Title V Air Operation Permit Revision for the Anclote Power Plant located in Pasco County at 1729 Baillies Bluff Road in Holiday, Florida, is enclosed. This letter is only a courtesy to inform you that the DRAFT Permit has become a PROPOSED Permit.

An electronic version of this determination has been posted on the Division of Air Resources Management's world wide web site for the United States Environmental Protection Agency (USEPA) Region 4 office's review. The web site address is:

["http://www.dep.state.fl.us/air/eproducts/ards/default.asp"](http://www.dep.state.fl.us/air/eproducts/ards/default.asp)

Pursuant to Section 403.0872(6), Florida Statutes, if no objection to the PROPOSED Permit is made by the USEPA within 45 days, the PROPOSED Permit will become a FINAL Permit no later than 55 days after the date on which the PROPOSED Permit was mailed (posted) to USEPA. If USEPA has an objection to the PROPOSED Permit, the FINAL Permit will not be issued until the permitting authority receives written notice that the objection is resolved or withdrawn.

If you should have any questions, please contact Jeff Koerner at 850/921-9536.

Sincerely,

Trina Vielhauer, Chief
Bureau of Air Regulation

/clb

Enclosures

copy furnished to:

Mr. Jeffrey Swartz, Progress Energy Florida, Inc. (jeffrey.swartz@pgnmail.com)

Ms. Ann Quillian, Progress Energy Florida, Inc. (ann.quillian@pgnmail.com)

Mr. Mike Halpin, Siting Office (Halpin_M@dep.state.fl.us)

Ms. Cindy Zhang-Torres, Southwest District Office (Cindy.Zhang-Torres@dep.state.fl.us)
EPA Region 4 (posted)

Ms. Kathleen Forney, EPA Region 4 (forney.kathleen@epa.gov)

PROPOSED Determination

Title V Air Operation Permit Revision
PROPOSED Permit Project No. 1010017-010-AV
Revision to Title V Air Operation Permit No. 1010017-008-AV
Page 1 of 1

PUBLIC NOTICE

An "INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION" to Florida Power Corporation dba Progress Energy Florida, Inc. for the Anclote Power Plant located in Pasco County at 1729 Baillies Bluff Road in Holiday, Florida was clerked on June 9, 2007. The "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION" was published in the *St. Petersburg Times* on July 26, 2007. The DRAFT Permit was available for public inspection at the permitting authority's office in Tallahassee. Proof of publication of the "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION" was received on July 30, 2007.

PUBLIC COMMENT

No petitions were filed and no comments were received during the 30-day public comment period.

CONCLUSION

Since there were no comments received during the Public Notice period, no changes were made to the DRAFT Permit and the permitting authority hereby issues the PROPOSED Permit.

STATEMENT OF BASIS

FACILITY DESCRIPTION

Florida Power Corporation dba Progress Energy Florida, Inc. operates the Anclote Power Plant, which is located in Pasco County at 1729 Baillies Bluff Road in Holiday, Florida. This existing electrical generating plant (SIC No. 4911) consists of two fossil fuel fired steam electric generating units, two mechanical draft helper cooling towers, relocatable diesel fired generators, and miscellaneous unregulated and insignificant emissions units and/or activities. Unit 1 (EU-001) consists of a controlled circulation, radiant reheat steam generator manufactured by Combustion Engineering, Inc. with a maximum heat input rate of 5073 MMBtu per hour. Unit 1 provides steam to a steam turbine-electrical generator set with a nameplate rating of 535 MW (summer) and 540 MW (winter). Unit 2 (EU-002) consists of a controlled circulation, radiant reheat steam generator manufactured by Combustion Engineering, Inc. with a maximum heat input rate of 4957 MMBtu per hour. Unit 2 provides steam to a steam turbine-electrical generator set with a nameplate rating of 525 MW (summer) and 530 MW (winter). Units No. 1 and No. 2 share a common stack.

PRIMARY REGULATORY REQUIREMENTS

The compliance assurance monitoring (CAM) provisions does not apply to any emission units at this facility.

Based on the Title V Air Operation Permit Revision application received May 4, 2007 this facility is a major source of hazardous air pollutants (HAP).

Emissions Units 1 and 2 of this facility are regulated by the following regulations:

- Chapter 62-296.405, F.A.C., Fossil Fuel Steam Gravity Units >250 MMBtu per hour
- Chapter 62-297.401, F.A.C., Compliance Test Methods
- 40 CFR 75 Federal Acid Rain Program

PROJECT DESCRIPTION

On May 4, 2007, the Florida Power Corporation dba Progress Energy Florida, Inc. submitted an application to revise air Permit No. 1010017-004-AC and concurrently revise air Permit No. 1010017-008-AV. The applicant requested removal of the requirements to install and operate a continuous monitoring system for SO₂ emissions on Units 1 and 2 and clarification that compliance with SO₂ standards will be based on the fuel sampling, analysis, and monitoring provisions of the Acid Rain Program specified in Appendix D of 40 CFR 75. The proposed changes affect Specific Conditions A.14.2, A.19, A.20.3, and A32.2 of air Permit No. 1010017-008-AV.

REVISIONS

Units 1 and 2 are authorized to fire natural gas and a variety of fuel oils. Although compliance with the SO₂ standards may be demonstrated by either continuous emissions monitoring or fuel sampling and analysis, air Permit No. 1010017-004-AC requires the installation and operation of continuous emissions monitoring systems for these units. However, the units are also subject to the acid rain provisions and do not rely upon control equipment to comply with the SO₂ standards, but rather sulfur-compliant fuels. Therefore, the applicant requests that the permit conditions specifying installation and operation of the SO₂ continuous emissions monitoring systems be removed and the other conditions clarified to allow continuous fuel sampling, analysis, and monitoring pursuant to Appendix D in 40 CFR 75.

Rule 62-296.405(1)(c)1.j., F.A.C. specifies an SO₂ standard of 2.75 lb per MMBtu heat input for emissions units burning liquid fuel in Pasco County. This standard applies to Units 1 and 2 and is specified in the current Title V air operation permit. In addition, Permit No. 1010017-004-AC limits SO₂ emissions from firing fuel oil by restricting the maximum fuel sulfur content to no more than 1.8% by weight at any time and 1.5% by weight based on a 12-month rolling average. This is equivalent to 1.97 lb SO₂ per MMBtu and 1.64 lb SO₂ per MMBtu respectively.

STATEMENT OF BASIS

In addition to the continuous monitoring of SO₂ emissions from the stack, Rule 62-296.405(5)b, F.A.C. allows fuel sampling and analysis as an alternative sampling procedure for emissions units not having an operating flue gas desulfurization device. This is also true for the acid rain monitoring provisions of Appendix D in 40 CFR 75. Since the plant commits to firing only sulfur-compliant fuels, the Department has reasonable assurance of compliance with the standards provided the provisions for continuous fuel sampling, analysis, and monitoring will be met. Therefore, the Department approved the request and revised air Permit No. 1010017-004-AC accordingly.

Since the underlying applicable requirements from the air construction permit were changed, the following conditions in the Title V permit were revised: A.14.1, A.14.2, A.19, A.20.3, and A.32.2. See draft Title V permit for this project. Changes are shown in a strikethrough underline format.

CONCLUSION

This project revises Title V air operation permit No. 1010017-008-AV, which was issued on December 21, 2006. This Title V Air Operation Permit Revision is issued under the provisions of Chapter 403, F.S., and Chapters 62-4, 62-210 and 62-213, F.A.C. In accordance with the terms and conditions of this permit, the above named permittee is hereby authorized to operate the facility as shown on the application and approved drawings, plans, and other documents, on file with the permitting authority.

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

The facilities, emissions units, or pollutant-emitting activities listed in Rule 62-210.300(3)(a), F.A.C., Categorical Exemptions, are exempt from the permitting requirements of Chapters 62-210 and 62-4, F.A.C.; provided, however, that exempt emissions units shall be subject to any applicable emission limiting standards and the emissions from exempt emissions units or activities shall be considered in determining the potential emissions of the facility containing such emissions units. Emissions units and pollutant-emitting activities exempt from permitting under Rule 62-210.300(3)(a), F.A.C., shall not be exempt from the permitting requirements of Chapter 62-213, F.A.C., if they are contained within a Title V source; however, such emissions units and activities shall be considered insignificant for Title V purposes provided they also meet the criteria of Rule 62-213.430(6)(b), F.A.C. No emissions unit shall be entitled to an exemption from permitting under Rule 62.210.300(3)(a), F.A.C., if its emissions, in combination with the emissions of other units and activities at the facility, would cause the facility to emit or have the potential to emit any pollutant in such amount as to make the facility a Title V source.

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

1	Lube Oil System Vents
2	Lube Oil Reservoir Tank
3	Parts Washers/Degreasers
4	Waste Oil Storage Tanks
5	Portable Unleaded Gasoline Tank
6	Evaporation of non-hazardous boiler cleaning chemical
7	No. 2 Diesel Fuel Tank

Florida Power Corporation
dba Progress Energy Florida, Inc.
Anclote Power Plant
Facility ID No. 1010017
Pasco County

Proposed Permit No. 1010017-010-AV
Title V Air Operation Permit Revision
Revision of Title V Air Operation Permit No. 1010017-008-AV

Permitting Authority:

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

Mail Station #5505
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Telephone: 850/488-0114
Fax: 850/922-6979

Compliance Authority:

Department of Environmental Protection
Southwest District
13051 Telecom Parkway
Temple Terrace, Florida 33637-0926

Telephone: 813/632-7600
Fax: 813/744-6458

Revisions are indicated by ~~striketrough~~ and underline

Title V Air Operation Permit Revision
 Permit No. 1010017-010-AV
 Revision of Title V Air Operation Permit No. 1010017-008-AV

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Permittee:
Florida Power Corporation
dba Progress Energy Florida, Inc
Anclote Power Plant

Permit No. 1010017-010-AV
Facility ID No. 1010017
SIC No. 4911
Title V Air Operation Permit Revision

The purpose of this permit is to incorporate the conditions of Air Construction Permit 1010017-009-AC. This existing facility is located at 1729 Baillies Bluff Road, Holiday, Pasco County; UTM Coordinates: Zone 17, 324.4 km East and 3118.7 km North; and, Latitude: [28° 48' 17"] North and Longitude: [82° 47' 08"] West.

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

Referenced attachments made a part of this permit revision:

Appendix U-1, List of Unregulated Emissions Units and/or Activities
Appendix I-1, List of Insignificant Emissions Units and/or Activities
APPENDIX TV-6, TITLE V CONDITIONS
APPENDIX SS-1, STACK SAMPLING FACILITIES (version dated 10/07/96)
Phase II Acid Rain Application/Compliance Plan received April 26, 2004
Compliance Plan CP-1

Effective Date: Draft
Renewal Application Due Date: July 5, 2009
Expiration Date: December 31, 2009

(DRAFT)

Joseph Kahn, Director
Division of Air Resource Management

JK/clb

Section I. Facility Information.
Subsection A. Facility Description.

This facility consists of two fuel oil fired steam electric generating stations, E.U. ID No. -001 (Unit No. 1) and -002 (Unit No. 2). Unit No. 1 consists of a Combustion Engineering, Inc., Type CCRR boiler/steam generator and steam turbine which drives a generator with a nameplate rating of 535 (summer)/540 (winter) Megawatts. Unit No. 2 consists of a Combustion Engineering, Inc., Controlled Circulation, Radiant Reheat (CCRR) Type boiler/steam generator and steam turbine which drives a generator with a nameplate rating of 525 (summer)/530 (winter) Megawatts. Units No. 1 and No. 2 share a common stack. E.U. ID No. 007 consists of two mechanical draft helper cooling towers designed with a circulating water flow rate of 660,000 gallons per minute and drift rate of 0.0005% to control PM/PM₁₀ emissions. Also included in this permit are miscellaneous unregulated and insignificant emissions units and/or activities. Relocatable diesel fired generator(s) with a maximum heat input of 25.74 MMBtu/hour and a maximum rating of 2460 Kilowatts are permitted to be located at this facility and may be relocated to other Progress Energy Florida, Inc. (PEF) facilities.

Based on the initial Title V permit application received on May 14, 2004, this facility is a major source of hazardous air pollutants (HAPs).

Subsection B. Summary of Emissions Unit ID No(s). and Brief Description(s).

E.U. ID No.	Brief Description
-001	Fossil Fuel Fired Steam Generator # 1
-002	Fossil Fuel Fired Steam Generator # 2
-007	Mechanical Draft Helper Cooling Towers
7775047-001	Relocatable Diesel Fired Generator(s)

Unregulated Emissions Units and/or Activities
-003 Surface Coating and Solvent Cleaning
-004 Fuel Storage Tanks
-005 Emergency Generators
-006 General Purpose Engines

Please reference the Permit No., Facility ID No., and appropriate Emissions Unit(s) ID No(s). on all correspondence, test report submittals, applications, etc.

Subsection C. Relevant Documents.

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

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

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

These documents are on file with the permitting authority:

Initial Title V Permit Application received June 14, 1996.
Letter from Mr. Scott H. Osbourn dated and received by fax on October 13, 1997.
Phase II Acid Rain Application submitted on December 14, 1995.
Petition for Formal Administrative Hearing received September 4, 1997.
Notice of Withdrawal of Petition for Formal Administrative Hearing received December 15, 1998.
Letter from Mr. Scott H. Osbourn dated February 11, 1999.
EPA's Objection Letter dated July 12, 1999.
Department's response to EPA Objection Letter dated November 24, 1999.
Air Construction Permit No. 1010017-004-AC issued October 13, 1998.
Title V Permit Revision Application dated February 11, 2000.
Letter from the Florida Power Corporation dated May 12, 2000.
Title V Permit Renewal Application received May 14, 2004.
Air Construction Permit Application received May 9, 2006.
Title V Permit Revision Application received July 12, 2006.
Air Construction Permit Revision Application received May 4, 2007.
Title V Permit Revision Application received May 4, 2007.

Section II. Facility-wide Conditions.

The following conditions apply facility-wide:

1. APPENDIX TV-6, TITLE V CONDITIONS, is a part of this permit.

{Permitting note: Appendix TV-6, Title V Conditions is distributed to the permittee only. Other persons requesting copies of these conditions shall be provided one copy when requested or otherwise appropriate. If desired, a copy of Appendix TV-6, Title V Conditions can be downloaded from the Division of Air Resources Management's Internet Web site located at the following address: <http://www.dep.state.fl.us/air/permitting/tvappendices.htm>}

2. **Not federally enforceable. General Pollutant Emission Limiting Standards. Objectionable Odor Prohibited.** The permittee shall not cause, suffer, allow, or permit the discharge of air pollutants which cause or contribute to an objectionable odor.

[Rule 62-296.320(2), F.A.C.]

3. **General Particulate Emission Limiting Standards. General Visible Emissions Standard.**

Except for emissions units that are subject to a particulate matter or opacity limit set forth or established by rule and reflected by conditions in this permit, no person shall cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity, the density of which is equal to or greater than that designated as Number 1 on the Ringelmann Chart (20 percent opacity). EPA Method 9 is the method of compliance pursuant to Chapter 62-297, F.A.C.

[Rule 62-296.320(4)(b)1. & 4., F.A.C.]

4. **Prevention of Accidental Releases (Section 112(r) of CAA).**

a. The permittee shall submit its Risk Management Plan (RMP) to the Chemical Emergency Preparedness and Prevention Office (CEPPO) RMP Reporting Center when, and if, such requirement becomes applicable. Any Risk Management Plans, original submittals, revisions or updates to submittals, should be sent to:

RMP Reporting Center
Post Office Box 1515
Lanham-Seabrook, MD 20703-1515
Telephone: 301/429-5018

and,

b. The permittee shall submit to the permitting authority Title V certification forms or a compliance schedule in accordance with Rule 62-213.440(2), F.A.C.

[40 CFR 68]

5. **Unregulated Emissions Units and/or Activities.** Appendix U-1, List of Unregulated Emissions Units and/or Activities, is a part of this permit.

[Rule 62-213.440(1), F.A.C.]

6. **Insignificant Emissions Units and/or Activities.** Appendix I-1, List of Insignificant Emissions Units and/or Activities, is a part of this permit.

[Rules 62-213.440(1), 62-213.430(6), and 62-4.040(1)(b), F.A.C.]

7. **General Pollutant Emission Limiting Standards. Volatile Organic Compounds (VOC) Emissions or Organic Solvents (OS) Emissions.** The permittee shall not 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)(a), F.A.C.]

- 8. Not federally enforceable.** Reasonable precautions to prevent emissions of unconfined particulate matter at this facility shall include:
- Maintenance of paved areas as needed,
 - Regular mowing of grass and care of vegetation, and
 - Limiting access to plant property by unnecessary vehicles.
- [Rule 62-296.320(4)(c)2., F.A.C.; Proposed by applicant in the initial Title V permit application received June 14, 1996]
- 9.** When appropriate, any recording, monitoring, or reporting requirements that are time-specific shall be in accordance with the effective date of the permit, which defines day one.
[Rule 62-213.440, F.A.C.]
- 10.** The permittee shall submit all compliance related notifications and reports required of this permit to the Department's Southwest District office:

Department of Environmental Protection
Southwest District Office
13051 Telecom Parkway
Temple Terrace, Florida 33637-0926
Telephone: 813/632-7600
Fax: 813/744-6458

- 11.** Any reports, data, notifications, certifications, and requests required to be sent to the United States Environmental Protection Agency, Region 4, should be sent to:

United States Environmental Protection Agency, Region 4
Air, Pesticides & Toxics Management Division
Air & EPCRA Enforcement Branch
Air Enforcement Section
61 Forsyth Street
Atlanta, GA 30303-8960
Phone: 404/562-9155
Fax: 404/562-9163 or 404/562-9164

- 12. Statement of Compliance.** The annual statement of compliance pursuant to Rule 62-213.440(3), F.A.C., shall be submitted within sixty (60) days after the end of the calendar year.
{See Appendix TV-6, Title V Conditions}
[Rule 62-214.420(11), F.A.C.]
- 13. Certification by Responsible Official (RO).** In addition to the professional engineering certification required for applications by Rule 62-4.050(3), F.A.C., any application form, report, compliance statement, compliance plan and compliance schedule submitted pursuant to Chapter 62-213, F.A.C., shall contain a certification signed by a responsible official that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete. Any responsible official who fails to submit any required information or who has submitted incorrect information shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary information or correct information.
[Rule 62-213.420(4), F.A.C.]

Section III. Emissions Unit(s) and Conditions.

Subsection A. This section addresses the following emissions units.

E.U. ID No.	Brief Description
-001	Fossil Fuel Fired Steam Generator # 1
-002	Fossil Fuel Fired Steam Generator # 2

Fossil fuel fired steam generator # 1 is a nominal 535(summer)/540(winter) megawatt (electric) steam generator designated as Anclote Unit # 1. The emission unit is authorized to fire fuel oils Nos. 1 through No. 6, and on-specification used oil, with a nominal maximum heat input of 4964 MMBtu per hour. Pipeline quality natural gas may be fired alone or co-fired with fuel oil and shall be limited to a nominal maximum heat input of 2300 MMBtu per hour. Unit #1 is authorized to co-fire natural gas with fuel oils Nos. 1 through No. 6, and on-specification used oil, with a nominal maximum heat input of 5073 MMBtu per hour.

Fossil fuel fired steam generator # 2 is a nominal 525(summer)/530(winter) megawatt (electric) steam generator designated as Anclote Unit # 2. The emission unit is authorized to fire fuel oils Nos. 1 through No. 6, and on-specification used oil, with a nominal maximum heat input of 4850 MMBtu per hour. Pipeline quality natural gas may be fired alone or co-fired with fuel oil and shall be limited to a nominal maximum heat input rate of 2300 MMBtu per hour. Unit #2 is authorized to co-fire natural gas with fuel oils Nos. 1 through No. 6, and on-specification used oil, with a nominal maximum heat input of 4957 MMBtu per hour.

Each boiler/steam generator, units #1 and #2, drives a turbine generator and both units share a common 499 foot exhaust stack. Emissions from these units are uncontrolled.

{Permitting note(s): The emissions units are regulated under the Federal Acid Rain Program, and Rule 62-296.405, F.A.C., Fossil Fuel Steam Generators with More than 250 million Btu per Hour Heat Input. Fossil fuel fired steam generator # 1 began commercial operation on October 16, 1974; and, fossil fuel fired steam generator # 2 began commercial operation on October 31, 1978.}

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

Essential Potential to Emit (PTE) Parameters

A.1.1. Permitted Capacity. The maximum operation heat input rates are as follows:

Unit No.	MMBtu/hr Heat Input	Fuel Type
1	4964	No. 1, 2, 3, 4, 5, or 6 Fuel Oil, & On-Specification Used Oil*
1	2300	Natural Gas
1	5073	Natural Gas co-fired with No. 1, 2, 3, 4, 5, or 6 Fuel Oil, & On-Specification Used Oil
2	4850	No. 1, 2, 3, 4, 5, or 6 Fuel Oil, & On-specification Used Oil
2	2300	Natural Gas
2	4957	Natural Gas co-fired with No. 1, 2, 3, 4, 5, or 6 Fuel Oil, & On-Specification Used Oil

* The on-specification used oil burned at this facility may be generated on or off-site. [Rules 62-4.160(2), 62-210.200(PTE) and 62-296.405, F.A.C.; and, 1010017-004-AC, Specific Condition A.2.]

{Permitting note: The heat input limitations have been placed in each permit to identify the capacity of each unit for the purposes of confirming that emissions testing is conducted within 90 to 100 percent of the unit’s rated capacity (or to limit future operation to 110 percent of the test load), to establish appropriate emission limits and to aid in determining future rule applicability. Regular record keeping is not required for heat input. Instead the owner or operator is expected to determine heat input whenever emission testing is required, to demonstrate at what percentage of the rated capacity that the unit was tested. Rule 62-297.310(5), F.A.C., included in the permit, requires measurement of the process variables for emission tests. Such heat input determination may be based on measurements of fuel consumption by various methods including but not limited to fuel flow metering or tank drop measurements, using the heat value of the fuel determined by the fuel vendor or the owner or operator, to calculate average hourly heat input during the test.} [Rule 62-4.160(2), and Rule 62-297.310(2), F.A.C.]

A.1.2. Low load operation. To minimize acid smut, at low load operation (less than 80 MW per unit), the use of natural gas shall be at least 40% of the heat input to the unit or 7,000 MMBtu/day, whichever is less. [0100017-004-AC, Specific Condition B.6.]

A.2. Emissions Unit Operating Rate Limitation After Testing. See specific condition **A.22.** [Rule 62-297.310(2), F.A.C.]

A.3.1. Methods of Operation. Fuel(s).

- a. Startup: The only fuels allowed to be burned are pipeline quality natural gas and new No. 6 or lighter grades of fuel oils. On-specification used oil shall only be burned if the PCB’s are less than 2 ppm and may be blended with new No. 6 or lighter grades of fuel oil. *Blending as means of achieving the 2-ppm level shall not be allowed.* The maximum sulfur content of fuel oils fired is 1.8 percent, by weight.

b. Normal: The only fuels allowed to be burned are pipeline quality natural gas, new No. 6 or lighter grades of fuel oils, and on-specification used oil. The maximum sulfur content of fuel oils fired is 1.8 percent, by weight.

c. The maximum amount of on-specification used oil, whether generated on or off-site, that can be burned facility-wide shall not exceed 10 percent of the heat input (monthly) or 30 million gallons per year cumulatively.

[Rule 62-213.410, F.A.C.; AO 51-254492A & 1010017-001-AO; and, 1010017-004-AC, Specific Conditions A.4. and B.4.]

A.3.2. Co-firing with Natural Gas. Co-firing natural gas with fuel oil having more than 1.8% sulfur content, by weight, as-fired, is prohibited.

[1010017-004-AC, Specific Condition D.3.]

A.4. Hours of Operation. These emissions units may operate continuously, i.e., 8,760 hours/year.

[Rule 62-210.200(PTE), F.A.C.]

Emission Limitations and Standards

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

A.5. Visible Emissions. Visible emissions shall not exceed 40 percent opacity. Emissions units governed by this visible emissions standard shall conduct a compliance test for particulate matter emissions annually. Failure of the facility to demonstrate compliance with the particulate matter allowable in specific condition **A.7.** or the opacity standard of this condition shall constitute grounds for revocation of this condition.

[Rule 62-296.405(1)(a), F.A.C.; and, OGC File Nos. 86-1574 and 86-1575/Orders dated December 11, 1986.]

A.6. Visible Emissions - Soot Blowing and Load Change. Visible emissions shall not exceed 60 percent opacity during the 3-hours in any 24 hour period of excess emissions allowed for boiler cleaning (soot blowing) and load change. Visible emissions above 60 percent opacity shall be allowed for not more than 4, six-minute averages during this 3-hour period. A load change occurs when the operational capacity of a unit is in the 10 percent to 100 percent capacity range, other than startup or shutdown, which exceeds 10 percent of the unit's rated capacity and which occurs at a rate of 0.5 percent per minute or more.

[Rule 62-210.700(3), F.A.C.]

A.7. Particulate Matter. Particulate matter emissions shall not exceed 0.1 pound per million Btu heat input, as measured by applicable compliance methods. See specific condition **A.18.**

{Permitting note: The averaging time for the particulate matter standard corresponds to the cumulative sampling time of the specified test method.}

[Rule 62-296.405(1)(b), F.A.C.]

A.8. Particulate Matter - Soot Blowing and Load Change. Particulate matter emissions shall not exceed an average of 0.3 pound per million Btu heat input during the 3-hours in any 24-hour period of excess emissions allowed for boiler cleaning (soot blowing) and load change.

{Permitting note: The averaging time for the particulate matter standard corresponds to the cumulative sampling time of the specified test method.}

[Rule 62-210.700(3), F.A.C.]

A.9. Sulfur Dioxide. When burning fuel oils, sulfur dioxide emissions shall not exceed 2.75 pounds per million Btu heat input, as measured by applicable compliance methods. See specific conditions **A.19.** and **A.20.**

[Rule 62-296.405(1)(c)1.j., F.A.C.]

A.10. Sulfur Dioxide - Sulfur Content. The sulfur content of fuel oils, on-specification used oil, or any combination of the two burned in these units, shall not exceed 1.8 percent, by weight, as-fired at the plant. The 12 month rolling average shall not exceed 1.5%, by weight. Co-firing natural gas with fuel oil having more than 1.8% sulfur content, by weight, as-fired, is prohibited. See specific condition **A.20.**

[Rule 62-296.405(1)(e)3., F.A.C.; 1010017-004-AC, Specific Conditions B.4. and D.3.; and, requested by the applicant in Title V Application dated June 12, 1996.]

Excess Emissions

A.11. Excess emissions resulting from malfunction shall be permitted provided that best operational practices to minimize emissions are adhered to and the duration of excess emissions shall be minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration.

[Rule 62-210.700(1), F.A.C.]

A.12. Excess emissions resulting from startup or shutdown shall be permitted provided that best operational practices to minimize emissions are adhered to and the duration of excess emissions shall be minimized.

[Rule 62-210.700(2), F.A.C.]

A.13. Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown or malfunction shall be prohibited.

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

Monitoring of Operations

A.14.1. Sulfur Dioxide. ~~The permittee elected to demonstrate compliance by accepting a liquid fuel sulfur limit that will be verified with a by fuel analysis provided by the vendor.~~

This protocol is allowed because the emissions units do not have an operating flue gas desulfurization device. See specific conditions **A.10.**, **A.19.** and **A.20.**

[Rule 62-296.405(1)(f)1.b., F.A.C.; Appendix D of 40 CFR 75]

A.14.2. Units 1 and 2 shall comply with the acid rain monitoring procedures in Appendix D of 40 CFR 75, "Optional SO₂ Emissions Data Protocol for Gas-Fired and Oil-Fired Units".

~~The following monitoring schedule for No. 1—6 fuel oil shall be followed: For all shipments of fuel oil received for at the Anclote Power Plant Station, the permittee shall retain an analysis which reports the sulfur and ash content and heat content (HHV) of the fuel shipment. The analysis shall be provided by the fuel vendor, permittee or other sources which follow the appropriate fuel test methods listed in Specific Condition A.20.1. The analysis record shall~~

specify the origin of the fuel sample, the methods by which the analyses were conducted, the person conducting the sampling and analysis, and the date of sampling and analysis.

[1010017-004-AC, Specific Condition F.2.; Appendix D of 40 CFR 75]

A.15. Determination of Process Variables.

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

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

[Rule 62-297.310(5), F.A.C.]

Test Methods and Procedures

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

A.16. Visible emissions. The test method for visible emissions shall be DEP Method 9, incorporated in Chapter 62-297, F.A.C. A transmissometer may be used and calibrated according to Rule 62-297.520, F.A.C. See specific condition **A.17.**

[Rule 62-296.405(1)(e)1., F.A.C.]

A.17. DEP Method 9. The provisions of EPA Method 9 (40 CFR 60, Appendix A) are adopted by reference with the following exceptions:

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

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

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

b. For the short-term average part of the standard, opacity shall be the highest valid short-term average (i.e., two-minute, three-minute average) for the set of observations taken. In order to be valid, any required average (i.e., a six-minute or two-minute average) shall be based on all of the valid observations in the sequential subset of observations selected, and the selected subset shall contain at least 90 percent of the observations possible for the required averaging time. Each required average shall be calculated by summing the opacity value of each of the valid observations in the appropriate subset, dividing this sum by the number of valid

observations in the subset, and rounding the result to the nearest whole number. The number of missing observations in the subset shall be indicated in parenthesis after the subset average value. [Rule 62-297.401, F.A.C.]

A.18. Particulate Matter. The test methods for particulate emissions shall be EPA Methods 17, 5, 5B, or 5F, incorporated by reference in Chapter 62-297, F.A.C. The minimum sample volume shall be 30 dry standard cubic feet. EPA Method 5 may be used with filter temperature no more than 320 degrees Fahrenheit. For EPA Method 17, stack temperature shall be less than 375 degrees Fahrenheit. The owner or operator may use EPA Method 5 to demonstrate compliance. EPA Method 3 or 3A with Orsat analysis shall be used when the oxygen based F-factor, computed according to EPA Method 19, is used in lieu of heat input. Acetone wash shall be used with EPA Method 5 or 17.

[Rules 62-296.405(1)(e)2. and 62-297.401, F.A.C.]

A.19. Sulfur Dioxide. The test methods for sulfur dioxide emissions shall be EPA Methods 6, 6A, 6B, or 6C, incorporated by reference in Chapter 62-297, F.A.C. Fuel sampling and analysis may be used as an alternate sampling procedure if such a procedure is incorporated into the operation permit for the emissions unit. If the emissions unit obtains an alternate procedure under the provisions of Rule 62-297.620, F.A.C., the procedure shall become a condition of the emissions unit's permit. The Department will retain the authority to require EPA Method 6 or 6C if it has reason to believe that exceedances of the sulfur dioxide emissions limiting standard are occurring. Results of an approved fuel sampling and analysis program shall have the same effect as EPA Method 6 test results for purposes of demonstrating compliance or noncompliance with sulfur dioxide standards. **The permittee may use the EPA test methods, referenced above, to demonstrate compliance; however, as an alternate sampling procedure authorized by permit, the permittee elected to demonstrate compliance by accepting a liquid fuel sulfur limit that will be verified with a by fuel analysis and the monitoring provisions of Appendix D in 40 CFR 75 provided by the vendor upon each fuel delivery. Data substitution techniques shall not be used to determine compliance with the fuel oil sulfur limits of this section.** See specific conditions **A.9.**, **A.10.** and **A.20.**

[Rules 62-213.440, 62-296.405(1)(e)3. and 62-297.401, F.A.C.; and, Permits 1010017-001-AO and AO 51-254492A.; and Appendix D of 40 CFR 75]

A.20.1. Sulfur Content of Liquid Fuel. The fuel sulfur content, percent by weight, for liquid fuels shall be evaluated using either ASTM D2622-94, ASTM D4294-90 (95), ASTM D1552-95, ASTM D1266-91, or both ASTM D4057-88 and ASTM D129-95, or the latest edition(s).

[Rules 62-213.440, 62-296.405(1)(e)3, 62-296.405(1)(f)1.b. and 62-297.440, F.A.C.; and, 1010017-004-AC, Specific Conditions D.3. and D.6.]

A.20.2. Gross heating value of fuel oil. All fuel oil delivered to the facility shall be analyzed using ASTM D240-76 (or equivalent) to record the gross heating value (HHV). Analysis may be performed by the owner or operator, a service contractor retained by the owner or operator, the fuel vendor, or any other qualified agency.

[1010017-004-AC, Specific Condition D.5.]

A.20.3. Compliance with the liquid fuel sulfur limit shall be verified by fuel analysis and the monitoring provisions of Appendix D in 40 CFR 75. Data substitution techniques shall not be used to determine compliance with the fuel oil sulfur limits of this section. ~~a fuel analysis provided by the vendor or obtained by Progress Energy Florida, Inc. (PEF) upon each fuel delivery with the following exception:~~ In cases where No. 6 fuel oil is received with a sulfur content exceeding 1.5%, by weight, and blending is required to obtain a fuel mix equal to the

applicable percent sulfur limit, an analysis of a fuel sample representative of fuel from the fuel storage tanks shall be obtained by PEF prior to firing oil at the plant. Reports of percent sulfur content of these analyses shall be maintained at the power plant facility.
[1010017-004-AC, Specific Condition D.6.; and Appendix D of 40 CFR 75]

A.20.4. The owner or operator shall maintain records of the as-fired oil heating value, density or specific gravity, and the percent sulfur content.
[1010017-004-AC, Specific Condition D.6.]

A.21. Required Number of Test Runs. For mass emission limitations, a compliance test shall consist of three complete and separate determinations of the total air pollutant emission rate through the test section of the stack or duct and three complete and separate determinations of any applicable process variables corresponding to the three distinct time periods during which the stack emission rate was measured provided, however, that three complete and separate determinations shall not be required if the process variables are not subject to variation during a compliance test, or if three determinations are not necessary in order to calculate the unit's emission rate. The three required test runs shall be completed within one consecutive five day period. In the event that a sample is lost or one of the three runs must be discontinued because of circumstances beyond the control of the owner or operator, and a valid third run cannot be obtained within the five day period allowed for the test, the Secretary or his or her designee may accept the results of the two complete runs as proof of compliance, provided that the arithmetic mean of the results of the two complete runs is at least 20 percent below the allowable emission limiting standards.
[Rule 62-297.310(1), F.A.C.]

A.22. Operating Rate During Testing. Testing of emissions shall be conducted with the emissions unit operation at permitted capacity, which is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. If it is impracticable to test at permitted capacity, an emissions unit may be tested at less than the minimum permitted capacity; in this case, subsequent emissions unit operation is limited to 110 percent of the test load until a new test is conducted. Once the emissions unit is so limited, operation at higher capacities is allowed for no more than 15 consecutive days for the purpose of additional compliance testing to regain the authority to operate at the permitted capacity.
[Rules 62-297.310(2) & (2)(b), F.A.C.]

A.23. Calculation of Emission Rate. The indicated emission rate or concentration shall be the arithmetic average of the emission rate or concentration determined by each of the separate test runs unless otherwise specified in a particular test method or applicable rule.
[Rule 62-297.310(3), F.A.C.]

A.24. Applicable Test Procedures.

(a) **Required Sampling Time.**

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

2. **Opacity Compliance Tests.** The required minimum period of observation for a compliance test shall be sixty (60) minutes for emissions units which emit or have the potential to emit 100 tons per year or more of particulate matter, and thirty (30) minutes for emissions units which have potential emissions less than 100 tons per year of particulate matter and are not subject to a multiple-valued opacity standard. The opacity test observation period shall include the period

during which the highest opacity emissions can reasonably be expected to occur. Exceptions to these requirements are as follows:

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

(b) Minimum Sample Volume. The minimum sample volume per run shall be 30 dry standard cubic feet.

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

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

(e) Allowed Modification to EPA Method 5. When EPA Method 5 is required, the following modification is allowed: the heated filter may be separated from the impingers by a flexible tube. [Rule 62-297.310(4), F.A.C.]

A.25. Required Stack Sampling Facilities. When a mass emissions stack test is required, the permittee shall comply with the requirements contained in Appendix SS-1, Stack Sampling Facilities, attached to this permit. [Rule 62-297.310(6), F.A.C.]

A.26. Frequency of Compliance Tests. The following provisions apply only to those emissions units that are subject to an emissions limiting standard for which compliance testing is required.

(a) General Compliance Testing.

2. For excess emission limitations for particulate matter specified in Rule 62-210.700, F.A.C., a compliance test shall be conducted annually while the emissions unit is operating under soot blowing conditions in each federal fiscal year during which soot blowing is part of normal emissions unit operation, except that such test shall not be required in any federal fiscal year in which a fossil fuel steam generator does not burn liquid for more than 400 hours other than during startup.

3. The owner or operator of an emissions unit that is subject to any emission limiting standard shall conduct a compliance test that demonstrates compliance with the applicable emission limiting standard prior to obtaining a renewed operation permit. Emissions units that are required to conduct an annual compliance test may submit the most recent annual compliance test to satisfy the requirements of this provision. In renewing an air operation permit pursuant to Rule 62-210.300(2)(a)3.b., c., or d., F.A.C., the Department shall not require submission of emission compliance test results for any emissions unit that, during the year prior to renewal:

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

4. During each federal fiscal year (October 1 - September 30), unless otherwise specified by rule, order,

or permit, the owner or operator of each emissions unit shall have a formal compliance test conducted for:

- a. Visible emissions, if there is an applicable standard;
- b. Each of the following pollutants, if there is an applicable standard, and if the emissions unit emits or has the potential to emit: 5 tons per year or more of lead or lead compounds measured as elemental lead; or 100 tons per year or more of any other regulated air pollutant.

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

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

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

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

TABLE 297.310-1
 CALIBRATION SCHEDULE

ITEM	MINIMUM CALIBRATION FREQUENCY	REFERENCE INSTRUMENT	TOLERANCE
Liquid in glass thermometer	Annually	ASTM Hg in glass ref. thermometer or equivalent, or thermometric points	+/-2%
Bimetallic thermometer	Quarterly	Calib. liq. in glass thermometer	5 degrees F
Thermocouple	Annually	ASTM Hg in glass ref. thermometer, NBS calibrated reference and potentiometer	5 degrees F
Barometer	Monthly	Hg barometer or NOAA station	+/-1% scale
Pitot Tube	When required or when damaged	By construction or measurements in wind tunnel D greater than 16" and standard pitot tube	See EPA Method 2, Fig. 2-2 & 2-3
Probe Nozzles	Before each test or when nicked, dented, or corroded	Micrometer	+/-0.001" mean of at least three readings Max. deviation between readings .004"
Dry Gas Meter and Orifice Meter	1. Full Scale: When received, When 5% change observed, Annually 2. One Point: Semiannually 3. Check after each test series	Spirometer or calibrated wet test or dry gas test meter	2%
		Comparison check	5%

A.27. Compliance Testing for Visible Emissions. By this permit, annual emissions compliance testing for visible emissions is not required for these emissions units while burning only liquid fuel(s) for less than 400 hours per year.
[Rule 62-297.310(7)(a)4., F.A.C.]

A.28. Compliance Testing for PM. Annual and permit renewal compliance testing for particulate matter emissions is not required for these emissions units while burning only liquid fuel(s) for less than 400 hours per year.
[Rules 62-297.310(7)(a)3. & 5., F.A.C.]

Recordkeeping and Reporting Requirements

A.29. Excess Emissions Notification. In the case of excess emissions resulting from malfunctions, each owner or operator shall notify the Department's Southwest District Office 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's Southwest District Office.
[Rule 62-210.700(6), F.A.C.]

A.30. Submit to the Department's Southwest District Office a written report of emissions in excess of emission limiting standards as set forth in Rule 62-296.405(1), F.A.C., for each calendar quarter. The nature and cause of the excess emissions shall be explained. This report does not relieve the owner or operator of the legal liability for violations. All recorded data shall be maintained on file by the Source for a period of five years.
[Rules 62-213.440 and 62-296.405(1)(g), F.A.C.]

A.31. Test Reports.

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

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

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

1. The type, location, and designation of the emissions unit tested.
2. The facility at which the emissions unit is located.
3. The owner or operator of the emissions unit.
4. The normal type and amount of fuels used and materials processed, and the types and amounts of fuels used and material processed during each test run.
5. The means, raw data and computations used to determine the amount of fuels used and materials processed, if necessary to determine compliance with an applicable emission-limiting standard.

6. The type of air pollution control devices installed on the emissions unit, their general condition, their normal operating parameters (pressure drops, total operating current and GPM scrubber water), and their operating parameters during each test run.

7. A sketch of the duct within 8 stack diameters upstream and 2 stack diameters downstream of the sampling ports, including the distance to any upstream and downstream bends or other flow disturbances.

8. The date, starting time and duration of each sampling run.

9. The test procedures used, including any alternative procedures authorized pursuant to Rule 62-297.620, F.A.C. Where optional procedures are authorized in this chapter, indicate which option was used.

10. The number of points sampled and configuration and location of the sampling plane.

11. For each sampling point for each run, the dry gas meter reading, velocity head, pressure drop across the stack, temperatures, average meter temperatures and sample time per point.

12. The type, manufacturer and configuration of the sampling equipment used.

13. Data related to the required calibration of the test equipment.

14. Data on the identification, processing and weights of all filters used.

15. Data on the types and amounts of any chemical solutions used.

16. Data on the amount of pollutant collected from each sampling probe, the filters, and the impingers, are reported separately for the compliance test.

17. The names of individuals who furnished the process variable data, conducted the test, analyzed the samples and prepared the report.

18. All measured and calculated data required to be determined by each applicable test procedure for each run.

19. The detailed calculations for one run that relate the collected data to the calculated emission rate.

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

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

[Rules 62-213.440 and 62-297.310(8), F.A.C.]

A.32.1. COMS for Periodic Monitoring. The owner or operator is required to install continuous opacity monitoring systems (COMS) pursuant to 40 CFR Part 75. The owner or operator shall maintain and operate COMS and shall make and maintain records of opacity measured by the COMS, for purposes of periodic monitoring.

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

A.32.2. The permittee shall install, calibrate, maintain, and operate continuous emission ~~monitor~~ in-the-stack-monitoring systems to measure and record the nitrogen oxides emissions, sulfur dioxide emissions, and opacity from Units 1 and 2. The continuous emissions monitoring systems must comply with the certification and quality assurance, and other applicable requirements from 40 CFR 75. **For SO₂ emissions monitoring, the permittee elected to demonstrate compliance by using the procedures of Appendix D in 40 CFR 75, "Optional SO₂ Emissions Data Protocol for Gas-Fired and Oil-Fired Units", which are based on fuel monitoring sampling and analyses.** Periods of startup, shutdown, malfunction, and fuel switching shall be monitored, recorded, and reported as excess emissions when emission levels exceed the standards in Specific Conditions A.5., A.7., and A.10. following the format of 40 CFR 60.7.

[1010017-004-AC, Specific Condition F.1.; and Appendix D of 40 CFR 75]

Additional limitations for On-Specification Used Oil

A.33. On-specification used oil generated at this facility or off-site may only be burned in these emissions units if compliance with all the conditions of this permit and the following additional conditions are demonstrated:

a. On-specification Used Oil Allowed as Fuel: This permit allows the burning of used fuel

oil meeting EPA "on-specification" used oil specifications, with a maximum sulfur content of 2.5 percent, by weight, and a PCB concentration of less than 50 ppm. On-specification used oil shall meet the following specifications [40 CFR 279, Subpart B.]

1. Arsenic shall not exceed 5.0 ppm;
2. Cadmium shall not exceed 2.0 ppm;
3. Chromium shall not exceed 10.0 ppm;
4. Lead shall not exceed 100.0 ppm;
5. Total halogens shall not exceed 1000 ppm;
6. Flash point shall not be less than 100 degrees F.

Used oil that does not meet the specifications for on-specification used oil shall not be burned at this facility.

b. Quantity Limited: The maximum amount of on-specification used oil, whether generated on or off-site, that can be burned facility-wide shall not exceed 10 percent of the heat input (monthly) or 30 million gallons per year cumulatively.

c. Used Oil Containing PCBs \geq 50 ppm Not Allowed: Used oil containing a PCB concentration of 50 ppm or greater shall not be burned at this facility. Used oil shall not be blended to meet this requirement or any part of this condition.

d. PCB Concentration of 2 to 50 ppm: On-specification used oil with a PCB concentration of 2 to less than 50 ppm shall be burned only at normal source operating temperatures. On specification used oil with a PCB concentration of 2 to less than 50 ppm shall not be burned during periods of startup or shutdown.

Before accepting from each marketer the first shipment of on-specification used oil with a PCB concentration of 2 to less than 50 ppm, the owner or operator shall provide each marketer with a one-time written and signed notice certifying that the owner or operator will burn the used oil in a qualified combustion device. The notice must state that EPA or a RCRA-delegated state agency has been given a description of the used oil management activities at the facility and that an industrial boiler or furnace will be used to burn the used oil with a PCB concentration of 2 to less than 50 ppm. The description of the used oil management activities shall be submitted to the Administrator, Hazardous Waste Regulation Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, FL 32399-2400. [40 CFR 279 and 761.20(e)]

e. Certification Required: The owner or operator shall receive from the marketer, for each load of used oil received, a certification that the used oil meets the specifications for on-specification used oil and contains a PCB concentration of less than 50 ppm. This certification shall also describe the basis for the certification, such as analytical results. Note that a claim that used oil does not contain quantifiable levels of PCBs (that is, that the used oil contains less than 2 ppm of PCBs) must be documented by testing or other

information. The first person making the claim that the used oil does not contain PCBs is responsible for furnishing the documentation. The documentation can be tests, personal or special knowledge of the source and composition of the used oil, or a certification from the person generating the used oil claiming that the used oil contains no detectable PCBs.

- f. Testing Required: If the owner or operator does not receive certification from the marketer as described above, the owner or operator shall properly sample and test each load of used oil received for the following parameters:

Arsenic, cadmium, chromium, lead, total halogens, flash point, PCBs*, and percent sulfur content by weight, ash, and BTU value (BTU per gallon).

Testing (sampling, extraction and analysis) shall be performed using approved methods specified in EPA Publication SW-846 (Test Methods for Evaluating Solid Waste, Physical/Chemical Methods).

* Testing for PCB's is not necessary if quantifiable levels are less than 2 ppm (Refer to specific condition A.33.e. above)

If the owner or operator relies on certification from the marketer, the owner or operator shall be responsible for ensuring that the certification complies with all the requirements of this condition and all conditions of this permit.

If the analytical results show that the used oil does not meet the specification for on-specification used oil, or that it contains a PCB concentration greater than or equal to 50 ppm, the owner or operator shall immediately notify and provide the analytical results to the Department's Southwest District Office. The owner or operator shall immediately cease burning the used oil.

- g. Special Recordkeeping Requirements: The owner or operator shall obtain, make, and keep the following records related to the use of used oil: [40 CFR 761.20(e)]

- (1) The gallons of on-specification used oil received and burned each month. (This record shall be completed no later than the fifteenth day of the succeeding month.)
- (2) The total gallons of on-specification used oil burned in the preceding calendar year.
- (3) The name and address of all marketers delivering used oil to the facility.
- (4) Copies of the marketer certifications, if obtained, and any supporting information.
- (5) Documentation that the used oil contains less than 2 ppm PCBs, if claimed, including the name and address of the person making the claim.
- (6) Results of the analyses required above.
- (7) A copy of the notice to EPA and a copy of the one-time written notice provided to each marketer.

The records shall be retained in a form suitable for inspection at the facility by the Department, and shall be retained for 5 years.

- h. Reporting Required: The owner or operator shall submit, with the Annual Operation Report (AOR) form, the total amount of on-specification used oil burned during the previous calendar year to the Southwest District Office.

[Rules 62-4.070(3), 62-212.400(2)(f)1. and 62-213.440, F.A.C.; and, AO 51-254492A & 1010017-001-AO]

Section III. Emissions Units and Conditions.

Subsection B. This section addresses the following emissions units.

E.U. ID No.	Brief Description
-7775047-001	Relocatable Diesel Fired Generator(s)

The relocatable diesel generator(s) will have a maximum (combined) heat input of 25.74 MMBtu/hour while being fueled by 186.3 gallons per hour of new No. 2 fuel oil with a maximum (combined) rating of 2460 kilowatts. Emissions from the generator(s) are uncontrolled. These conditions were requested in the Initial Title V Permit Application for the Anclote Power Plant received June 14, 1996. The generator(s) may be relocated at this facility and any of the following facilities:

1. Crystal River Plant, Powerline Road, Red Level, Citrus County.
2. Bartow Plant, Weedon Island, St. Petersburg, Pinellas County.
3. Anclote Power Plant, 1729 Baillies Bluff Road, Holliday, Pasco County.
4. Bayboro Plant, 13th Ave. & 2nd St. South, St. Petersburg, Pinellas County.
5. Wildwood Reclamation Facility, State Road 462, 1 mi. east of U.S. 301, Wildwood, Sumter County.
6. Hines Energy Complex, County Road 555, 1 mi. southwest of Homeland, Polk County.

{Permitting notes: These emissions units are regulated under Rule 62-210.300, F.A.C., Permits Required. Each generator has its own stack.}

The following specific conditions apply to the emissions units listed above regardless of location:

Essential Potential to Emit (PTE) Parameters

B.1. These conditions become active and enforceable once PEF has given notification to the SWD of the Department of Environmental Protection, if appropriate, that these units will be relocated to this facility.
 [Rule 62-4.070(3), F.A.C.; Anclote Power Plant Permit AC 09-202080; and, Initial Title V Permit Application for the Anclote Power Plant received June 14, 1996.]

B.2. Permitted Capacity. The maximum operation heat input rates are as follows:
 [Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.]

Unit No.	MMBtu/hr/generator(s) Heat Input	Fuel Type
-7775047 -001	25.74	New Low Sulfur No. 2 Fuel Oil

B.3. Emissions Unit Operating Rate Limitation After Testing. See specific condition **B.14.**
 [Rule 62-297.310(2), F.A.C.]

B.4. Methods of Operation - Fuels. Only new low sulfur No. 2 fuel oil shall be fired in the diesel generator(s).
 [Rule 62-213.410, F.A.C.]

B.5. Hours of Operation. The hours of operation expressed as “engine-hours” shall not exceed 2970 hours in any consecutive 12 month period. The total hours of operation expressed as “engine-hours” shall be the summation of the individual hours of operation of each generator. [Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.; and, Anclote Power Plant Permit AO 09-205952.]

Emission Limitations and Standards

{Permitting Note: The attached Table 1-4, Summary of Air Pollutant Standards and Terms, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

B.6. Visible Emissions. Visible emissions from each generator shall not be equal to or greater than 20 percent opacity. [Rule 62-296.320(4)(b)1., F.A.C.; and, Anclote Power Plant Permit AO 09-205952.]

B.7. Sulfur Dioxide - Sulfur Content. The sulfur content of the new No. 2 fuel oil shall not exceed 0.50 percent, by weight. [Requested in initial Title V permit application dated June 14, 1996; and, Anclote Power Plant Permit AC 09-202080.]

Excess Emissions

B.8. Excess emissions from these emissions units resulting from startup, shutdown or malfunction shall be permitted provided that best operational practices to minimize emissions are adhered to and the duration of excess emissions shall be minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration. [Rule 62-210.700(1), F.A.C.]

B.9. Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown or malfunction shall be prohibited. [Rule 62-210.700(4), F.A.C.]

Monitoring of Operations

B.10. The permittee shall demonstrate compliance with the liquid fuel sulfur limit by means of a fuel analysis provided by the vendor or permittee upon each fuel delivery. See specific condition

B.13.

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

B.11. Determination of Process Variables.

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

(b) Accuracy of Equipment. Equipment or instruments used to directly or indirectly determine process variables, including devices such as belt scales, weight hoppers, flow meters, and tank scales, shall be calibrated and adjusted to indicate the true value of the parameter being measured

with sufficient accuracy to allow the applicable process variable to be determined within 10% of its true value.

[Rule 62-297.310(5), F.A.C.]

Test Methods and Procedures

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

B.12. The test method for visible emissions shall be EPA Method 9, incorporated and adopted by reference in Chapter 62-297, F.A.C.

[Rules 62-296.320(4)(b)4.a. and 62-297.401, F.A.C.]

B.13. The fuel sulfur content, percent by weight, for liquid fuels shall be evaluated using either ASTM D2622-94, ASTM D4294-90, both ASTM D4057-88 and ASTM D129-95, ASTM D1552-95 or equivalent method, or the latest edition(s).

[Rules 62-213.440 and 62-297.440, F.A.C.]

B.14. Operating Rate During Testing. Testing of emissions shall be conducted with the generator(s) operating at 90 to 100 percent of the maximum fuel firing rate of 186.3 gallons per hour. If it is impracticable to test at permitted capacity, an emissions unit may be tested at less than the minimum permitted capacity (i.e., at less than 90 percent of the maximum operation rate allowed by the permit); in this case, subsequent emissions unit operations may be limited to 110 percent of the test load until a new test is conducted, provided however, operations do not exceed 100 percent of the maximum operation rate allowed by the permit. Once the emissions unit is so limited, operation at higher capacities is allowed for no more than 15 consecutive days for the purpose of additional compliance testing to regain the authority to operate at the permitted capacity. Failure to submit the actual operating rate may invalidate the test.

[Rules 62-297.310(2), F.A.C.; and, Anclote Power Plant Permit AO 09-205952.]

B.15. Applicable Test Procedures.

(a) Required Sampling Time.

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

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

[Rule 62-297.310(4)(a)2.c., F.A.C.]

B.16. Frequency of Compliance Tests. The following provisions apply only to those emissions units that are subject to an emissions limiting standard for which compliance testing is required.

(a) General Compliance Testing.

3. The owner or operator of an emissions unit that is subject to any emission limiting standard shall conduct a compliance test that demonstrates compliance with the applicable emission limiting standard prior to obtaining a renewed operation permit. Emissions units that are required to conduct an annual compliance test may submit the most recent annual compliance test to satisfy the requirements of this provision. In renewing an air operation permit pursuant to Rule 62-210.300(2)(a)3.b., c., or d., F.A.C., the Department shall not require submission of emission compliance test results for any emissions unit that, during the year prior to renewal:

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

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

- a. Visible emissions, if there is an applicable standard;

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

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

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

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

[Rule 62-297.310(7), F.A.C.; SIP approved; and, Anclote Power Plant Permit AO 09-205952.]

B.17. Visible Emissions Testing - Annual. By this permit, annual emissions compliance testing for visible emissions is not required for these emissions units while burning liquid fuels for less than 400 hours per year.

[Rules 62-297.310(7)(a)4. & 8., F.A.C.]

B.18. After each relocation, each generator shall be tested within 30 days of startup for opacity and the fuel shall be analyzed for the sulfur content. See specific conditions **B.6., B.7., B.10., B.13.,** and **B.14.**

[Rules 62-4.070(3) and 62-297.310(7)(b), F.A.C.; and, Anclote Power Plant Permit AO 09-205952.]

Recordkeeping and Reporting Requirements

B.19. Malfunction Reporting. In the case of excess emissions resulting from malfunctions, the owner or operator shall notify the Southwest District Office of the Department of Environmental Protection 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.

[Rule 62-210.700(6), F.A.C.]

B.20. Test Reports.

(a) Each generator shall be tested on an annual basis within 30 days of the date October 25.

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

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

(d) The test reports for a unit that has been relocated shall be submitted to the Department office that will handle compliance issues for the new location within 45 days of testing.

[Rule 62-297.310(8), F.A.C.; and, Anclote Power Plant Permit AO 09-25952.]

B.21. To demonstrate compliance with specific condition **B.5.**, records shall indicate the daily hours of operation for each diesel generator, the daily hours of operation expressed as “engine-hours”, and a cumulative total hours of operation expressed as “engine hours” for each month. The records shall be maintained for a minimum of 5 years and made available to the Southwest District Office upon request.

[Rules 62-213.440 and 62-297.310(8), F.A.C.; and, Anclote Power Plant Permit AO 09-205952.]

B.22. To demonstrate compliance with specific condition **B.7.**, records of the sulfur content, in percent by weight, of all the fuel burned shall be kept based on either vendor provided as-delivered or as-received fuel sample analysis. The records shall be maintained for a minimum of 5 years and made available to the Southwest District Office upon request.

[Rule 62-297.310(8), F.A.C.; and, AO 09-205952.]

B.23. Although these emission units are relocatable, each facility is required to maintain all appropriate records at each site.

[Rule 62-4.070(3), F.A.C.]

Section III. Emissions Unit and Conditions.

Subsection C. This section addresses the following emissions units.

E.U. ID No.	Brief Description
-007	Mechanical Draft Helper Cooling Towers

Two Mechanical Draft Helper Cooling Towers have a combined maximum circulation rate of 660,000 GPM. The design air flow is 36,000,000 acfm for both towers (18,000,000 acfm per tower and 1,500,000 acfm per cell). The drift eliminators are designed for a drift rate of no more than 0.0005% of the circulating water flow for each tower.

{Permitting Note: These emissions units are regulated under 62-212.300, F.A.C., General Preconstruction Review Requirements; 62-212.400, F.A.C., Prevention of Significant Deterioration; and Rule 62-296.320, F.A.C.}

C.1. Hours of Operation: Each new cooling tower shall not operate more than 4500 hours per calendar year.

[Air Construction Permit No. 1010017-007-AC]

C.2. Cooling Tower Design: The cooling tower shall be designed and maintained to achieve a drift rate of no more than 0.0005% of the circulating water flow.

[Air Construction Permit No. 1010017-007-AC; Design]

C.3. Circulating Water Flow Rate: Upon request, the applicant shall provide a means for determining the circulating water flow rate through the new cooling tower. [Rule 62-4.070, F.A.C.]

Since this emissions unit is not yet constructed, it is also subject to the requirements in the attached Compliance Plan CP-1.

Section IV. This section is the Acid Rain Part.

Operated by: Florida Power Corporation

ORIS code: 8048

Subsection A. This subsection addresses Acid Rain, Phase II.

The emissions units listed below are regulated under Acid Rain Part, Phase II.

E.U. ID No.	Description
-001	Fossil Fuel Fired Steam Generator No. 1
-002	Fossil Fuel Fired Steam Generator No. 2

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

a. DEP Form No. 62-210.900(1)(a), dated May 14, 2004.

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

2. Sulfur dioxide (SO₂) allowance allocations for each Acid Rain unit:

E.U. ID No.	EPA I.D.	Year	2005	2006	2007	2008	2009
-001	1	SO ₂ allowances, under Table 2 of 40 CFR 73	13022*	13022*	13022*	13022*	13022*
-002	2	SO ₂ allowances, under Table 2 of 40 CFR 73	12950*	12950*	12950*	12950*	12950*

*The number of allowances held by an Acid Rain source in a unit account may differ from the number allocated by the USEPA under Table 2 of 40 CFR 73.

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

a. No permit revision shall be required for increases in emissions that are authorized by allowances acquired pursuant to the Federal Acid Rain Program, provided that such increases do not require a permit revision pursuant to Rule 62-213.440(3), F.A.C.

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

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

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

4. Fast-Track Revisions of Acid Rain Parts. Those Acid Rain sources making a change described in Rule 62-214.370(4), F.A.C., may request such changes as provided in Rule 62-213.413, Fast-Track Revisions of Acid Rain Parts.
[Rules 62-213.413 and 62-214.370(4), F.A.C.]

5. Comments, notes, and justifications: None.

6. Where an applicable requirement of the Act is more stringent than an applicable requirement of regulations promulgated under Title IV of the Act, both provisions shall be incorporated into the permit and shall be enforceable by the Administrator.
[40 CFR 70.6(a)(4)(i); and, Rule 62-210.200, Definitions - Applicable Requirements, F.A.C.]

DRAFT TITLE V PERMIT REVISION

This permitting action will revise the following specific conditions in current Title V air operating Permit No. 1010017-008-AV as follows.

A.14.1. Sulfur Dioxide. ~~The permittee elected to demonstrate compliance by accepting a liquid fuel sulfur limit that will be verified with a by fuel analysis provided by the vendor.~~ This protocol is allowed because the emissions units do not have an operating flue gas desulfurization device. See specific conditions **A.10.**, **A.19.** and **A.20.**

[Rule 62-296.405(1)(f)1.b., F.A.C.; Appendix D of 40 CFR 75]

A.14.2. Units 1 and 2 shall comply with the acid rain monitoring procedures in Appendix D of 40 CFR 75, "Optional SO₂ Emissions Data Protocol for Gas-Fired and Oil-Fired Units". ~~The following monitoring schedule for No. 1—6 fuel oil shall be followed:~~ For all shipments of fuel oil received for at the Anclote Power Plant Station, the permittee shall retain an analysis which reports the sulfur and ash content and heat content (HHV) of the fuel shipment. The analysis shall be provided by the fuel vendor, permittee or other sources which follow the appropriate fuel test methods listed in Specific Condition A.20.1. The analysis record shall specify the origin of the fuel sample, the methods by which the analyses were conducted, the person conducting the sampling and analysis, and the date of sampling and analysis.

[1010017-004-AC, Specific Condition F.2.; Appendix D of 40 CFR 75]

A.19. Sulfur Dioxide. The test methods for sulfur dioxide emissions shall be EPA Methods 6, 6A, 6B, or 6C, incorporated by reference in Chapter 62-297, F.A.C. Fuel sampling and analysis may be used as an alternate sampling procedure if such a procedure is incorporated into the operation permit for the emissions unit. If the emissions unit obtains an alternate procedure under the provisions of Rule 62-297.620, F.A.C., the procedure shall become a condition of the emissions unit's permit. The Department will retain the authority to require EPA Method 6 or 6C if it has reason to believe that exceedances of the sulfur dioxide emissions limiting standard are occurring. Results of an approved fuel sampling and analysis program shall have the same effect as EPA Method 6 test results for purposes of demonstrating compliance or noncompliance with sulfur dioxide standards. **The permittee may use the EPA test methods, referenced above, to demonstrate compliance; however, as an alternate sampling procedure authorized by permit, the permittee elected to demonstrate compliance by accepting a liquid fuel sulfur limit that will be verified with a by fuel analysis and the monitoring provisions of Appendix D in 40 CFR 75 provided by the vendor upon each fuel delivery. Data substitution techniques shall not be used to determine compliance with the fuel oil sulfur limits of this section.** See specific conditions **A.9.**, **A.10.** and **A.20.**

[Rules 62-213.440, 62-296.405(1)(e)3. and 62-297.401, F.A.C.; ~~and~~, Permits 1010017-001-AO and AO 51-254492A.; and Appendix D of 40 CFR 75]

A.20.3. Compliance with the liquid fuel sulfur limit shall be verified by fuel analysis and the monitoring provisions of Appendix D in 40 CFR 75. Data substitution techniques shall not be used to determine compliance with the fuel oil sulfur limits of this section. ~~a fuel analysis provided by the vendor or obtained by Progress Energy Florida, Inc. (PEF) upon each fuel delivery with the following exception:~~ In cases where No. 6 fuel oil is received with a sulfur content exceeding 1.5%, by weight, and blending is required to obtain a fuel mix equal to the applicable percent sulfur limit, an analysis of a fuel sample representative of fuel from the fuel storage tanks shall be obtained by PEF prior to firing oil at the plant. Reports of percent sulfur content of these analyses shall be maintained at the power plant facility.

[1010017-004-AC, Specific Condition D.6.; and Appendix D of 40 CFR 75]

A.32.2. The permittee shall install, calibrate, maintain, and operate continuous ~~emission monitor in the stack monitoring systems~~ to measure and record the nitrogen oxides emissions, sulfur dioxide emissions, and opacity from Units 1 and 2. The continuous emissions monitoring systems must comply with the certification and quality assurance, and other applicable requirements from 40 CFR 75. **For SO₂ emissions monitoring, the permittee elected to demonstrate compliance by using the procedures of Appendix D in 40 CFR 75, "Optional SO₂ Emissions Data Protocol for Gas-Fired and Oil-Fired Units", which are based on fuel monitoring sampling and analyses.** Periods of startup, shutdown, malfunction, and fuel switching shall be monitored, recorded, and reported as excess emissions when emission levels exceed the standards in Specific Conditions **A.5.**, **A.7.**, and **A.10.** following the format of 40 CFR 60.7.

[1010017-004-AC, Specific Condition F.1.; and Appendix D of 40 CFR 75]

Appendix A-1, Abbreviations, Acronyms, Citations, and Identification Numbers (version dated 02/05/97)

Abbreviations and Acronyms:

°F: Degrees Fahrenheit
BACT: Best Available Control Technology
CFR: Code of Federal Regulations
DEP: State of Florida, Department of Environmental Protection
DARM: Division of Air Resource Management
EPA: United States Environmental Protection Agency
F.A.C.: Florida Administrative Code
F.S.: Florida Statute
ISO: International Standards Organization
LAT: Latitude
LONG: Longitude
MMBtu: million British thermal units
MW: Megawatt
ORIS: Office of Regulatory Information Systems
SOA: Specific Operating Agreement
UTM: Universal Transverse Mercator

Citations:

The following examples illustrate the methods used in this permit to abbreviate and cite the references of rules, regulations, guidance memorandums, permit numbers, and ID numbers.

Code of Federal Regulations:

Example: [40 CFR 60.334]

Where:	40	reference to	Title 40
	CFR	reference to	Code of Federal Regulations
	60	reference to	Part 60
	60.334	reference to	Regulation 60.334

Florida Administrative Code (F.A.C.) Rules:

Example: [Rule 62-213, F.A.C.]

Where:	62	reference to	Title 62
	62-213	reference to	Chapter 62-213
	62-213.205	reference to	Rule 62-213.205, F.A.C.

ISO: International Standards Organization refers to those conditions at 288 degrees K, 60 percent relative humidity, and 101.3 kilopascals pressure.

**Appendix A-1, Abbreviations, Acronyms, Citations, and Identification Numbers
(version dated 02/05/97) (continued)**

Identification Numbers:

Facility Identification (ID) Number:

Example: Facility ID No.: 1050221

Where:

105 = 3-digit number code identifying the facility is located in Polk County
0221 = 4-digit number assigned by state database.

Permit Numbers:

Example: 1050221-002-AV, or
1050221-001-AC

Where:

AC = Air Construction Permit
AV = Air Operation Permit (Title V Source)
105 = 3-digit number code identifying the facility is located in Polk County
0221 = 4-digit number assigned by permit tracking database
001 or 002 = 3-digit sequential project number assigned by permit tracking database

Example: PSD-FL-185
PA95-01
AC53-208321

Where:

PSD = Prevention of Significant Deterioration Permit
PA = Power Plant Siting Act Permit
AC = old Air Construction Permit numbering

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

Progress Energy Florida, Inc.
Anclote Power Plant

FINAL Permit No. 1010017-010-AV
Facility ID No. 1010017

E.U. ID Nos. Brief Description

-001		Fossil Fuel Fired Steam Generator #1				Allowable Emissions		Equivalent Emissions		Regulatory Citation(s)	See Permit Condition(s)
Pollutant Name	Fuel(s) *	Hours/ Year *	Standards	lb/ hour	TPY	lb/hour **	TPY **				
Visible Emissions Steady state	F.O.	8760	40% Opacity					Rule 62-296.405(1)(a), F.A.C. Rule 62.210.700(3), F.A.C. Order No. 1574	A.5. A.6.		
Soot Blowing or Load Changing	F.O.		60% Opacity								
PM Emissions Steady State	F.O.	8760	0.1 lb/MMBtu			496	2,174			Rule 62.296.405(1)(b), F.A.C. Rule 62.210.700(3), F.A.C.	A.7. A.8.
Soot Blowing or Load Changing	F.O.		0.3 lb/MMBtu			1,489					
Sulfur Dioxide	F.O. F.O.	8760 8760	2.75 lb/MMBtu 2.5% by wt.			13,652	59,796	Rules 62-213.440, 62-296.405(1)(e)3., 62-296.40591)(c)1.i., F.A.C.	A.9. A.10.		

-002		Fossil Fuel Fired Steam Generator #2				Allowable Emissions		Equivalent Emissions		Regulatory Citation(s)	See Permit Condition(s)
Pollutant Name	Fuel(s) *	Hours/ Year *	Standards	lb/ hour	TPY	lb/hour **	TPY **				
Visible Emissions Steady state	F.O.	8760	40% Opacity					Rule 62-296.405(1)(a), F.A.C. Rule 62.210.700(3), F.A.C. Order No. 1574	A.5. A.6.		
Soot Blowing or Load Changing	F.O.		60% Opacity								
PM Emissions Steady State	F.O.	8760	0.1 lb/MMBtu			485	2,124			Rule 62.296.405(1)(b), F.A.C. Rule 62.210.700(3), F.A.C.	A.7. A.8.
Soot Blowing or Load Changing	F.O.		0.3 lb/MMBtu			1,455					
Sulfur Dioxide	F.O. F.O.	8760 8760	2.75 lb/MMBtu 2.5% by wt.			13,652	59,796	Rules 62-213.440, 62-296.405(1)(e)3., 62-296.40591)(c)1.i.,	A.9. A.10.		

-7775047-001		Relocatable Generator(s)				Allowable Emissions		Equivalent Emissions		Regulatory Citation(s)	See Permit Condition(s)
Pollutant Name	Fuel(s) *	Hours/ Year *	Standards	lb/ hour	TPY	lb/hour **	TPY **				
Visible Emissions	#2 F.O.	2970	< 20% Opacity					Rule 62-296.320(4)(b)1., F.A.C.	B.6.		
Sulfur Dioxide	#2 F.O.	2970	0.50% by wt.					Rule 62-296.320(4)(b)1., F.A.C.	B.7.		

* No. 1, 2, 3, 4, 5, & 6 fuel oil and on-specification used oil. Maximum amount of used oil burned shall not exceed 10 percent of the total heat input (monthly) per emissions unit, or 30 million gallons per year cumulatively at the site.

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

This table summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.

Table 1-2, Summary of Air Pollutant Standards and Terms

Progress Energy Florida, Inc.
Anclote Power Plant

Permit No. 1010017-010-AV
Facility ID No. 1010017

Additional Standards for On-Specification Used Oil (OSUO)

E.U. ID Nos. Brief Description

-001		Fossil Fuel Fired Steam Generator #1				Equivalent Emissions		Regulatory Citation(s)	See Permit Condition(s)
		Allowable Emissions							
Pollutant Name	Fuel(s)	Hours/Year*	Standards	lbs./hour	TPY	lbs./hour	TPY		
Arsenic	OSUO		5.0 ppm						
Cadmium	OSUO		2.0 ppm						
Chromium	OSUO		10.0 ppm						
Lead	OSUO		100.0 ppm						
Total Halogens	OSUO		1000 ppm						
Flash Point	OSUO		≥ 100 degrees F						
PCB	OSUO		< 49 ppm						
SO ₂			2.5 % by weight						

-002		Fossil Fuel Fired Steam Generator #2				Equivalent Emissions		Regulatory Citation(s)	See Permit Condition(s)
		Allowable Emissions							
Pollutant Name	Fuel(s)	Hours/Year*	Standards	lbs./hour	TPY	lbs./hour	TPY		
Arsenic	OSUO		5.0 ppm						
Cadmium	OSUO		2.0 ppm						
Chromium	OSUO		10.0 ppm						
Lead	OSUO		100.0 ppm						
Total Halogens	OSUO		1000 ppm						
Flash Point	OSUO		≥ 100 degrees F						
PCB	OSUO		< 49 ppm						
SO ₂			2.5 % by weight						

* The maximum quantity of used oil that may be burned in each emissions unit shall not exceed 10 percent of the total heat input (monthly) per emissions unit, or 30 million gallons per year cumulatively at the site.

This table summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.

Table 2-1, Summary of Compliance Requirements

Progress Energy Florida, Inc.
Anclote Power Plant

FINAL Permit No. 1010017-010-AV
Facility ID No. 1010017

This table summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.

E.U. Nos. 001 & 002. Fossil Fuel Fired Steam Generators #1 & #2

Pollutant Name or Parameter	Fuel(s)	Compliance Method	Testing Time or Frequency	Frequency Base Date ¹	Min. Compliance Test Time	CMS ²	See Permit Condition(s)
Visible Emissions Steady State Soot Blowing or Load Changing	F.O. F.O.	DEP Method 9 DEP Method 9	Annual Annual	#1-within 60 days of Jul. 28 #2-within 60 days of Aug. 24	1 hour 1 hour	NA	A.16., A.17. A.16., A.17.
Particulate Matter Steady State Soot Blowing or Load Changing	F.O. F.O.	EPA Methods 17 ³ , 5, 5B, 5F	Annual Annual	#1-within 60 days of Jul. 28 #2-within 60 days of Aug. 24	3 hour	NA	A.18. A.18.
Sulfur Dioxide	F.O.	Fuel sampling and analysis	Each Delivery	Each Delivery	NA	NA	A.14., A.19., A.20.
Arsenic, Cadmium, Chromium, Lead, Total Halogens, Flash Point, PCB	OSUO ⁴	SW 846 ⁵	Each Delivery	Each Delivery	NA	NA	A.32.

1 - Frequency base date established for planning purposes only; see Rule 62-297.310, F.A.C.

2 - Continuous Monitoring System.

3 - EPA Method 17 may be used only if the stack gas exit temperature is less than 375 degrees F.

4 - On-Specification Used Oil.

5 - EPA Publication, Test Methods for Evaluating Solid Waste, Physical/Chemical Methods.

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

The facilities, emissions units, or pollutant-emitting activities listed in Rule 62-210.300(3)(a), F.A.C., Categorical Exemptions, are exempt from the permitting requirements of Chapters 62-210 and 62-4, F.A.C.; provided, however, that exempt emissions units shall be subject to any applicable emission limiting standards and the emissions from exempt emissions units or activities shall be considered in determining the potential emissions of the facility containing such emissions units. Emissions units and pollutant-emitting activities exempt from permitting under Rule 62-210.300(3)(a), F.A.C., shall not be exempt from the permitting requirements of Chapter 62-213, F.A.C., if they are contained within a Title V source; however, such emissions units and activities shall be considered insignificant for Title V purposes provided they also meet the criteria of Rule 62-213.430(6)(b), F.A.C. No emissions unit shall be entitled to an exemption from permitting under Rule 62.210.300(3)(a), F.A.C., if its emissions, in combination with the emissions of other units and activities at the facility, would cause the facility to emit or have the potential to emit any pollutant in such amount as to make the facility a Title V source.

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

1	Lube Oil System Vents
2	Lube Oil Reservoir Tank
3	Parts Washers/Degreasers
4	Waste Oil Storage Tanks
5	Portable Unleaded Gasoline Tank
6	Evaporation of non-hazardous boiler cleaning chemical
7	No. 2 Diesel Fuel Tank

Appendix U-1. List of Unregulated Emissions Units and/or Activities.

Unregulated Emissions Units and/or Activities. An emissions unit which emits no “emissions-limited pollutant” and which is subject to no unit-specific work practice standard, though it may be subject to regulations applied on a facility-wide basis (e.g., unconfined emissions, odor, general opacity) or to regulations that require only that it be able to prove exemption from unit-specific emissions or work practice standards.

The below listed emissions units and/or activities are neither ‘regulated emissions units’ nor ‘insignificant emissions units’.

Emissions Unit	Description
-003	Surface Coating and Solvent Cleaning
-004	Fuel Storage Tanks
-005	Emergency Generators
-006	General Purpose Engines
-007	Helper Cooling Towers

Appendix H-1, Permit History/ID Number Changes

Florida Power Corporation dba Progress Energy Florida, Inc.
Anclote Power Plant

PROPOSED Permit No.: 1010017-010-AV
Facility ID No.: 1010017

Permit History (for tracking purposes):

E.U. ID No	Description	Permit No.	Issue Date	Expiration Date	Extended Date ^{1,2}	Revised Date(s)
-001	Fossil Fuel Fired Steam Generator # 1	AO51-254492	03/7/1995	03/6/1999		
		AO51-254492A	1/31/1996	03/6/2000		
		1010017-004-AC	10/13/98	12/1/1999		
		1010017-003-AV	1/1/2000	12/31/2004		
		1010017-006-AV	1/1/2005	12/31/2009		
-002	Fossil Fuel Fired Steam Generator # 2	AO51-169340	12/21/1989	12/18/1994	08/14/1996	01/31/1996
		1010017-001-AO	01/31/1996	12/31/2004		
		1010017-004-AC	10/13/98	12/1/1999		
		1010017-003-AV	1/1/2000	12/31/2004		
		1010017-006-AV	1/1/2005	12/31/2009		
-007	Helper Cooling Towers	1010017-007-AC	10/17/2006	11/1/2009		
		1010017-008-AV	12/13/2006	12/31/2009		
-001 and -002	SO ₂ Monitoring Revision	1010017-009-AC	08/16/2007	n/a		
-001 and -002	SO ₂ Monitoring Revision	1010017-010-AV	Draft			

ID Number Changes (for tracking purposes):

From: **Facility ID No.:** 40TPA510017

To: **Facility ID No.:** 1010017

Notes:

1 - AO permit(s) automatic extension(s) in Rule 62-210.300(2)(a)3.a., F.A.C., effective 03/21/96.

2 - AC permit(s) automatic extension(s) in Rule 62-213.420(1)(a)4., F.A.C., effective 03/20/96.

{Rule 62-213.420(1)(b)2., F.A.C., allows Title V Sources to operate under existing valid permits that were in effect at the time of application until the Title V permit becomes effective}

APPENDIX SS-1, STACK SAMPLING FACILITIES (version dated 10/07/96)

Stack Sampling Facilities Provided by the Owner of an Emissions Unit. This section describes the minimum requirements for stack sampling facilities that are necessary to sample point emissions units. Sampling facilities include sampling ports, work platforms, access to work platforms, electrical power, and sampling equipment support. Emissions units must provide these facilities at their expense. All stack sampling facilities must meet any Occupational Safety and Health Administration (OSHA) Safety and Health Standards described in 29 CFR Part 1910, Subparts D and E.

(a) Permanent Test Facilities. The owner or operator of an emissions unit for which a compliance test, other than a visible emissions test, is required on at least an annual basis, shall install and maintain permanent stack sampling facilities.

(b) Temporary Test Facilities. The owner or operator of an emissions unit that is not required to conduct a compliance test on at least an annual basis may use permanent or temporary stack sampling facilities. If the owner chooses to use temporary sampling facilities on an emissions unit, and the Department elects to test the unit, such temporary facilities shall be installed on the emissions unit within 5 days of a request by the Department and remain on the emissions unit until the test is completed.

(c) Sampling Ports.

1. All sampling ports shall have a minimum inside diameter of 3 inches.

2. The ports shall be capable of being sealed when not in use.

3. The sampling ports shall be located in the stack at least 2 stack diameters or equivalent diameters downstream and at least 0.5 stack diameter or equivalent diameter upstream from any fan, bend, constriction or other flow disturbance.

4. For emissions units for which a complete application to construct has been filed prior to December 1, 1980, at least two sampling ports, 90 degrees apart, shall be installed at each sampling location on all circular stacks that have an outside diameter of 15 feet or less. For stacks with a larger diameter, four sampling ports, each 90 degrees apart, shall be installed. For emissions units for which a complete application to construct is filed on or after December 1, 1980, at least two sampling ports, 90 degrees apart, shall be installed at each sampling location on all circular stacks that have an outside diameter of 10 feet or less. For stacks with larger diameters, four sampling ports, each 90 degrees apart, shall be installed. On horizontal circular ducts, the ports shall be located so that the probe can enter the stack vertically, horizontally or at a 45 degree angle.

5. On rectangular ducts, the cross sectional area shall be divided into the number of equal areas in accordance with EPA Method 1. Sampling ports shall be provided which allow access to each sampling point. The ports shall be located so that the probe can be inserted perpendicular to the gas flow.

(d) Work Platforms.

1. Minimum size of the working platform shall be 24 square feet in area. Platforms shall be at least 3 feet wide.

2. On circular stacks with 2 sampling ports, the platform shall extend at least 110 degrees around the stack.

3. On circular stacks with more than two sampling ports, the work platform shall extend 360 degrees around the stack.

4. All platforms shall be equipped with an adequate safety rail (ropes are not acceptable), toeboard, and hinged floor-opening cover if ladder access is used to reach the platform. The safety rail directly in line with the sampling ports shall be removable so that no obstruction exists in an area 14 inches below each sample port and 6 inches on either side of the sampling port.

(e) Access to Work Platform.

APPENDIX TV-6, TITLE V CONDITIONS (version dated 06/23/06)

[Note: This attachment includes "canned conditions" developed from the "Title V Core List."]

{Permitting note: APPENDIX TV-6, TITLE V CONDITIONS, is distributed to the permittee only. Other persons requesting copies of these conditions shall be provided one copy when requested or otherwise appropriate.}

Chapter 62-4, F.A.C.

1. **Not federally enforceable.** General Prohibition. Any stationary installation which will reasonably be expected to be a source of pollution shall not be operated, maintained, constructed, expanded, or modified without the appropriate and valid permits issued by the Department, unless the source is exempted by Department rule. The Department may issue a permit only after it receives reasonable assurance that the installation will not cause pollution in violation of any of the provisions of Chapter 403, F.S., or the rules promulgated thereunder. A permitted installation may only be operated, maintained, constructed, expanded or modified in a manner that is consistent with the terms of the permit.

[Rule 62-4.030, Florida Administrative Code (F.A.C.); and, Section 403.087, Florida Statute (F.S.)]

2. **Not federally enforceable.** Procedures to Obtain Permits and Other Authorizations: Applications.

(1) Any person desiring to obtain a permit from the Department shall apply on forms prescribed by the Department and shall submit such additional information as the Department by law may require.

(2) All applications and supporting documents shall be filed in quadruplicate with the Department.

(3) To ensure protection of public health, safety, and welfare, any construction, modification, or operation of an installation which may be a source of pollution, shall be in accordance with sound professional engineering practices pursuant to Chapter 471, F.S. All applications for a Department permit shall be certified by a professional engineer registered in the State of Florida except, when the application is for renewal of an air pollution operation permit at a non-Title V source as defined in Rule 62-210.200, F.A.C., or where professional engineering is not required by Chapter 471, F.S. Where required by Chapter 471 or 492, F.S., applicable portions of permit applications and supporting documents which are submitted to the Department for public record shall be signed and sealed by the professional(s) who prepared or approved them.

(4) Processing fees for air construction permits shall be in accordance with Rule 62-4.050(4), F.A.C.

(5)(a) To be considered by the Department, each application must be accompanied by the proper processing fee. The fee shall be paid by check, payable to the Department of Environmental Protection. The fee is non-refundable except as provided in Section 120.60, F.S., and in this section.

(b) When an application is received without the required fee, the Department shall acknowledge receipt of the application and shall immediately notify the applicant by certified mail that the required fee was not received and advise the applicant of the correct fee. The Department shall take no further action until the correct fee is received. If a fee was received by the Department which is less than the amount required, the Department shall return the fee along with the written notification.

(c) Upon receipt of the proper application fee, the permit processing time requirements of Sections 120.60(2) and 403.0876, F.S., shall begin.

(d) If the applicant does not submit the required fee within ten days of receipt of written notification, the Department shall either return the unprocessed application or arrange with the applicant for the pick up of the application.

(e) If an applicant submits an application fee in excess of the required fee, the permit processing time requirements of Sections 120.60(2) and 403.0876, F.S., shall begin upon receipt, and the Department shall refund to the applicant the amount received in excess of the required fee.

(6) Any substantial modification to a complete application shall require an additional processing fee determined pursuant to the schedule set forth in Rule 62-4.050, F.A.C., and shall restart the time requirements of Sections 120.60 and 403.0876, F.S. For purposes of this subsection, the term "substantial modification" shall mean a modification which is reasonably expected to lead to substantially different environmental impacts which require a detailed review.

(7) Modifications to existing permits proposed by the permittee which require substantial changes in the existing permit or require substantial evaluation by the Department of potential impacts of the proposed modifications shall require the same fee as a new application for the same time duration except for modification under Chapter 62-45, F.A.C.

[Rule 62-4.050, F.A.C.]

APPENDIX TV-6, TITLE V CONDITIONS (version dated 06/23/06) (continued)

3. Standards for Issuing or Denying Permits. Except as provided at Rule 62-213.460, F.A.C., the issuance of a permit does not relieve any person from complying with the requirements of Chapter 403, F.S., or Department rules.

[Rule 62-4.070(7), F.A.C.]

4. Modification of Permit Conditions.

(1) For good cause 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. For the purpose of this section, good cause shall include, but not be limited to, any of the following: **(also, see Condition No. 38.)**

(a) A showing that an improvement in effluent or emission quality or quantity can be accomplished because of technological advances without unreasonable hardship.

(b) A showing that a higher degree of treatment is necessary to effect the intent and purpose of Chapter 403, F.S.

(c) A showing of any change in the environment or surrounding conditions that requires a modification to conform to applicable air or water quality standards.

(e) Adoption or revision of Florida Statutes, rules, or standards which require the modification of a permit condition for compliance.

(2) A permittee may request a modification of a permit by applying to the Department.

(3) A permittee may request that a permit be extended as a modification of the permit. Such a request must be submitted to the Department in writing before the expiration of the permit. Upon timely submittal of a request for extension, unless the permit automatically expires by statute or rule, the permit will remain in effect until final agency action is taken on the request. For construction permits, an extension shall be granted if the applicant can demonstrate reasonable assurances that, upon completion, the extended permit will comply with the standards and conditions required by applicable regulation. For all other permits, an extension shall be granted if the applicant can demonstrate reasonable assurances that the extended permit will comply with the standards and conditions applicable to the original permit. A permit for which the permit application fee was prorated in accordance with Rule 62-4.050(4)(v), F.A.C., shall not be extended. In no event shall a permit be extended or remain in effect longer than the time limits established by statute or rule.

[Rule 62-4.080, F.A.C.]

5. Renewals. Prior to 180 days before the expiration of a permit issued pursuant to Chapter 62-213, F.A.C., the permittee shall apply for a renewal of a permit using forms incorporated by reference in the specific rule chapter for that kind of permit. A renewal application shall be timely and sufficient. If the application is submitted prior to 180 days before expiration of the permit, it will be considered timely and sufficient. If the renewal application is submitted at a later date, it will not be considered timely and sufficient unless it is submitted and made complete prior to the expiration of the operation permit. When the application for renewal is timely and sufficient, the existing permit shall remain in effect until the renewal application has been finally acted upon by the Department or, if there is court review of the Department's final agency action, until a later date is required by Section 120.60, F.S., provided that, for renewal of a permit issued pursuant to Chapter 62-213, F.A.C., the applicant complies with the requirements of Rules 62-213.420(1)(b)3. and 4., F.A.C.

[Rule 62-4.090, F.A.C.]

6. Suspension and Revocation.

(1) Permits shall be effective until suspended, revoked, surrendered, or expired and shall be subject to the provisions of Chapter 403, F.S., and rules of the Department.

(2) Failure to comply with pollution control laws and rules shall be grounds for suspension or revocation.

(3) A permit issued pursuant to Chapter 62-4, F.A.C., shall not become a vested property right in the permittee. The Department may revoke any permit issued by it if it finds that the permit holder or his agent:

(a) Submitted false or inaccurate information in his application or operational reports.

(b) Has violated law, Department orders, rules or permit conditions.

(c) Has failed to submit operational reports or other information required by Department rules.

(d) Has refused lawful inspection under Section 403.091, F.S.

(4) No revocation shall become effective except after notice is served by personal services, certified mail, or newspaper notice pursuant to Section 120.60(7), F.S., upon the person or persons named therein and a hearing held if requested within the time specified in the notice. The notice shall specify the provision of the law, or rule alleged to be violated, or the permit condition or Department order alleged to be violated, and the facts alleged to constitute a violation thereof.

[Rule 62-4.100, F.A.C.]

7. **Not federally enforceable.** Financial Responsibility. The Department may require an applicant to submit proof of financial responsibility and may require the applicant to post an appropriate bond to guarantee compliance with the law and Department rules. [Rule 62-4.110, F.A.C.]

8. Transfer of Permits.

(1) Within 30 days after the sale or legal transfer of a permitted facility, an "Application for Transfer of Permit" (DEP Form 62-1.201(1)) must be submitted to the Department. This form must be completed with the notarized signatures of both the permittee and the proposed new permittee. For air permits, an "Application for Transfer of Air Permit" (DEP Form 62-210.900(7)) shall be submitted.

(2) The Department shall approve the transfer of a permit unless it determines that the proposed new permittee cannot provide reasonable assurances that conditions of the permit will be met. The determination shall be limited solely to the ability of the new permittee to comply with the conditions of the existing permit, and it shall not concern the adequacy of these permit conditions. If the Department proposes to deny the transfer, it shall provide both the permittee and the proposed new permittee a written objection to such transfer together with notice of a right to request a Chapter 120, F.S., proceeding on such determination.

(3) Within 30 days of receiving a properly completed Application for Transfer of Permit form, the Department shall issue a final determination. The Department may toll the time for making a determination on the transfer by notifying both the permittee and the proposed new permittee that additional information is required to adequately review the transfer request. Such notification shall be served within 30 days of receipt of an Application for Transfer of Permit form, completed pursuant to Rule 62-4.120(1), F.A.C. If the Department fails to take action to approve or deny the transfer within 30 days of receipt of the completed Application for Transfer of Permit form, or within 30 days of receipt of the last item of timely requested additional information, the transfer shall be deemed approved.

(4) The permittee is encouraged to apply for a permit transfer prior to the sale or legal transfer of a permitted facility. However, the transfer shall not be effective prior to the sale or legal transfer.

(5) Until this transfer is approved by the Department, the permittee and any other person constructing, operating, or maintaining the permitted facility shall be liable for compliance with the terms of the permit. The permittee transferring the permit shall remain liable for corrective actions that may be required as a result of any violations occurring prior to the sale or legal transfer of the facility.

[Rule 62-4.120, F.A.C.]

9. Plant Operation-Problems. If the permittee is temporarily unable to comply with any of the conditions of the permit due to breakdown of equipment or destruction by hazard of fire, wind or by other cause, the permittee shall immediately notify the Department. Notification shall include pertinent information as to the cause of the problem, and what steps are being taken to correct the problem and to prevent its 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 Department rules. (also, see Condition No. 10.)

[Rule 62-4.130, F.A.C.]

10. For purposes of notification to the Department pursuant to Condition No. 9., Condition No. 12.(8), and Rule 62-4.130, F.A.C., Plant Operation-Problems, "immediately" shall mean the same day, if during a workday (i.e., 8:00 a.m. - 5:00 p.m.), or the first business day after the incident, excluding weekends and holidays; and, for purposes of 40 CFR 70.6(a)(3)(iii)(B), "prompt" shall have the same meaning as "immediately". [also, see Conditions Nos. 9. and 12.(8).]

[40 CFR 70.6(a)(3)(iii)(B)]

11. **Not federally enforceable.** Review. Failure to request a hearing within 14 days of receipt of notice of proposed or final agency action on a permit application or as otherwise required in Chapter 62-103, F.A.C., shall be deemed a waiver of the right to an administrative hearing.

[Rule 62-4.150, F.A.C.]

12. Permit Conditions. All permits issued by the Department shall include the following general conditions:

(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.

APPENDIX TV-6, TITLE V CONDITIONS (version dated 06/23/06) (continued)

(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 does 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 F.S. 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: (also, see Condition No. 10.)

- (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.

(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.

(11) This permit is transferable only upon Department approval in accordance with Rule 62-4.120, 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.

(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 five (5) years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.
- (c) Records of monitoring information shall include:
 - 1. The date, exact place, and time of sampling or measurements;
 - 2. The person responsible for performing the sampling or measurements;
 - 3. The dates analyses were performed;
 - 4. The person responsible for performing the analyses;

APPENDIX TV-6, TITLE V CONDITIONS (version dated 06/23/06) (continued)

5. The analytical techniques or methods used;
6. 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.

[Rules 62-4.160 and 62-213.440(1)(b), F.A.C.]

13. Construction Permits.

(1) No person shall construct any installation or facility which will reasonably be expected to be a source of air or water pollution without first applying for and receiving a construction permit from the Department unless exempted by statute or Department rule. In addition to the requirements of Chapter 62-4, F.A.C., applicants for a Department Construction Permit shall submit the following as applicable:

- (a) A completed application on forms furnished by the Department.
- (b) An engineering report covering:
 1. Plant description and operations,
 2. Types and quantities of all waste material to be generated whether liquid, gaseous or solid,
 3. Proposed waste control facilities,
 4. The treatment objectives,
 5. The design criteria on which the control facilities are based, and
 6. Other information deemed relevant.

Design criteria submitted pursuant to Rule 62-4.210(1)(b)5., F.A.C., shall be based on the results of laboratory and pilot-plant scale studies whenever such studies are warranted. The design efficiencies of the proposed waste treatment facilities and the quantities and types of pollutants in the treated effluents or emissions shall be indicated. Work of this nature shall be subject to the requirements of Chapter 471, F.S. Where confidential records are involved, certain information may be kept confidential pursuant to Section 403.111, F.S.

- (c) The owners' written guarantee to meet the design criteria as accepted by the Department and to abide by Chapter 403, F.S., and the rules of the Department as to the quantities and types of materials to be discharged from the installation. The owner may be required to post an appropriate bond or other equivalent evidence of financial responsibility to guarantee compliance with such conditions in instances where the owner's financial resources are inadequate or proposed control facilities are experimental in nature.

(2) The construction permit may contain conditions and an expiration date as determined by the Secretary or the Secretary's designee.

(3) When the Department issues a permit to construct, the permittee shall be allowed a period of time, specified in the permit, to construct, and to operate and test to determine compliance with Chapter 403, F.S., and the rules of the Department and, where applicable, to apply for and receive an operation permit. The Department may require tests and evaluations of the treatment facilities by the permittee at his/her expense.

[Rule 62-4.210, F.A.C.]

14. **Not federally enforceable.** Operation Permit for New Sources. To properly apply for an operation permit for new sources the applicant shall submit the appropriate fee and certification that construction was completed, noting any deviations from the conditions in the construction permit and test results where appropriate.

[Rule 62-4.220, F.A.C.]

Chapters 28-106 and 62-110, F.A.C.

15. Public Notice, Public Participation, and Proposed Agency Action. The permittee shall comply with all of the requirements for public notice, public participation, and proposed agency action pursuant to Rules 62-110.106 and 62-210.350, F.A.C.

[Rules 62-110.106, 62-210.350 and 62-213.430(1)(b), F.A.C.]

16. Administrative Hearing. The permittee shall comply with all of the requirements for a petition for administrative hearing or waiver of right to administrative proceeding pursuant to Rules 28-106.201, 28-106.301 and 62-110.106, F.A.C.

[Rules 28-106.201, 28-106.301 and 62-110.106, F.A.C.]

Chapter 62-204, F.A.C.

17. Asbestos. This permit does not authorize any demolition or renovation of the facility or its parts or components which involves asbestos removal. This permit does not constitute a waiver of any of the requirements of Chapter 62-257, F.A.C., and 40 CFR 61, Subpart M, National Emission Standard for Asbestos, adopted and incorporated by reference in Rule 62-204.800, F.A.C.

Compliance with Chapter 62-257, F.A.C., and 40 CFR 61, Subpart M, Section 61.145, is required for any asbestos demolition or renovation at the source.

[40 CFR 61; Rule 62-204.800, F.A.C.; and, Chapter 62-257, F.A.C.]

Chapter 62-210, F.A.C.

18. Permits Required. Unless exempted from permitting pursuant to Rule 62-210.300(3)(a) or (b), F.A.C., or Rule 62-4.040, F.A.C., or unless specifically authorized by provision of Rule 62-210.300(4), F.A.C., or Rule 62-213.300, F.A.C., the owner or operator of any facility or emissions unit which emits or can reasonably be expected to emit any air pollutant shall obtain an appropriate permit from the Department prior to beginning construction, reconstruction pursuant to 40 CFR 60.15 or 63.2, modification, or the addition of pollution control equipment; or to authorize initial or continued operation of the emissions unit; or to establish a PAL or Air Emissions Bubble. All emissions limitations, controls, and other requirements imposed by such permits shall be at least as stringent as any applicable limitations and requirements contained in or enforceable under the State Implementation Plan (SIP) or that are otherwise federally enforceable. Except as provided at Rule 62-213.460, F.A.C., issuance of a permit does not relieve the owner or operator of a facility or an emissions unit from complying with any applicable requirements, any emission limiting standards or other requirements of the air pollution rules of the Department or any other such requirements under federal, state, or local law.

(1) Air Construction Permits.

(a) Unless exempt from permitting pursuant to Rule 62-210.300(3)(a) or (b), F.A.C., or Rule 62-4.040, F.A.C., an air construction permit shall be obtained by the owner or operator of any proposed new, reconstructed, or modified facility or emissions unit, or any new pollution control equipment prior to the beginning of construction, reconstruction pursuant to 40 CFR 60.15 or 63.2, or modification of the facility or emissions unit or addition of the pollution control equipment; or to establish a PAL; in accordance with all applicable provisions of Chapter 62-210, F.A.C., Chapter 62-212, F.A.C., and Chapter 62-4, F.A.C. Except as provided under Rule 62-213.415, F.A.C., the owner or operator of any facility seeking to create or change an air emissions bubble shall obtain an air construction permit in accordance with all the applicable provisions of Chapter 62-210, F.A.C., Chapters 62-212 and 62-4, F.A.C. The construction permit shall be issued for a period of time sufficient to allow construction, reconstruction or modification of the facility or emissions unit or addition of the air pollution control equipment; and operation while the owner or operator of the new, reconstructed or modified facility or emissions unit or the new pollution control equipment is conducting tests or otherwise demonstrating initial compliance with the conditions of the construction permit.

(b) Notwithstanding the expiration of an air construction permit, all limitations and requirements of such permit that are applicable to the design and operation of the permitted facility or emissions unit shall remain in effect until the facility or emissions unit is permanently shut down, except for any such limitation or requirement that is obsolete by its nature (such as a requirement for initial compliance testing) or any such limitation or requirement that is changed in accordance with the provisions of Rule 62-210.300(1)(b)1., F.A.C. Either the applicant or the Department can propose that certain conditions be considered obsolete. Any conditions or language in an air construction permit that are included for informational purposes only, if they are transferred to the air operation permit, shall be transferred for informational purposes only and shall not become enforceable conditions unless voluntarily agreed to by the permittee or otherwise required under Department rules.

1. Except for those limitations or requirements that are obsolete, all limitations and requirements of an air construction permit shall be included and identified in any air operation permit for the facility or emissions unit. The limitations and requirements included in the air operation permit can be changed, and thereby superseded, through the issuance of an air construction permit, federally enforceable state air operation permit, federally enforceable air general permit, or Title V air operation permit; provided, however, that:

- a. Any change that would constitute an administrative correction may be made pursuant to Rule 62-210.360, F.A.C.;
- b. Any change that would constitute a modification, as defined at Rule 62-210.200, F.A.C., shall be accomplished only through the issuance of an air construction permit; and
- c. Any change in a permit limitation or requirement that originates from a permit issued pursuant to 40 CFR 52.21, Rule 62-204.800(1)(d)2., F.A.C., Rule 62-212.400, F.A.C., Rule 62-212.500, F.A.C., or any former codification of Rule 62-212.400 or Rule 62-212.500, F.A.C., shall be accomplished only through the issuance of a new or revised air construction permit under Rule 62-204.800(1)(d)2., Rule 62-212.400 or Rule 62-212.500, F.A.C., as appropriate.

2. The force and effect of any change in a permit limitation or requirement made in accordance with the provisions of Rule 62-210.300(1)(b)1., F.A.C., shall be the same as if such change were made to the original air construction permit.

3. Nothing in Rule 62-210.300(1)(b), F.A.C., shall be construed as to allow operation of a facility or emissions unit without a valid air operation permit.

(2) Air Operation Permits. Upon expiration of the air operation permit for any existing facility or emissions unit, subsequent to construction or modification, or subsequent to the creation of or change to a bubble, and demonstration of compliance with the conditions of the construction permit for any new or modified facility or emissions unit, any air emissions bubble, or as otherwise provided in Chapter 62-210, F.A.C., or Chapter 62-213, F.A.C., the owner or operator of such facility or emissions unit shall obtain a renewal air operation permit, an initial air operation permit or air general permit, or an administrative correction or revision of an existing air operation permit, whichever is appropriate, in accordance with all applicable provisions of Chapter 62-210, F.A.C., Chapter 62-213, F.A.C., and Chapter 62-4, F.A.C.

(a) Minimum Requirements for All Air Operation Permits. At a minimum, a permit issued pursuant to this subsection shall:

1. Specify the manner, nature, volume and frequency of the emissions permitted, and the applicable emission limiting standards or performance standards, if any;
2. Require proper operation and maintenance of any pollution control equipment by qualified personnel, where applicable in accordance with the provisions of any operation and maintenance plan required by the air pollution rules of the Department.
3. Contain an effective date stated in the permit which shall not be earlier than the date final action is taken on the application and be issued for a period, beginning on the effective date, as provided below.
 - a. The operation permit for an emissions unit which is in compliance with all applicable rules and in operational condition, and which the owner or operator intends to continue operating, shall be issued or renewed for a five-year period, except that, for Title V sources subject to Rule 62-213.420(1)(a)1., F.A.C., operation permits shall be extended until 60 days after the due date for submittal of the facility's Title V permit application as specified in Rule 62-213.420(1)(a)1., F.A.C.
 - b. Except as provided in Rule 62-210.300(2)(a)3.d., F.A.C., the operation permit for an emissions unit which has been shut down for six months or more prior to the expiration date of the current operation permit, shall be renewed for a period not to exceed five years from the date of shutdown, even if the emissions unit is not maintained in operational condition, provided:
 - (i) the owner or operator of the emissions unit demonstrates to the Department that the emissions unit may need to be reactivated and used, or that it is the owner's or operator's intent to apply to the Department for a permit to construct a new emissions unit at the facility before the end of the extension period; and
 - (ii) the owner or operator of the emissions unit agrees to and is legally prohibited from providing the allowable emission permitted by the renewed permit as an emissions offset to any other person under Rule 62-212.500, F.A.C.; and
 - (iii) the emissions unit was operating in compliance with all applicable rules as of the time the source was shut down.
 - c. Except as provided in Rule 62-210.300(2)(a)3.d., F.A.C., the operation permit for an emissions unit which has been shut down for five years or more prior to the expiration date of the current operation permit shall be renewed for a maximum period not to exceed ten years from the date of shutdown, even if the emissions unit is not maintained in operational condition, provided the conditions given in Rule 62-210.300(2)(a)3.b., F.A.C., are met and the owner or operator demonstrates to the Department that failure to renew the permit would constitute a hardship, which may include economic hardship.
 - d. The operation permit for an electric utility generating unit on cold standby or long-term reserve shutdown shall be renewed for a five-year period, and additional five-year periods, even if the unit is not maintained in operational condition, provided the conditions given in Rules 62-210.300(2)(a)3.b.(i) through (iii), F.A.C., are met.
4. In the case of an emissions unit permitted pursuant to Rules 62-210.300(2)(a)3.b., c., and d., F.A.C., include reasonable notification and compliance testing requirements for reactivation of such emissions unit and provide that the owner or operator demonstrate to the Department prior to reactivation that such reactivation would not constitute reconstruction pursuant to Rule 62-204.800(8), F.A.C.

[Rules 62-210.300(1) & (2), F.A.C.]

19. **Not federally enforceable.** Notification of Startup. The owners or operator of any emissions unit or facility which has a valid air operation permit which has been shut down more than one year, shall notify the Department in writing of the intent to start up such emissions unit or facility, a minimum of 60 days prior to the intended startup date.

(a) The notification shall include information as to the startup date, anticipated emission rates or pollutants released, changes to processes or control devices which will result in changes to emission rates, and any other conditions which may differ from the valid outstanding operation permit.

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(b) If, due to an emergency, a startup date is not known 60 days prior thereto, the owner shall notify the Department as soon as possible after the date of such startup is ascertained.

[Rule 62-210.300(5), F.A.C.]

20. Emissions Unit Reclassification.

(a) Any emissions unit whose operation permit has been revoked as provided for in Chapter 62-4, F.A.C., shall be deemed permanently shut down for purposes of Rule 62-212.500, F.A.C. Any emissions unit whose permit to operate has expired without timely renewal or transfer may be deemed permanently shut down, provided, however, that no such emissions unit shall be deemed permanently shut down if, within 20 days after receipt of written notice from the Department, the emissions unit owner or operator demonstrates that the permit expiration resulted from inadvertent failure to comply with the requirements of Rule 62-4.090, F.A.C., and that the owner or operator intends to continue the emissions unit in operation, and either submits an application for an air operation permit or complies with permit transfer requirements, if applicable.

(b) If the owner or operator of an emissions unit which is so permanently shut down, applies to the Department for a permit to reactivate or operate such emissions unit, the emissions unit will be reviewed and permitted as a new emissions unit.

[Rule 62-210.300(6), F.A.C.]

21. Transfer of Air Permits.

(a) An air permit is transferable only after submission of an Application for Transfer of Air Permit (DEP Form 62-210.900(7)) and Department approval in accordance with Rule 62-4.120, F.A.C. For Title V permit transfers only, a complete application for transfer of air permit shall include the requirements of 40 CFR 70.7(d)(1)(iv), adopted and incorporated by reference at Rule 62-204.800, F.A.C. Within 30 days after approval of the transfer of permit, the Department shall update the permit by an administrative permit correction pursuant to Rule 62-210.360, F.A.C.

(b) For an air general permit, the provision of Rules 62-210.300(7)(a) and 62-4.120, F.A.C., do not apply. Thirty (30) days before using an air general permit, the new owner must submit an air general permit notification to the Department in accordance with Rule 62-210.300(4), F.A.C., or Rule 62-213.300(2)(b), F.A.C.

[Rule 62-210.300(7), F.A.C.]

22. Public Notice and Comment.

(1) Public Notice of Proposed Agency Action.

(a) A notice of proposed agency action on permit application, where the proposed agency action is to issue the permit, shall be published by any applicant for:

1. An air construction permit;
2. An air operation permit, permit renewal or permit revision subject to Rule 62-210.300(2)(b), F.A.C., (i.e., a FESOP), except as provided in Rule 62-210.300(2)(b)1.b., F.A.C.; or
3. An air operation permit, permit renewal, or permit revision subject to Chapter 62-213, F.A.C., except Title V air general permits or those permit revisions meeting the requirements of Rule 62-213.412(1), F.A.C.

(b) The notice required by Rule 62-210.350(1)(a), F.A.C., shall be published in accordance with all otherwise applicable provisions of Rule 62-110.106, F.A.C. A public notice under Rule 62-210.350(1)(a)1., F.A.C., for an air construction permit may be combined with any required public notice under Rule 62-210.350(1)(a)2. or 3., F.A.C., for air operation permits. If such notices are combined, the public notice must comply with the requirements for both notices.

(c) Except as otherwise provided at Rules 62-210.350(2), (5), and (6), F.A.C., each notice of intent to issue an air construction permit shall provide a 14-day period for submittal of public comments.

(2) Additional Public Notice Requirements for Emissions Units Subject to Prevention of Significant Deterioration or Nonattainment - Area Preconstruction Review.

(a) Before taking final agency action on a construction permit application for any proposed new or modified facility or emissions unit subject to the preconstruction review requirements of Rule 62-212.400 or 62-212.500, F.A.C., the Department shall comply with all applicable provisions of Rule 62-110.106, F.A.C., and provide an opportunity for public comment which shall include as a minimum the following:

1. A complete file available for public inspection in at least one location in the district affected which includes the information submitted by the owner or operator, exclusive of confidential records under Section 403.111, F.S., and the Department's analysis of the effect of the proposed construction or modification on ambient air quality, including the Department's preliminary determination of whether the permit should be approved or disapproved;
2. A 30-day period for submittal of public comments; and

3. A notice, by advertisement in a newspaper of general circulation in the county affected, specifying the nature and location of the proposed facility or emissions unit, whether BACT or LAER has been determined, the degree of PSD increment consumption expected, if applicable, and the location of the information specified in paragraph 1. above; and notifying the public of the opportunity for submitting comments and requesting a public hearing.
 - (b) The notice provided for in Rule 62-210.350(2)(a)3., F.A.C., shall be prepared by the Department and published by the applicant in accordance with all applicable provisions of Rule 62-110.106, F.A.C., except that the applicant shall cause the notice to be published no later than thirty (30) days prior to final agency action.
 - (c) A copy of the notice provided for in Rule 62-210.350(2)(a)3., F.A.C., shall also be sent by the Department to the Regional Office of the U. S. Environmental Protection Agency and to all other state and local officials or agencies having cognizance over the location of such new or modified facility or emissions unit, including local air pollution control agencies, chief executives of city or county government, regional land use planning agencies, and any other state, Federal Land Manager, or Indian Governing Body whose lands may be affected by emissions from the new or modified facility or emissions unit.
 - (d) A copy of the notice provided for in Rule 62-210.350(2)(a)3., F.A.C., shall be displayed in the appropriate district, branch and local program offices.
 - (e) An opportunity for public hearing shall be provided in accordance with Chapter 120, F.S., and Rule 62-110.106, F.A.C.
 - (f) Any public comments received shall be made available for public inspection in the location where the information specified in Rule 62-210.350(2)(a)1., F.A.C., is available and shall be considered by the Department in making a final determination to approve or deny the permit.
 - (g) The final determination shall be made available for public inspection at the same location where the information specified in Rule 62-210.350(2)(a)1., F.A.C., was made available.
 - (h) For a proposed new or modified emissions unit which would be located within 100 kilometers of any Federal Class I area or whose emissions may affect any Federal Class I area, and which would be subject to the preconstruction review requirements of Rule 62-212.400 or 62-212.500, F.A.C.:
 1. The Department shall mail or transmit to the Administrator a copy of the initial application for an air construction permit and notice of every action related to the consideration of the permit application.
 2. The Department shall mail or transmit to the Federal Land Manager of each affected Class I area a copy of any written notice of intent to apply for an air construction permit; the initial application for an air construction permit, including all required analyses and demonstrations; any subsequently submitted information related to the application; the preliminary determination and notice of proposed agency action on the permit application; and any petition for an administrative hearing regarding the application or the Department's proposed action. Each such document shall be mailed or transmitted to the Federal Land Manager within fourteen (14) days after its receipt by the Department.
- (3) Additional Public Notice Requirements for Facilities Subject to Operation Permits for Title V Sources.
- (a) Before taking final agency action to issue a new, renewed, or revised air operation permit subject to Chapter 62-213, F.A.C., the Department shall comply with all applicable provisions of Rule 62-110.106, F.A.C., and provide an opportunity for public comment which shall include as a minimum the following:
 1. A complete file available for public inspection in at least one location in the district affected which includes the information submitted by the owner or operator, exclusive of confidential records under Section 403.111, F.S.; and
 2. A 30-day period for submittal of public comments.
 - (b) The notice provided for in Rule 62-210.350(3)(a), F.A.C., shall be prepared by the Department and published by the applicant in accordance with all applicable provisions of Rule 62-110.106, F.A.C., except that the applicant shall cause the notice to be published no later than thirty (30) days prior to final agency action. If written comments received during the 30-day comment period on a draft permit result in the Department's issuance of a revised draft permit in accordance with Rule 62-213.430(1), F.A.C., the Department shall require the applicant to publish another public notice in accordance with Rule 62-210.350(1)(a), F.A.C.
 - (c) The notice shall identify:
 1. The facility;
 2. The name and address of the office at which processing of the permit occurs;
 3. The activity or activities involved in the permit action;
 4. The emissions change involved in any permit revision;
 5. The name, address, and telephone number of a Department representative from whom interested persons may obtain additional information, including copies of the permit draft, the application, and all relevant supporting materials, including any permit application, compliance plan, permit, monitoring report, and compliance statement required pursuant to Chapter 62-213, F.A.C. (except for information entitled to confidential treatment pursuant to Section 403.111, F.S.), and all other materials available to the Department that are relevant to the permit decision;

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6. A brief description of the comment procedures required by Rule 62-210.350(3), F.A.C.;
7. The time and place of any hearing that may be held, including a statement of procedure to request a hearing (unless a hearing has already been scheduled); and
8. The procedures by which persons may petition the Administrator to object to the issuance of the proposed permit after expiration of the Administrator's 45-day review period.

[Rules 62-210.350(1) thru (3), F.A.C.]

23. Administrative Permit Corrections.

- (1) A facility owner shall notify the Department by letter of minor corrections to information contained in a permit. Such notifications shall include:
 - (a) Typographical errors noted in the permit;
 - (b) Name, address or phone number change from that in the permit;
 - (c) A change requiring more frequent monitoring or reporting by the permittee;
 - (d) A change in ownership or operational control of a facility, subject to the following provisions:
 1. The Department determines that no other change in the permit is necessary;
 2. The permittee and proposed new permittee have submitted an Application for Transfer of Air Permit, and the Department has approved the transfer pursuant to Rule 62-210.300(7), F.A.C.; and
 3. The new permittee has notified the Department of the effective date of sale or legal transfer.
 - (e) Changes listed at 40 CFR 72.83(a)(1), (2), (6), (9) and (10), adopted and incorporated by reference at Rule 62-204.800, F.A.C., and changes made pursuant to Rules 62-214.340(1) and (2), F.A.C., to Title V sources subject to emissions limitations or reductions pursuant to 42 USC ss. 7651-7651o;
 - (f) Changes listed at 40 CFR 72.83(a)(11) and (12), adopted and incorporated by reference at Rule 62-204.800, F.A.C., to Title V sources subject to emissions limitations or reductions pursuant to 42 USC ss. 7651-7651o, provided the notification is accompanied by a copy of any EPA determination concerning the similarity of the change to those listed at Rule 62-210.360(1)(c), F.A.C.; and
 - (g) Any other similar minor administrative change at the source.
- (2) Upon receipt of any such notification, the Department shall within 60 days correct the permit and provide a corrected copy to the owner.
- (3) After first notifying the owner, the Department shall correct any permit in which it discovers errors of the types listed at Rules 62-210.360(1)(a) and (b), F.A.C., and provide a corrected copy to the owner.
- (4) For Title V source permits, other than general permits, a copy of the corrected permit shall be provided to EPA and any approved local air program in the county where the facility or any part of the facility is located.

[Rule 62-210.360, F.A.C.]

24. Emissions Computation and Reporting.

- (1) 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)(c), 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 limitations of any air permit.
- (2) 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.
 - (a) 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.
 1. 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.
 2. 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.
 3. 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.
 - (b) Continuous Emissions Monitoring System (CEMS).
 1. An owner or operator may use a CEMS to compute emissions of a pollutant for purposes of this rule provided:
 - a. 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

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- b. The owner or operator demonstrates that the CEMS otherwise represents the most accurate means of computing emissions for purposes of this rule.
 2. 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:
 - a. A calibrated flowmeter that records data on a continuous basis, if available; or
 - b. 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.
 3. 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.
 - (c) Mass Balance Calculations.
 1. 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:
 - a. 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
 - b. Assumes that the emissions unit emits all of the pollutant that is contained in or created by any 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.
 2. 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.
 3. 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.
 - (d) Emission Factors.
 1. 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:
 - a. 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.
 - b. 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.
 - c. 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.
 2. 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.
 - (e) 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.
 - (f) 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.
 - (g) 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.
 - (h) 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.
- (3) Annual Operating Report for Air Pollutant Emitting Facility.
 - (a) The Annual Operating Report for Air Pollutant Emitting Facility (DEP Form No. 62-210.900(5)) shall be completed each year.
 - (c) 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 March 1 of the following year.
 - (d) Beginning with 2007 annual emissions, emissions shall be computed in accordance with the provisions of Rule 62-210.370(2), F.A.C., for purposes of the annual operating report.

[Rules 62-210.370(1), (2) and (3)(a), (c) & (d), F.A.C.]

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25. Circumvention. No person shall circumvent any air pollution control device, or allow the emission of air pollutants without the applicable air pollution control device operating properly.

[Rule 62-210.650, F.A.C.]

26. Forms and Instructions. The forms used by the Department in the stationary source control program are adopted and incorporated by reference in this section. The forms are listed by rule number, which is also the form number, with the subject, title and effective date. Copies of forms may be obtained by writing to the Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, or by accessing the Division's website at www.dep.state.fl.us/air. The requirement of Rule 62-4.050(2), F.A.C., to file application forms in quadruplicate is waived if an air permit application is submitted using the Department's electronic application form.

(1) Application for Air Permit - Long Form, Form and Instructions (Effective 02-02-2006).

(a) Acid Rain Part, Form and Instructions (Effective 06-16-2003).

1. Repowering Extension Plan, Form and Instructions (Effective 07/01/1995).
2. New Unit Exemption, Form and Instructions (Effective 04/16/2001).
3. Retired Unit Exemption, Form and Instructions (Effective 04/16/2001).
4. Phase II NOx Compliance Plan, Form and Instructions (Effective 01/06/1998).
5. Phase II NOx Averaging Plan, Form (Effective 01/06/1998).

(b) Reserved.

(5) Annual Operating Report for Air Pollutant Emitting Facility, Form and Instructions (Effective 02/11/1999).

(7) Application for Transfer of Air Permit – Title V Source, (Effective 04/16/2001).

[Rule 62-210.900, F.A.C.]

Chapter 62-213, F.A.C.

27. Responsible Official.

(1) Each Title V source must identify a responsible official on each application for Title V permit, permit revision, and permit renewal. For sources with only one responsible official, this is how the Title V source designates the responsible official.

(2) Each Title V source may designate more than one responsible official, provided a primary responsible official is designated as responsible for the certifications of all other designated responsible officials. Any action taken by the primary responsible official shall take precedence over any action taken by any other designated responsible official.

(3) Any facility initially designating more than one responsible official or changing the list of responsible officials must submit a Responsible Official Notification Form (DEP Form No. 62-213.900(8)) designating all responsible officials for a Title V source, stating which responsible official is the primary responsible official, and providing an effective date for any changes to the list of responsible officials. Each individual listed on the Responsible Official Notification Form must meet the definition of responsible official given at Rule 62-210.200, F.A.C.

(4) A Title V source with only one responsible official shall submit DEP Form No. 62-213.900(8) for a change in responsible official.

(5) No person shall take any action as a responsible official at a Title V source unless designated a responsible official as required by this rule, except that the existing responsible official of any Title V source which has a change in responsible official during the term of the permit and before the effective date of this rule may continue to act as a responsible official until the first submittal of DEP Form No. 62-213.900(8) or the next application for Title V permit, permit revision or permit renewal, whichever comes first.

[Rules 62-213.202(1) thru (5), F.A.C.]

28. Annual Emissions Fee. Each Title V source permitted to operate in Florida must pay between January 15 and March 1 of each year, upon written notice from the Department, an annual emissions fee in an amount determined as set forth in Rule 62-213.205(1), F.A.C.

(1)(g) If the Department has not received the fee by February 15 of the year following the calendar year for which the fee is calculated, the Department will send the primary responsible official of the Title V source a written warning of the consequences for failing to pay the fee by March 1. If the fee is not postmarked by March 1 of the year due, the Department shall impose, in addition to the fee, a penalty of 50 percent of the amount of the fee unpaid plus interest on such amount computed in accordance with Section 220.807, F.S. If the Department determines that a submitted fee was inaccurately calculated, the Department shall either refund to the permittee any amount overpaid or notify the permittee of any amount underpaid. The Department shall not impose a penalty or interest on any amount underpaid, provided that the permittee has timely remitted payment of at least 90 percent of the amount determined to be due and remits full payment within 60 days after receipt of notice of the amount underpaid. The Department shall waive the collection of underpayment and shall not refund overpayment of the fee, if the amount is less than 1 percent of the fee due, up to \$50.00. The Department shall make every effort to provide a timely assessment of the adequacy of the submitted fee. Failure to

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pay timely any required annual emissions fee, penalty, or interest constitutes grounds for permit revocation pursuant to Rule 62-4.100, F.A.C.

(1)(i) Any documentation of actual hours of operation, actual material or heat input, actual production amount, or actual emissions used to calculate the annual emissions fee shall be retained by the owner for a minimum of five (5) years and shall be made available to the Department upon request.

(1)(j) A completed DEP Form 62-213.900(1), "Major Air Pollution Source Annual Emissions Fee Form", must be submitted by a responsible official with the annual emissions fee.

[Rules 62-213.205, (1)(g), (1)(i) & (1)(j), F.A.C.]

29. Reserved.

30. Reserved.

31. Air Operation Permit Fees. No permit application processing fee, renewal fee, modification fee or amendment fee is required for an operation permit for a Title V source.

[Rule 62-213.205(4), F.A.C.]

32. Permits and Permit Revisions Required. All Title V sources are subject to the permit requirements of Chapter 62-213, F.A.C., except those Title V sources permissible pursuant to Rule 62-213.300, F.A.C., Title V Air General Permits.

(1) No Title V source may operate except in compliance with Chapter 62-213, F.A.C.

(2) Except as provided in Rule 62-213.410, F.A.C., no source with a permit issued under the provisions of Chapter 62-213, F.A.C., shall make any changes in its operation without first applying for and receiving a permit revision if the change meets any of the following:

(a) Constitutes a modification;

(b) Violates any applicable requirement;

(c) Exceeds the allowable emissions of any air pollutant from any unit within the source;

(d) Contravenes any permit term or condition for monitoring, testing, recordkeeping, reporting or of a compliance certification requirement;

(e) Requires a case-by-case determination of an emission limitation or other standard or a source specific determination of ambient impacts, or a visibility or increment analysis under the provisions of Chapter 62-212 or 62-296, F.A.C.;

(f) Violates a permit term or condition which the source has assumed for which there is no corresponding underlying applicable requirement to which the source would otherwise be subject;

(g) Results in the trading of emissions among units within a source except as specifically authorized pursuant to Rule 62-213.415, F.A.C.;

(h) Results in the change of location of any relocatable facility identified as a Title V source pursuant to paragraph (a)-(e), (g) or (h) of the definition of "major source of air pollution" at Rule 62-210.200, F.A.C.;

(i) Constitutes a change at an Acid Rain Source under the provisions of 40 CFR 72.81(a)(1), (2), or (3), (b)(1) or (b)(3), hereby incorporated by reference;

(j) Constitutes a change in a repowering plan, nitrogen oxides averaging plan, or nitrogen oxides compliance deadline extension at an Acid Rain Source;

[Rules 62-213.400(1) & (2), F.A.C.]

33. Changes Without Permit Revision. Title V sources having a valid permit issued pursuant to Chapter 62-213, F.A.C., may make the following changes without permit revision, provided that sources shall maintain source logs or records to verify periods of operation:

(1) Permitted sources may change among those alternative methods of operation;

(2) A permitted source may implement operating changes, as defined in Rule 62-210.200, F.A.C., after the source submits any forms required by any applicable requirement and provides the Department and EPA with at least 7 days written notice prior to implementation. The source and the Department shall attach each notice to the relevant permit;

(a) The written notice shall include the date on which the change will occur, and a description of the change within the permitted source, the pollutants emitted and any change in emissions, and any term or condition becoming applicable or no longer applicable as a result of the change;

(b) The permit shield described in Rule 62-213.460, F.A.C., shall not apply to such changes;

(3) Permitted sources may implement changes involving modes of operation only in accordance with Rule 62-213.415, F.A.C.

[Rule 62-213.410, F.A.C.]

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34. Immediate Implementation Pending Revision Process.

(1) Those permitted Title V sources making any change that constitutes a modification pursuant to the definition of modification at Rule 62-210.200, F.A.C., but which would not constitute a modification pursuant to 42 USC 7412(a) or to 40 CFR 52.01, 60.2, or 61.15, adopted and incorporated by reference at Rule 62-204.800, F.A.C., may implement such change prior to final issuance of a permit revision, provided the change:

- (a) Does not violate any applicable requirement;
- (b) Does not contravene any permit term or condition for monitoring, testing, recordkeeping or reporting, or any compliance certification requirement;
- (c) Does not require or change a case-by-case determination of an emission limitation or other standard, or a source-specific determination of ambient impacts, or a visibility or increment analysis under the provisions of Chapter 62-212 or 62-296, F.A.C.;
- (d) Does not seek to establish or change a permit term or condition for which there is no corresponding underlying applicable requirement and which the source has assumed to avoid an applicable requirement to which the source would otherwise be subject including any federally enforceable emissions cap or federally enforceable alternative emissions limit.

(2) A Title V source may immediately implement such changes after they have been incorporated into the terms and conditions of a new or revised construction permit issued pursuant to Chapter 62-212, F.A.C., and after the source provides to EPA, the Department, each affected state and any approved local air program having geographic jurisdiction over the source, a copy of the source's application for operation permit revision. The Title V source may conform its application for construction permit to include all information required by Rule 62-213.420, F.A.C., in lieu of submitting separate application forms.

(3) The Department shall process the application for operation permit revision in accordance with the provisions of Chapter 62-213, F.A.C., except that the Department shall issue a draft permit revision or a determination to deny the revision within 60 days of receipt of a complete application for operation permit revision or, if the Title V source has submitted a construction permit application conforming to the requirements of Rule 62-213.420, F.A.C., the Department shall issue a draft permit or a determination to deny the revision at the same time the Department issues its determination on issuance or denial of the construction permit application. The Department shall not take final action on the operation permit revision application until all the requirements of Rules 62-213.430(1)(a), (c), (d), and (e), F.A.C., have been complied with.

(4) Pending final action on the operation permit revision application, the source shall implement the changes in accordance with the terms and conditions of the source's new or revised construction permit. If any terms and conditions of the new or revised construction permit have not been complied with prior to the issuance of the draft operation permit revision, the operation permit shall include a compliance plan in accordance with the provisions of Rule 62-213.440(2), F.A.C.

(5) The permit shield described in Rule 62-213.460, F.A.C., shall not apply to such changes until after the Department takes final action to issue the operation permit revision.

(6) If the Department denies the source's application for operation permit revision, the source shall cease implementation of the proposed changes.

[Rule 62-213.412, F.A.C.]

35. Permit Applications.

(1) **Duty to Apply.** For each Title V source, the owner or operator shall submit a timely and complete permit application in compliance with the requirements of Rules 62-213.420, F.A.C., and Rules 62-4.050(1) through (3), F.A.C.

(a) **Timely Application.**

3. For purposes of permit renewal, a timely application is one that is submitted in accordance with Rule 62-4.090, F.A.C.

(b) **Complete Application.**

1. Any applicant for a Title V permit, permit revision or permit renewal must submit an application on DEP Form No. 62-210.900(1), which must include all the information specified by Rule 62-213.420(3), F.A.C., except that an application for permit revision must contain only that information related to the proposed change(s) from the currently effective Title V permit and any other requirements that become applicable at the time of application. The applicant shall include information concerning fugitive emissions and stack emissions in the application. Each application for permit, permit revision or permit renewal shall be certified by a responsible official in accordance with Rule 62-213.420(4), F.A.C.

2. For those applicants submitting initial permit applications pursuant to Rule 62-213.420(1)(a)1., F.A.C., a complete application shall be an application that substantially addresses all the information required by the application form number 62-210.900(1), and such applications shall be deemed complete within sixty days of receipt of a signed and certified application unless the Department notifies the applicant of incompleteness within that time. For all other applicants, the applications shall be deemed complete sixty days after receipt, unless the Department, within sixty days after receipt of a signed application for permit, permit revision or permit renewal, requests additional documentation or information needed

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to process the application. An applicant making timely and complete application for permit, or timely application for permit renewal as described by Rule 62-4.090(1), F.A.C., shall continue to operate the source under the authority and provisions of any existing valid permit or Florida Electrical Power Plant Siting Certification, and in accordance with applicable requirements of the Acid Rain Program, until the conclusion of proceedings associated with its permit application or until the new permit becomes effective, whichever is later, provided the applicant complies with all the provisions of Rules 62-213.420(1)(b)3. and 4., F.A.C. Failure of the Department to request additional information within sixty days of receipt of a properly signed application shall not impair the Department's ability to request additional information pursuant to Rules 62-213.420(1)(b)3. and 4., F.A.C.

3. For those permit applications submitted pursuant to the provisions of Rule 62-213.420(1)(a)1., F.A.C., the Department shall notify the applicant if the Department becomes aware at any time during processing of the application that the application contains incorrect or incomplete information. The applicant shall submit the corrected or supplementary information to the Department within ninety days unless the applicant has requested and been granted additional time to submit the information. Failure of an applicant to submit corrected or supplementary information requested by the Department within ninety days or such additional time as requested and granted shall render the application incomplete.

4. For all applications other than those addressed at Rule 62-213.420(1)(b)3., F.A.C., should the Department become aware, during processing of any application that the application contains incorrect information, or should the Department become aware, as a result of comment from an affected State, an approved local air program, EPA, or the public that additional information is needed to evaluate the application, the Department shall notify the applicant within 30 days. When an applicant becomes aware that an application contains incorrect or incomplete information, the applicant shall submit the corrected or supplementary information to the Department. If the Department notifies an applicant that corrected or supplementary information is necessary to process the permit, and requests a response, the applicant shall provide the information to the Department within ninety days of the Department request unless the applicant has requested and been granted additional time to submit the information or, the applicant shall, within ninety days, submit a written request that the Department process the application without the information. Failure of an applicant to submit corrected or supplementary information requested by the Department within ninety days, or such additional time as requested and granted, or to demand in writing within ninety days that the application be processed without the information shall render the application incomplete. Nothing in this section shall limit any other remedies available to the Department.

[Rules 62-213.420(1)(a)3. and 62-213.420(1)(b)1., 2., 3. & 4., F.A.C.]

36. Confidential Information. Whenever an applicant submits information under a claim of confidentiality pursuant to Section 403.111, F.S., the applicant shall also submit a copy of all such information and claim directly to EPA. (also, see Condition No. 50.) [Rule 62-213.420(2), F.A.C.]

37. Standard Application Form and Required Information. Applications shall be submitted under Chapter 62-213, F.A.C., on forms provided by the Department and adopted by reference in Rule 62-210.900(1), F.A.C. The information as described in Rule 62-210.900(1), F.A.C., shall be included for the Title V source and each emissions unit. An application must include information sufficient to determine all applicable requirements for the Title V source and each emissions unit and to evaluate a fee amount pursuant to Rule 62-213.205, F.A.C. [Rule 62-213.420(3), F.A.C.]

38. a. Permit Renewal and Expiration. Permits being renewed are subject to the same requirements that apply to permit issuance at the time of application for renewal. Permit renewal applications shall contain that information identified in Rules 62-210.900(1) and 62-213.420(3), F.A.C. Unless a Title V source submits a timely application for permit renewal in accordance with the requirements of Rule 62-4.090(1), F.A.C., the existing permit shall expire and the source's right to operate shall terminate. No Title V permit will be issued for a new term except through the renewal process.

b. Permit Revision Procedures. Permit revisions shall meet all requirements of Chapter 62-213, F.A.C., including those for content of applications, public participation, review by approved local programs and affected states, and review by EPA, as they apply to permit issuance and permit renewal, except that permit revisions for those activities implemented pursuant to Rule 62-213.412, F.A.C., need not meet the requirements of Rule 62-213.430(1)(b), F.A.C. The Department shall require permit revision in accordance with the provisions of Rule 62-4.080, F.A.C., and 40 CFR 70.7(f), whenever any source becomes subject to any condition listed at 40

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CFR 70.7(f)(1), hereby adopted and incorporated by reference. The below requirements from 40 CFR 70.7(f) are adopted and incorporated by reference in Rule 62-213.430(4), F.A.C.:

o 40 CFR 70.7(f): Reopening for Cause. (also, see Condition No. 4.)

(1) This section contains provisions from 40 CFR 70.7(f) that specify the conditions under which a Title V permit shall be reopened prior to the expiration of the permit. A Title V permit shall be reopened and revised under any of the following circumstances:

- (i) Additional applicable requirements under the Act become applicable to a major Part 70 source with a remaining permit term of 3 or more years. Such a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 40 CFR 70.4(b)(10)(i) or (ii).
 - (ii) Additional requirements (including excess emissions requirements) become applicable to an affected source under the acid rain program. Upon approved by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit.
 - (iii) The permitting authority or EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
 - (iv) The Administrator or the permitting authority determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
- (2) Proceedings to reopen and issue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Such reopening shall be made as expeditiously as practicable.
- (3) Reopenings under 40 CFR 70.7(f)(1) shall not be initiated before a notice of such intent is provided to the Part 70 source by the permitting authority at least 30 days in advance of the date that the permit is to be reopened, except that the permitting authority may provide a shorter time period in the case of an emergency.

[Rules 62-213.430(3) & (4), F.A.C.; and, 40 CFR 70.7(f)]

39. Insignificant Emissions Units or Pollutant-Emitting Activities.

(a) All requests for determination of insignificant emissions units or activities made pursuant to Rule 62-213.420(3)(n), F.A.C., shall be processed in conjunction with the permit, permit renewal or permit revision application submitted pursuant to Chapter 62-213, F.A.C. Insignificant emissions units or activities shall be approved by the Department consistent with the provisions of Rule 62-4.040(1)(b), F.A.C. Emissions units or activities which are added to a Title V source after issuance of a permit under Chapter 62-213, F.A.C., shall be incorporated into the permit at its next renewal, provided such emissions units or activities have been exempted from the requirement to obtain an air construction permit and also qualify as insignificant pursuant to Rule 62-213.430(6), F.A.C.

(b) An emissions unit or activity shall be considered insignificant if all of the following criteria are met:

1. Such unit or activity would be subject to no unit-specific applicable requirement;
2. Such unit or activity, in combination with other units or activities proposed as insignificant, would not cause the facility to exceed any major source threshold(s) as defined in Rule 62-213.420(3)(c)1., F.A.C., unless it is acknowledged in the permit application that such units or activities would cause the facility to exceed such threshold(s);
3. Such unit or activity would not emit or have the potential to emit:
 - a. 500 pounds per year or more of lead and lead compounds expressed as lead;
 - b. 1,000 pounds per year or more of any hazardous air pollutant;
 - c. 2,500 pounds per year or more of total hazardous air pollutants; or
 - d. 5.0 tons per year or more of any other regulated pollutant.

[Rule 62-213.430(6), F.A.C.]

40. Permit Duration. Permits for sources subject to the Federal Acid Rain Program shall be issued for terms of five years, provided that the initial Acid Rain Part may be issued for a term less than five years where necessary to coordinate the term of such part with the term of a Title V permit to be issued to the source. Operation permits for Title V sources may not be extended as provided in Rule 62-4.080(3), F.A.C., if such extension will result in a permit term greater than five years.

[Rule 62-213.440(1)(a), F.A.C.]

41. Monitoring Information. All records of monitoring information shall specify the date, place, and time of sampling or measurement and the operating conditions at the time of sampling or measurement, the date(s) analyses were performed, the company or entity that performed the analyses, the analytical techniques or methods used, and the results of such analyses.

[Rule 62-213.440(1)(b)2.a., F.A.C.]

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42. Retention of Records. Retention of records of all monitoring data and support information shall be for a period of at least 5 years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

[Rule 62-213.440(1)(b)2.b., F.A.C.]

43. Monitoring Reports. The permittee shall submit reports of any required monitoring at least every six (6) months. All instances of deviations from permit requirements must be clearly identified in such reports.

[Rule 62-213.440(1)(b)3.a., F.A.C.]

44. Deviation from Permit Requirements Reports. The permittee shall report in accordance with the requirements of Rules 62-210.700(6) and 62-4.130, F.A.C., deviations from permit requirements, including those attributable to upset conditions as defined in the permit. Reports shall include the probable cause of such deviations, and any corrective actions or preventive measures taken.

[Rule 62-213.440(1)(b)3.b., F.A.C.]

45. Reports. All reports shall be accompanied by a certification by a responsible official, pursuant to Rule 62-213.420(4), F.A.C.

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

46. If any portion of the final permit is invalidated, the remainder of the permit shall remain in effect.

[Rule 62-213.440(1)(d)1., F.A.C.]

47. It shall not be a defense for a permittee in an enforcement action that maintaining compliance with any permit condition would necessitate halting of or reduction of the source activity.

[Rule 62-213.440(1)(d)3., F.A.C.]

48. Any Title V source shall comply with all the terms and conditions of the existing permit until the Department has taken final action on any permit renewal or any requested permit revision, except as provided at Rule 62-213.412(2), F.A.C.

[Rule 62-213.440(1)(d)4., F.A.C.]

49. A situation arising from sudden and unforeseeable events beyond the control of the source which causes an exceedance of a technology-based emissions limitation because of unavoidable increases in emissions attributable to the situation and which requires immediate corrective action to restore normal operation, shall be an affirmative defense to an enforcement action in accordance with the provisions and requirements of 40 CFR 70.6(g)(2) and (3), hereby adopted and incorporated by reference.

[Rule 62-213.440(1)(d)5., F.A.C.]

50. Confidentiality Claims. Any permittee may claim confidentiality of any data or other information by complying with Rule 62-213.420(2), F.A.C. (also, see Condition No. 36.)

[Rule 62-213.440(1)(d)6., F.A.C.]

51. Statement of Compliance. (a)2. The permittee shall submit a Statement of Compliance with all terms and conditions of the permit that includes all the provisions of 40 CFR 70.6(c)(5)(iii), incorporated by reference at Rule 62-204.800, F.A.C., using DEP Form No. 62-213.900(7). Such statement shall be accompanied by a certification in accordance with Rule 62-213.420(4), F.A.C., for Title V requirements and with Rule 62-214.350, F.A.C., for Acid Rain requirements. Such statements shall be submitted (postmarked) to the Department and EPA:

a. Annually, within 60 days after the end of each calendar year during which the Title V permit was effective, or more frequently if specified by Rule 62-213.440(2), F.A.C., or by any other applicable requirement; and

b. Within 60 days after submittal of a written agreement for transfer of responsibility as required pursuant to 40 CFR 70.7(d)(1)(iv), adopted and incorporated by reference at Rule 62-204.800, F.A.C., or within 60 days after permanent shutdown of a facility permitted under Chapter 62-213, F.A.C.; provided that, in either such case, the reporting period shall be the portion of the calendar year the permit was effective up to the date of transfer of responsibility or permanent facility shutdown, as applicable.

3. In lieu of individually identifying all applicable requirements and specifying times of compliance with, non-compliance with, and deviation from each, the responsible official may use DEP Form No. 62-213.900(7) as such statement of compliance so long as the responsible official identifies all reportable deviations from and all instances of non-compliance with any applicable requirements and includes all information required by the federal regulation relating to each reportable deviation and instance of non-compliance.

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(b) The responsible official may treat compliance with all other applicable requirements as a surrogate for compliance with Rule 62-296.320(2), Objectionable Odor Prohibited.

[Rules 62-213.440(3)(a)2. & 3. and (b), F.A.C.]

52. Permit Shield. Except as provided in Chapter 62-213, F.A.C., compliance with the terms and conditions of a permit issued pursuant to Chapter 62-213, F.A.C., shall, as of the effective date of the permit, be deemed compliance with any applicable requirements in effect, provided that the source included such applicable requirements in the permit application. Nothing in Rule 62-213.460, F.A.C., or in any permit shall alter or affect the ability of EPA or the Department to deal with an emergency, the liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance, or the requirements of the Federal Acid Rain Program.

[Rule 62-213.460, F.A.C.]

53. Forms and Instructions. The forms used by the Department in the Title V source operation program are adopted and incorporated by reference in Rule 62-213.900, F.A.C. The form is listed by rule number, which is also the form number, and with the subject, title, and effective date. Copies of forms may be obtained by writing to the Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, or by contacting the appropriate permitting authority.

(1) Major Air Pollution Source Annual Emissions Fee Form. (Effective 01/03/2001)

(7) Statement of Compliance Form. (Effective 06/02/2002)

(8) Responsible Official Notification Form. (Effective 06/02/2002)

[Rule 62-213.900, F.A.C.: Forms (1), (7) and (8)]

Chapter 62-256, F.A.C.

54. **Not federally enforceable.** Open Burning. This permit does not authorize any open burning nor does it constitute any waiver of the requirements of Chapter 62-256, F.A.C. Source shall comply with Chapter 62-256, F.A.C., for any open burning at the source.

[Chapter 62-256, F.A.C.]

Chapter 62-281, F.A.C.

55. Refrigerant Requirements. Any facility having refrigeration equipment, including air conditioning equipment, which uses a Class I or II substance (listed at 40 CFR 82, Subpart A, Appendices A and B), and any facility which maintains, services, or repairs motor vehicles using a Class I or Class II substance as refrigerant must comply with all requirements of 40 CFR 82, Subparts B and F, and with Rule 62-281.100, F.A.C. Those requirements include the following restrictions:

(1) Any facility having any refrigeration equipment normally containing 50 (fifty) pounds of refrigerant, or more, must keep servicing records documenting the date and type of all service and the quantity of any refrigerant added pursuant to 40 CFR 82.166;

(2) No person repairing or servicing a motor vehicle may perform any service on a motor vehicle air conditioner (MVAC) involving the refrigerant for such air conditioner unless the person has been properly trained and certified as provided at 40 CFR 82.34 and 40 CFR 82.40, and properly uses equipment approved pursuant to 40 CFR 82.36 and 40 CFR 82.38, and complies with 40 CFR 82.42;

(3) No person may sell or distribute, or offer for sale or distribution, any substance listed as a Class I or Class II substance at 40 CFR 82, Subpart A, Appendices A and B, except in compliance with Rule 62-281.100, F.A.C., and 40 CFR 82.34(b), 40 CFR 82.42, and/or 40 CFR 82.166;

(4) No person maintaining, servicing, repairing, or disposing of appliances may knowingly vent or otherwise release into the atmosphere any Class I or Class II substance used as a refrigerant in such equipment and no other person may open appliances (except MVACs as defined at 40 CFR 82.152) for service, maintenance or repair unless the person has been properly trained and certified pursuant to 40 CFR 82.161 and unless the person uses equipment certified for that type of appliance pursuant to 40 CFR 82.158 and unless the person observes the practices set forth at 40 CFR 82.156 and 40 CFR 82.166;

(5) No person may dispose of appliances (except small appliances, as defined at 40 CFR 82.152) without using equipment certified for that type of appliance pursuant to 40 CFR 82.158 and without observing the practices set forth at 40 CFR 82.156 and 40 CFR 82.166;

(6) No person may recover refrigerant from small appliances, MVACs and MVAC-like appliances (as defined at 40 CFR 82.152), except in compliance with the requirements of 40 CFR 82, Subpart F.

[40 CFR 82; and, Chapter 62-281, F.A.C. (Chapter 62-281, F.A.C., is not federally enforceable)]

Chapter 62-296, F.A.C.

56. Industrial, Commercial, and Municipal Open Burning Prohibited. Open burning in connection with industrial, commercial, or municipal operations is prohibited, except when:

- (a) Open burning is determined by the Department to be the only feasible method of operation and is authorized by an air permit issued pursuant to Chapter 62-210 or 62-213, F.A.C.; or
- (b) An emergency exists which requires immediate action to protect human health and safety; or
- (c) A county or municipality would use a portable air curtain incinerator to burn yard trash generated by a hurricane, tornado, fire or other disaster and the air curtain incinerator would otherwise be operated in accordance with the permitting exemption criteria of Rule 62-210.300(3), F.A.C.

[Rule 62-296.320(3), F.A.C.]

57. Unconfined Emissions of Particulate Matter.

(4)(c)1. No person shall cause, let, permit, suffer or allow the emissions of unconfined particulate matter from any activity, including vehicular movement; transportation of materials; construction; alteration; demolition or wrecking; or industrially related activities such as loading, unloading, storing or handling; without taking reasonable precautions to prevent such emissions.

3. Reasonable precautions include the following:

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

4. In determining what constitutes reasonable precautions for a particular facility, the Department shall consider the cost of the control technique or work practice, the environmental impacts of the technique or practice, and the degree of reduction of emissions expected from a particular technique or practice.

[Rules 62-296.320(4)(c)1., 3., & 4. F.A.C.]

[electronic file name: tv-6.doc]

APPENDIX SS-1, STACK SAMPLING FACILITIES (version dated 10/07/96)
(continued)

1. Ladders to the work platform exceeding 15 feet in length shall have safety cages or fall arresters with a minimum of 3 compatible safety belts available for use by sampling personnel.

2. Walkways over free-fall areas shall be equipped with safety rails and toeboards.

(f) Electrical Power.

1. A minimum of two 120-volt AC, 20-amp outlets shall be provided at the sampling platform within 20 feet of each sampling port.

2. If extension cords are used to provide the electrical power, they shall be kept on the plant's property and be available immediately upon request by sampling personnel.

(g) Sampling Equipment Support.

1. A three-quarter inch eyebolt and an angle bracket shall be attached directly above each port on vertical stacks and above each row of sampling ports on the sides of horizontal ducts.

a. The bracket shall be a standard 3 inch x 3 inch x one-quarter inch equal-legs bracket which is 1 and one-half inches wide. A hole that is one-half inch in diameter shall be drilled through the exact center of the horizontal portion of the bracket. The horizontal portion of the bracket shall be located 14 inches above the centerline of the sampling port.

b. A three-eighth inch bolt which protrudes 2 inches from the stack may be substituted for the required bracket. The bolt shall be located 15 and one-half inches above the centerline of the sampling port.

c. The three-quarter inch eyebolt shall be capable of supporting a 500 pound working load. For stacks that are less than 12 feet in diameter, the eyebolt shall be located 48 inches above the horizontal portion of the angle bracket. For stacks that are greater than or equal to 12 feet in diameter, the eyebolt shall be located 60 inches above the horizontal portion of the angle bracket. If the eyebolt is more than 120 inches above the platform, a length of chain shall be attached to it to bring the free end of the chain to within safe reach from the platform.

2. A complete monorail or dualrail arrangement may be substituted for the eyebolt and bracket.

3. When the sample ports are located in the top of a horizontal duct, a frame shall be provided above the port to allow the sample probe to be secured during the test.

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

**Florida Power Corporation
dba Progress Energy Florida, Inc.
Anclote Power Plant
Compliance Plan CP-1**

The permittee is authorized to construct and operate two new mechanical draft cooling towers, 12 cells each, with the following nominal design characteristics: a circulating flow rate of 660,000 gallons per minute (330,000 gpm per tower); a design air flow of 36,000,000 acfm for both towers (18,000,000 acfm per tower and 1,500,000 acfm per cell); drift eliminators and a drift rate of no more than 0.0005% of the circulating water flow for each tower.

[Air Construction Permit 1010017-007-AC]

Within 60 days of commencing operation, the permittee shall certify that the cooling towers were constructed and installed to achieve the specific drift rate of no more than 0.0005% of the circulating flow rate. [Air Construction Permit 1010017-007-AC]

Acid Rain Part Application

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

This submission is: **Renewal**

STEP 1
Identify the source by plant name, State, and ORIS code

Plant Name Anclote	State Fl.	ORIS Code 8048
---------------------------	------------------	-----------------------

STEP 2
Enter the unit ID# for every Acid Rain unit at the Acid Rain source in column "a." For new units, enter the requested information in columns "c" and "d."

a Unit ID#	b Unit will hold allowances in accordance with 40 CFR 72.90(1)	c New Units Commence Operation Date	d New Units Monitor Certification Deadline
1	Yes	No	
2	Yes	No	
	Yes		
	Yes		
	Yes		
	Yes		
	Yes		
	Yes		
	Yes		
	Yes		
	Yes		
	Yes		
	Yes		
	Yes		

Anciote

Plant Name (from Step 1)

STEP 3
Read the standard
requirements

Acid Rain Part Requirements

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

Monitoring Requirements

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

Sulfur Dioxide Requirements

- (1) The owners and operators of each source and each Acid Rain unit at the source shall:
 - (i) Hold allowances, as of the allowance transfer deadline, in the unit's compliance subaccount (after deductions under 40 CFR 73.34(c)), or in the compliance subaccount of another Acid Rain unit at the same source to the extent provided in 40 CFR 73.35(b)(3), not less than the total annual emissions of sulfur dioxide for the previous calendar year from the unit; and
 - (ii) Comply with the applicable Acid Rain emissions limitations for sulfur dioxide.
- (2) Each ton of sulfur dioxide emitted in excess of the Acid Rain emissions limitations for sulfur dioxide shall constitute a separate violation of the Act.
- (3) An Acid Rain unit shall be subject to the requirements under paragraph (1) of the sulfur dioxide requirements as follows:
 - (i) Starting January 1, 2000, an Acid Rain unit under 40 CFR 72.6(a)(2); or
 - (ii) Starting on the later of January 1, 2000 or the deadline for monitor certification under 40 CFR part 75, an Acid Rain unit under 40 CFR 72.6(a)(3).
- (4) Allowances shall be held in, deducted from, or transferred among Allowance Tracking System accounts in accordance with the Acid Rain Program.
- (5) An allowance shall not be deducted in order to comply with the requirements under paragraph (1) of the sulfur dioxide requirements prior to the calendar year for which the allowance was allocated.
- (6) An allowance allocated by the Administrator under the Acid Rain Program is a limited authorization to emit sulfur dioxide in accordance with the Acid Rain Program. No provision of the Acid Rain Program, the Acid Rain part application, the Acid Rain part, or an exemption under 40 CFR 72.7 or 72.8 and no provision of law shall be construed to limit the authority of the United States to terminate or limit such authorization.
- (7) An allowance allocated by the Administrator under the Acid Rain Program does not constitute a property right.

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

Excess Emissions Requirements

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

Recordkeeping and Reporting Requirements

- (1) Unless otherwise provided, the owners and operators of the source and each Acid Rain unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 5 years, in writing by the EPA or the Department:
 - (i) The certificate of representation for the designated representative for the source and each Acid Rain unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation, in accordance with Rule 62-214.350, F.A.C.; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation changing the designated representative;
 - (ii) All emissions monitoring information, in accordance with 40 CFR part 75, provided that to the extent that 40 CFR part 75 provides for a 3-year period for recordkeeping, the 3-year period shall apply;
 - (iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the Acid Rain Program; and,

Enclose Plant Name (from Step 1)

STEP 3,
Cont'd.

Recordkeeping and Reporting Requirements (cont)

- (iv) Copies of all documents used to complete an Acid Rain part application and any other submission under the Acid Rain Program or to demonstrate compliance with the requirements of the Acid Rain Program.
- (2) The designated representative of an Acid Rain source and each Acid Rain unit at the source shall submit the reports and compliance certifications required under the Acid Rain Program, including those under 40 CFR part 72 subpart I and 40 CFR part 75.

Liability

- (1) Any person who knowingly violates any requirement or prohibition of the Acid Rain Program, a complete Acid Rain part application, an Acid Rain part, or an exemption under 40 CFR 72.7 or 72.8, including any requirement for the payment of any penalty owed to the United States, shall be subject to enforcement pursuant to section 113(c) of the Act.
- (2) Any person who knowingly makes a false, material statement in any record, submission, or report under the Acid Rain Program shall be subject to criminal enforcement pursuant to section 113(c) of the Act and 18 U.S.C. 1001.
- (3) No permit revision shall excuse any violation of the requirements of the Acid Rain Program that occurs prior to the date that the revision takes effect.
- (4) Each Acid Rain source and each Acid Rain unit shall meet the requirements of the Acid Rain Program.
- (5) Any provision of the Acid Rain Program that applies to an Acid Rain source (including a provision applicable to the designated representative of an Acid Rain source) shall also apply to the owners and operators of such source and of the Acid Rain units at the source.
- (6) Any provision of the Acid Rain Program that applies to an Acid Rain unit (including a provision applicable to the designated representative of an Acid Rain unit) shall also apply to the owners and operators of such unit. Except as provided under 40 CFR 72.44 (Phase II repowering extension plans) and 40 CFR 76.11 (NO_x averaging plans), and except with regard to the requirements applicable to units with a common stack under 40 CFR part 75 (including 40 CFR 75.16, 75.17, and 75.18), the owners and operators and the designated representative of one Acid Rain unit shall not be liable for any violation by any other Acid Rain unit of which they are not owners or operators or the designated representative and that is located at a source of which they are not owners or operators or the designated representative.
- (7) Each violation of a provision of 40 CFR parts 72, 73, 75, 76, 77, and 78 by an Acid Rain source or Acid Rain unit, or by an owner or operator or designated representative of such source or unit, shall be a separate violation of the Act.

Effect on Other Authorities

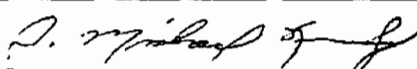
- No provision of the Acid Rain Program, an Acid Rain part application, an Acid Rain part, or an exemption under 40 CFR 72.7 or 72.8 shall be construed as:
- (1) Except as expressly provided in title IV of the Act, exempting or excluding the owners and operators and, to the extent applicable, the designated representative of an Acid Rain source or Acid Rain unit from compliance with any other provision of the Act, including the provisions of title I of the Act relating to applicable National Ambient Air Quality Standards or State Implementation Plans;
 - (2) Limiting the number of allowances a unit can hold; provided, that the number of allowances held by the unit shall not affect the source's obligation to comply with any other provisions of the Act;
 - (3) Requiring a change of any kind in any State law regulating electric utility rates and charges, affecting any State law regarding such State regulation, or limiting such State regulation, including any prudence review requirements under such State law;
 - (4) Modifying the Federal Power Act or affecting the authority of the Federal Energy Regulatory Commission under the Federal Power Act; or,
 - (5) Interfering with or impairing any program for competitive bidding for power supply in a State in which such program is established.

STEP 4

Certification

Read the certification statement, sign, and date

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

Name	J. Michael Kennedy Q.E.P.	
Signature		Date 4/26/04

Acid Rain Program

Instructions for

Acid Rain Part Application

(40 CFR 72.30 - 72.31 and Rule 62-214.320, F.A.C.)

The Acid Rain Program requires the designated representative to submit an Acid Rain part application for each source with an Acid Rain unit. A complete Certificate of Representation must be received by EPA before the part application is submitted to the title V permitting authority. A complete Acid Rain part application, once submitted, is binding on the owners and operators of the Acid Rain source and is enforceable in the absence of an Acid Rain part until the title V permitting authority either issues an Acid Rain part to the source or disapproves the application.

Please type or print. The alternate designated representative may sign in lieu of the designated representative. If assistance is needed, contact the title V permitting authority.

STEP 1 Use the plant name and ORIS Code listed on the Certificate of Representation for the plant. An ORIS code is a 4 digit number assigned by the Energy Information Agency (EIA) at the U.S. Department of Energy to power plants owned by utilities. If the plant is not owned by a utility but has a 5 digit facility code (also assigned by EIA), use the facility code. If no code has been assigned or if there is uncertainty regarding what the code number is, contact EIA at (202) 287-1730 (for ORIS codes), or (202) 287-1927 (for facility codes).

STEP 2 For column "a," identify each Acid Rain unit at the Acid Rain source by providing the appropriate unit identification numbers, consistent with the unit identification numbers entered on the Certificate of Representation and with unit identification numbers used in reporting to DOE and/or EIA. For new units without identification numbers, owners and operators may assign such numbers consistent with EIA and DOE requirements.

For columns "c" and "d," enter the commence operation date(s) and monitor certification deadline(s) for new units in accordance with 40 CFR 72.2 and 75.4, respectively.

Submission Deadlines

For new units, an initial Acid Rain part application must be submitted to the title V permitting authority 24 months before the date the unit commences operation. Acid rain part renewal applications must be submitted at least 6 months in advance of the expiration of the acid rain portion of a title V permit, or such longer time as provided for under the title V permitting authority's operating permits regulation.

Submission Instructions

Submit this form to the appropriate title V permitting authority. If you have questions regarding this form, contact your local, State, or EPA Regional acid rain contact, or call EPA's Acid Rain Hotline at (202) 564-9620.

Friday, Barbara

8/31/07

To: jeffrey.swartz@pgnmail.com; Quillian, Ann; Halpin, Mike; Zhang-Torres; 'forney.kathleen@epa.gov'

Cc: Branum, Corrie; Holtom, Jonathan

Subject: PROPOSED Title V Permit Revision No.: 1010017-010-AV - Florida Power Corporation dba Progress Energy Florida, Inc.-Anclote Power Plant

Attachments: TV-6.pdf; 1010017-010-AV 1 Page TV Revision.pdf; 1010017-010-AV Proposed Permit.pdf; 1010017-010-AV Statement of Basis.pdf; 1010017-010-AV Appendix A-1.pdf; 1010017-010-AV Compliance Plan.pdf; 1010017-010-AV History.pdf; 1010017-010-AV Insignificant.pdf; 1010017-010-AV SS-1.pdf; 1010017-010-AV Table 1-1.pdf; 1010017-010-AV Table 1-2.pdf; 1010017-010-AV Table 2-1.pdf; 1010017-010-AV Unregulated Units.pdf; 1010017-010-AV Proposed Determination.pdf; Acid Rain Phase II Application.pdf

Dear Sir/Madam:

A copy of the "PROPOSED PERMIT DETERMINATION" and the related permit documents for the above referenced facility are attached. This e-mail is being provided as a courtesy to inform you that the DRAFT permit has become a PROPOSED permit, and that the PROPOSED permit has been transmitted to the USEPA for their review.

Pursuant to Section 403.0872(6), Florida Statutes, if no objection to the PROPOSED permit is made by the USEPA within 45 days, the PROPOSED permit will become a FINAL permit no later than 55 days after the date on which the PROPOSED permit was mailed (posted) to USEPA. If USEPA has an objection to the PROPOSED permit, the FINAL permit will not be issued until the permitting authority receives written notice that the objection is resolved or withdrawn.

The attached document(s) is(are) in Adobe Portable Document Format (pdf). Adobe Acrobat Reader can be downloaded for free at the following internet site:
<http://www.adobe.com/products/acrobat/readstep.html>.

The Bureau of Air Regulation 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. Please advise this office of any changes to your e-mail address or that of the Engineer-of-Record.

Thank you,

DEP, Bureau of Air Regulation

9/4/2007

Friday, Barbara

From: System Administrator
To: Branum, Corrie .
Sent: Tuesday, September 04, 2007 2:37 PM
Subject: Delivered:PROPOSED Title V Permit Revision No.: 1010017-010-AV - Florida Power Corporation dba Progress Energy Florida, Inc.-Anclote Power Plant

Your message

To: 'jeffrey.swartz@pgnmail.com'; 'Quillian, Ann'; Halpin, Mike; Zhang-Torres; 'forney.kathleen@epa.gov'
Cc: Branum, Corrie; Holtom, Jonathan
Subject: PROPOSED Title V Permit Revision No.: 1010017-010-AV - Florida Power Corporation dba Progress Energy Florida, Inc.-Anclote Power Plant
Sent: 9/4/2007 2:37 PM

was delivered to the following recipient(s):

Branum, Corrie on 9/4/2007 2:37 PM

Friday, Barbara

From: System Administrator
To: Zhang-Torres
Sent: Tuesday, September 04, 2007 2:37 PM
Subject: Delivered:PROPOSED Title V Permit Revision No.: 1010017-010-AV - Florida Power Corporation dba Progress Energy Florida, Inc.-Anclote Power Plant

Your message

To: 'jeffrey.swartz@pgnmail.com'; 'Quillian, Ann'; Halpin, Mike; Zhang-Torres; 'forney.kathleen@epa.gov'
Cc: Branum, Corrie; Holtom, Jonathan
Subject: PROPOSED Title V Permit Revision No.: 1010017-010-AV - Florida Power Corporation dba Progress Energy Florida, Inc.-Anclote Power Plant
Sent: 9/4/2007 2:37 PM

was delivered to the following recipient(s):

Zhang-Torres on 9/4/2007 2:37 PM

Friday, Barbara

From: System Administrator
To: Halpin, Mike; Holtom, Jonathan
Sent: Tuesday, September 04, 2007 2:37 PM
Subject: Delivered: PROPOSED Title V Permit Revision No.: 1010017-010-AV - Florida Power Corporation dba Progress Energy Florida, Inc.-Anclote Power Plant

Your message

To: 'jeffrey.swartz@pgnmail.com'; 'Quillian, Ann'; Halpin, Mike; Zhang-Torres; 'forney.kathleen@epa.gov'
Cc: Branum, Corrie; Holtom, Jonathan
Subject: PROPOSED Title V Permit Revision No.: 1010017-010-AV - Florida Power Corporation dba Progress Energy Florida, Inc.-Anclote Power Plant
Sent: 9/4/2007 2:37 PM

was delivered to the following recipient(s):

Halpin, Mike on 9/4/2007 2:37 PM
Holtom, Jonathan on 9/4/2007 2:37 PM

Friday, Barbara

From: Mail Delivery System [MAILER-DAEMON@mseive02.rtp.epa.gov]
Sent: Tuesday, September 04, 2007 2:36 PM
To: Friday, Barbara
Subject: Successful Mail Delivery Report

Attachments: Delivery report; Message Headers



Delivery report.txt
(474 B)

Message
Headers.txt (2 KB)

This is the mail system at host mseive02.rtp.epa.gov.

Your message was successfully delivered to the destination(s) listed below. If the message was delivered to mailbox you will receive no further notifications. Otherwise you may still receive notifications of mail delivery errors from other systems.

The mail system

<forney.kathleen@epa.gov>: delivery via 127.0.0.1[127.0.0.1]:10025: 250 OK,
sent 46DDA579_30094_54369_1

Friday, Barbara

From: Zhang-Torres
To: Friday, Barbara
Sent: Tuesday, September 04, 2007 2:38 PM
Subject: Read: PROPOSED Title V Permit Revision No.: 1010017-010-AV - Florida Power Corporation dba Progress Energy Florida, Inc.-Anclote Power Plant

Your message

To: 'jeffrey.swartz@pgnmail.com'; 'Quillian, Ann'; Halpin, Mike; Zhang-Torres; 'forney.kathleen@epa.gov'
Cc: Branum, Corrie; Holtom, Jonathan
Subject: PROPOSED Title V Permit Revision No.: 1010017-010-AV - Florida Power Corporation dba Progress Energy Florida, Inc.-Anclote Power Plant
Sent: 9/4/2007 2:37 PM

was read on 9/4/2007 2:38 PM.

Friday, Barbara

From: Forney.Kathleen@epamail.epa.gov
Sent: Tuesday, September 04, 2007 2:40 PM
To: Friday, Barbara
Subject: Re: PROPOSED Title V Permit Revision No.: 1010017-010-AV - Florida Power Corporation dba Progress Energy Florida, Inc.-Anclote Power Plant

thanks
Katy

Katy R. Forney
Air Permits Section
EPA - Region 4
61 Forsyth St., SW
Atlanta, GA 30024

Phone: 404-562-9130
Fax: 404-562-9019

"Friday,
Barbara"
<Barbara.Friday@
dep.state.fl.us>

09/04/2007 02:36
PM

To
<jeffrey.swartz@pgnmail.com>,
"Quillian, Ann"
<Ann.Quillian@pgnmail.com>,
"Halpin, Mike"
<Mike.Halpin@dep.state.fl.us>,
"Zhang-Torres"
<Cindy.Zhang-Torres@dep.state.fl.
us>, Kathleen
Forney/R4/USEPA/US@EPA

cc
"Branum, Corrie"
<Corrie.Branum@dep.state.fl.us>,
"Holtom, Jonathan"
<Jonathan.Holtom@dep.state.fl.us>

Subject
PROPOSED Title V Permit Revision
No.: 1010017-010-AV - Florida
Power Corporation dba Progress
Energy Florida, Inc.-Anclote
Power Plant

Dear Sir/Madam:

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<http://www.adobe.com/products/acrobat/readstep.html>.

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Thank you,

DEP, Bureau of Air Regulation

[attachment "TV-6.pdf" deleted by Kathleen Forney/R4/USEPA/US] [attachment "1010017-010-AV 1 Page TV Revision.pdf" deleted by Kathleen Forney/R4/USEPA/US] [attachment "1010017-010-AV Proposed Permit.pdf" deleted by Kathleen Forney/R4/USEPA/US] [attachment "1010017-010-AV Statement of Basis.pdf" deleted by Kathleen Forney/R4/USEPA/US] [attachment "1010017-010-AV Appendix A-1.pdf" deleted by Kathleen Forney/R4/USEPA/US] [attachment "1010017-010-AV Compliance Plan.pdf" deleted by Kathleen Forney/R4/USEPA/US] [attachment "1010017-010-AV History.pdf" deleted by Kathleen Forney/R4/USEPA/US] [attachment "1010017-010-AV Insignificant.pdf" deleted by Kathleen Forney/R4/USEPA/US] [attachment "1010017-010-AV SS-1.pdf" deleted by Kathleen Forney/R4/USEPA/US] [attachment "1010017-010-AV Table 1-1.pdf" deleted by Kathleen Forney/R4/USEPA/US] [attachment "1010017-010-AV Table 1-2.pdf" deleted by Kathleen Forney/R4/USEPA/US] [attachment "1010017-010-AV Table 2-1.pdf" deleted by Kathleen Forney/R4/USEPA/US] [attachment "1010017-010-AV Unregulated Units.pdf" deleted by Kathleen Forney/R4/USEPA/US] [attachment "1010017-010-AV Proposed Determination.pdf" deleted by Kathleen Forney/R4/USEPA/US] [attachment "Acid Rain Phase II Application.pdf" deleted by Kathleen Forney/R4/USEPA/US]

Friday, Barbara

From: Quillian, Ann [Ann.Quillian@pgnmail.com]
To: Friday, Barbara
Sent: Tuesday, September 04, 2007 2:43 PM
Subject: Read: PROPOSED Title V Permit Revision No.: 1010017-010-AV - Florida Power Corporation dba Progress Energy Florida, Inc.-Anclote Power Plant

Your message

To: Ann.Quillian@pgnmail.com
Subject:

was read on 9/4/2007 2:43 PM.

Friday, Barbara

From: Halpin, Mike
To: Friday, Barbara
Sent: Tuesday, September 04, 2007 2:59 PM
Subject: Read: PROPOSED Title V Permit Revision No.: 1010017-010-AV - Florida Power Corporation dba Progress Energy Florida, Inc.-Anclote Power Plant

Your message

To: 'jeffrey.swartz@pgnmail.com'; 'Quillian, Ann'; Halpin, Mike; Zhang-Torres; 'forney.kathleen@epa.gov'
Cc: Branum, Corrie; Holtom, Jonathan
Subject: PROPOSED Title V Permit Revision No.: 1010017-010-AV - Florida Power Corporation dba Progress Energy Florida, Inc.-Anclote Power Plant
Sent: 9/4/2007 2:37 PM

was read on 9/4/2007 2:57 PM.