

Florida Department of  
**Environmental Protection**

**Memorandum**

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TO: Howard L. Rhodes  
FROM: Clair H. Fancy  
DATE: December 31, 1997  
SUBJECT: FINAL Permit No.: 1050217-001-AV  
Mulberry Cogeneration Facility

This permit is for the initial Title V air operation permit for the subject facility.

We received only 9 comments from Polk Power G.P., Inc. on the DRAFT permit.

I recommend your signature.

Attachment

CHF/la/m

[electronic file name: 1050217f.mem]

## STATEMENT OF BASIS

Polk Power Partners, L.P.  
Mulberry Cogeneration Facility  
**Facility ID No.:** 1050217  
Polk County

Initial Title V Air Operation Permit  
**FINAL Permit No.:** 1050217-001-AV

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

This facility has a 126 MW combined cycle cogeneration unit which consists of 1 combustion turbine (CT), 1 Heat Recovery Steam Generator (HRSG) and 1 Secondary Boiler. The facility is fired with natural gas and new No. 2 fuel oil, with natural gas being the primary fuel and new No. 2 fuel oil as backup fuel.

The combustion turbine (CT) is a GE PG7111EA model with a nameplate rating of 82 MW at ISO. The CT is allowed to burn natural gas or new No. 2 fuel oil. Natural gas is the primary fuel and new No. 2 fuel oil can be used permanently as back-up fuel. NOx emissions are controlled by dry low-NOx combustors and water-injection. The HRSG services a 44 MW steam generator and furnishes steam to other facilities. The CT and HRSG began commercial operation on August 10, 1994.

The secondary boiler is for auxiliary steam. It is fired by natural gas. A portion of the exhaust gas from the combustion turbine is vented through the secondary boiler. NOx emissions are controlled with low-dry-NOx combustion technology. This emissions unit began commercial operation on August 10, 1994.

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

Based on the initial Title V permit application received June 17, 1997, this facility is not a major source of hazardous air pollutants (HAPs).

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
NOTICE OF FINAL PERMIT

In the Matter of an  
Application for Permit by:

Mr. Allan Wade Smith  
General Manager  
Polk Power G.P., Inc.  
1125 US 98 South, Suite 100  
Lakeland, FL 33801

FINAL Permit No.: 1050217-001-AV  
Mulberry Cogeneration Facility

Enclosed is FINAL Permit Number 1050217-001-AV for the operation of the Mulberry Cogeneration Facility located at 3600 County Road 555, Bartow, Polk County, issued pursuant to Chapter 403, Florida Statutes (F.S.).

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

Executed in Tallahassee, Florida.



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

CERTIFICATE OF SERVICE

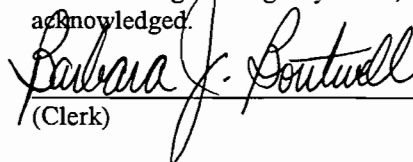
The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF FINAL PERMIT (including the FINAL permit) was sent by certified mail (\*) and copies were mailed by U.S. Mail before the close of business on 1/6/98 to the person(s) listed or as otherwise noted:

Dennis J. Oehring, DR\*  
Kennard F. Kosky, P.E., GA  
Bill Thomas, SWD  
Ms. Carla E. Pierce, USEPA, Region 4 (INTERNET E-mail Memorandum)  
Ms. Yolanda Adams, USEPA, Region 4 (INTERNET E-mail Memorandum)

1/6/98  
cc: Reading (Silb)  
Lennon Anderson

Clerk Stamp

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

  
(Clerk)

1/6/98  
(Date)

Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**

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

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

1.  Addressee's Address

2.  Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:  
Mr. Allan Wade Smith  
General Manager  
Polk Power G.P., Inc.  
1125 US 98 South, Suite 100  
Lakeland, Florida 33801

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)  
**X** *Tom Melrol*

4a. Article Number  
**P 263 584 668**

4b. Service Type  
 Registered  Certified  
 Express Mail  Insured  
 Return Receipt for Merchandise  COD

7. Date of Delivery  
**1-8-98**

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

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**

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

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

1.  Addressee's Address

2.  Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:  
Mr. Dennis J. Oehring  
Polk Power G.P., Inc.  
1125 US 98 South  
Suite 100  
Lakeland, Florida 33801

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)  
**X** *Tom Melrol*

4a. Article Number  
**P 263 584 669**

4b. Service Type  
 Registered  Certified  
 Express Mail  Insured  
 Return Receipt for Merchandise  COD

7. Date of Delivery  
**1-8-98**

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

PS Form 3811, December 1994

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P 263 584 658

US Postal Service  
**Receipt for Certified Mail**

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Do not use for International Mail (See reverse)

Sent to  
**Mr. Allan Wade Smith**

Street & Number  
**1125 US 98 South, Suite 100**

Post Office, State, & ZIP Code  
**Lakeland, Florida 33801**

Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
<b>TOTAL Postage &amp; Fees</b>	<b>\$</b>

Postmark of Date  
**1/6/98**

Polk Power  
Facility ID#1050217-001-AV

PS Form 3800, April 1995

P 263 584 669

US Postal Service  
**Receipt for Certified Mail**

No Insurance Coverage Provided.  
Do not use for International Mail (See reverse)

Sent to  
**Mr. Dennis J. Oehring**

Street & Number  
**1125 US 98 South, Suite 100**

Post Office, State, & ZIP Code  
**Lakeland, Florida 33801**

Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
<b>TOTAL Postage &amp; Fees</b>	<b>\$</b>

Postmark of Date  
**1/6/98**

Polk Power - Mulberry Cogen  
Facility ID#1050217-001-AV

PS Form 3800, April 1995

## **FINAL PERMIT DETERMINATION**

FINAL Permit No.: 1050217-001-AV

Page 1 of 1

### **I. Comment(s).**

No comments were received from USEPA during their 45 day review period of the **PROPOSED** permit.

### **II. Title V Permitting Formats.**

Title V permitting formats were updated due to recent rule changes and after considering comments received from the electric utilities. This permit reflects these changes. A brief summary of the changes is below.

1. Recent rule changes changed "exempt activities" to "insignificant activities." Rules 62-213.430(6), F.A.C. and 62-210, F.A.C., reflecting this change went into effect November 13, 1997.
  - a. The department inserted a condition in Appendix TV-1 clarifying that a Title V source can add an "insignificant activity" at its facility in accordance with the criteria under Rule 62-213.430(6), F.A.C., and include it in the Title V permit's list of "insignificant activities" at the next renewal, in accordance with Rule 62-213.430(6), F.A.C. See condition number 40.
  - b. Appendix E-1 has been changed to Appendix I-1, and the language of this appendix was revised to refer to insignificant emissions units where appropriate.
  - c. Appendix U-1 has been revised to refer to insignificant emissions units instead of exempt emissions units.
2. Several changes were made to Appendix TV-1 to reflect the rule changes discussed above, and to properly identify conditions that are not federally enforceable.
  - a. The following additional rules have been marked as "not federally enforceable":
    - 62-4.030, F.A.C., General Prohibition, (see condition number 1.)
    - 62-4.220, F.A.C., Operation Permit for New Sources, (see condition number 14.)
    - 62-210.300(5), F.A.C., Notification of Startup, (see condition number 19.)
  - b. Appendix TV-1, now carries a version date of "12/02/97".

### **III. Conclusion.**

In conclusion, the changes that have been made are insignificant in nature and do not impose additional noticing requirements. The permitting authority hereby issues the **FINAL** Title V permit, with any changes noted above.

NOTE: This permit became a **FINAL** permit on 12/01/97 by operation of law pursuant to Section 403.0872, F.S.

Polk Power Partners, L.P.  
Mulberry Cogeneration Facility  
**Facility ID No.:** 1050217  
Polk County

Initial Title V Air Operation Permit  
**FINAL Permit No.:** 1050217-001-AV

Permitting Authority:

State of Florida  
Department of Environmental Protection  
Division of Air Resources Management  
Bureau of Air Regulation  
Title V Section

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

Telephone: 850/488-1344  
Fax: 850/922-6979

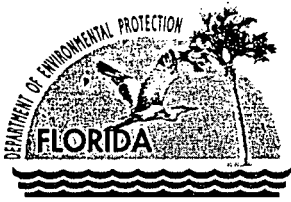
Compliance Authority:  
Southwest District Office  
3804 Coconut Palm Drive  
Tampa, FL 33619-8218  
Telephone: 813/744-6100  
Fax: 813/744-6084

December 30, 1997

Initial Title V Air Operation Permit  
FINAL Permit No.: 1050217-001-AV

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# Department of Environmental Protection

Lawton Chiles  
Governor

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

Virginia B. Wetherell  
Secretary

**Permittee:**

Polk Power Partners, L.P.  
3600 County Road 555  
Bartow, FL 33831-0824

**FINAL Permit No.:** 1050217-001-AV

**Facility ID No.:** 1050217

**SIC Nos.:** 49, 4911

**Project:** Initial Title V Air Operation Permit

This permit is for the operation of the Mulberry Cogeneration Facility. This facility is located at 3600 County Road 555; UTM Coordinates: Zone 17, 413.6 km East and 3080.6 km North; Latitude: 27° 50' 56" North and Longitude: 81° 52' 39" West.

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


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

Appendix U-1, List of Unregulated Emissions Units and/or Activities  
Appendix I-1, List of Insignificant Emissions Units and/or Activities  
APPENDIX TV-1, TITLE V CONDITIONS (version dated 12/02/97)  
APPENDIX SS-1, STACK SAMPLING FACILITIES (version dated 10/07/96)  
TABLE 297.310-1, CALIBRATION SCHEDULE (version dated 10/07/96)  
FIGURE 1- SUMMARY REPORT-GASEOUS AND OPACITY EXCESS EMISSION  
AND MONITORING SYSTEM PERFORMANCE REPORT (7/96)  
Phase II Acid Rain Application/Compliance Plan received June 17, 1996.  
ORDER EXTENDING PERMIT EXPIRATION DATE dated 09/16/97

**Effective Date:** January 1, 1998

**Renewal Application Due Date:** July 5, 2002

**Expiration Date:** December 31, 2002

for   
Howard L. Rhodes, Director  
Division of Air Resources  
Management

HLR/sms/la



**Section I. Facility Information.**

**Subsection A. Facility Description.**

This facility has a 126 MW combined cycle cogeneration unit which consists of 1 combustion turbine (CT), 1 Heat Recovery Steam Generator (HRSG) and 1 Secondary Boiler. The facility is fired with natural gas and new No. 2 fuel oil, with natural gas being the primary fuel and new No. 2 fuel oil as backup fuel.

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

Based on the initial Title V permit application received June 17, 1996, this facility is not a major source of hazardous air pollutants (HAPs).

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

**E.U.**

<b><u>ID No.</u></b>	<b><u>Brief Description</u></b>
-001	Combustion Turbine (CT) with HRSG
-002	Secondary Boiler

**Unregulated Emissions Units and/or Activities**

-003	No. 2 Fuel Oil Tank (720,000 gal)
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***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 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 17, 1996

Additional Information Request dated January 24, 1997

Additional Information Response received April 24, 1997

## Section II. Facility-wide Conditions.

### The following conditions apply facility-wide:

1. APPENDIX TV-1, TITLE V CONDITIONS, is a part of this permit.  
{Permitting note: APPENDIX TV-1, TITLE V CONDITIONS, is distributed to the permittee only. Other persons requesting copies of these conditions shall be provided a copy when requested or otherwise appropriate.}
2. **Not federally enforceable.** General Pollutant Emission Limiting Standards. Objectionable Odor Prohibited. No person shall cause, suffer, allow, or permit the discharge of air pollutants which cause or contribute to an objectionable odor.  
[Rule 62-296.320(2), F.A.C.]
3. General Particulate Emission Limiting Standards. General Visible Emissions Standard. Except for emissions units that are subject to a particulate matter or opacity limit set forth or established by rule and reflected by conditions in this permit, no person shall cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity, the density of which is equal to or greater than that designated as Number 1 on the Ringelmann Chart (20 percent opacity).  
[Rule 62-296.320(4)(b)1., F.A.C.]
4. Prevention of Accidental Releases (Section 112(r) of CAA). If required by 40 CFR 68, the permittee shall submit to the implementing agency:
  - a. a risk management plan (RMP) when, and if, such requirement becomes applicable;
  - b. certification forms and/or RMPs according to the promulgated rule schedule.[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 Emissions or Organic Solvents Emissions. The permittee shall allow no person to store, pump, handle, process, load, unload or use in any process or installation, volatile organic compounds or organic solvents 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 include:

Limiting access to plant property by unnecessary vehicles.

[Rule 62-296.320(4)(c)2., F.A.C.; and, proposed by applicant in the initial Title V permit application received June 17, 1996.]

{This condition implements the requirements of Rules 62-296.320(4)(c)1., 3., & 4. F.A.C. (Condition 58. of APPENDIX TV-1, TITLE V CONDITIONS.)}

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. Statement of Compliance. The annual statement of compliance pursuant to Rule 62-213.440(3), F.A.C., shall be submitted within 60 (sixty) days after the end of the calendar year. {See condition 52., APPENDIX TV-1, TITLE V CONDITIONS} [Rule 62-214.420(11), F.A.C.]

11. 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  
3804 Coconut Palm Drive  
Tampa, Florida 33619-8218  
Telephone: 813/744-6100  
Fax: 813/744-6084

12. 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  
Operating Permits Section  
61 Forsyth Street  
Atlanta, Georgia 30303  
Telephone: 404/562-9099  
Fax: 404/562-9095

**Section III. Emissions Unit and Conditions.**

**Subsection A. This section addresses the following emissions units.**

E.U.

ID No.    Brief Description

-001      Combustion Turbine (CT) with HRSG

The combustion turbine (CT) is a GE PG7111EA model with a nameplate rating of 82 MW at ISO. The CT is allowed to burn natural gas or new No. 2 fuel oil. Natural gas is the primary fuel and new No. 2 fuel oil can be used permanently as back-up fuel. NOx emissions are controlled by dry low-NOx combustors and water-injection. The HRSG services a 44 MW steam generator and furnishes steam to other facilities. The CT and HRSG began commercial operation on August 10, 1994.

{Permitting notes: This emissions unit is regulated under Acid Rain, Phase II; NSPS - 40 CFR 60, Subpart GG, Standards of Performance for Stationary Gas Turbines, adopted and incorporated by reference in Rule 62-204.800(7), F.A.C.; NSPS 40 CFR 60 Subpart A; Rule 212.400(5), F.A.C., Prevention of Significant Deterioration (PSD); Rule 62-212.400(6), F.A.C., Best Available Control Technology (BACT) Determination, dated February 21, 1994.}

**The following specific conditions apply to the emissions unit listed above:**

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

**A.1. Permitted Capacity.** The operation rate shall not exceed 869 MMBtu/hr (LHV) at ISO conditions.

[Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.]

**A.2. Methods of Operation - Fuels.**

The permittee shall fire natural gas or new No. 2 fuel oil. The primary fuel shall be natural gas with new No. 2 fuel oil as backup fuel. The fuel consumption rates (based on operation at 20 ° F) for the turbine shall not exceed those listed below:

Natural Gas		New No. 2 Fuel Oil	
<u>M ft3/hr</u>	<u>MM ft3/yr</u>	<u>M lb/hr</u>	<u>MM lb/yr</u>
1013.4	8877.4	55.6	40.0

New No. 2 fuel oil can be used permanently as backup fuel for no more than 720 hours per year.

[Rule 62-213.410, F.A.C. and AC53-211670]

**A.3. Hours of Operation.** This emissions unit is allowed to operate continuously, i.e., 8760 hours/year.

[Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.]

**Emission Limitations and Standards**

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

**A.4.** All emission limits in **Specific Conditions A.5.** through **A.10.** are based on operation at 59 °F and 60 % relative humidity (ISO conditions).

[AC53-211670]

**A.5. Nitrogen Oxides.** NO<sub>x</sub> emissions shall not exceed 15 ppmvd @ 15% O<sub>2</sub> (52.7 lbs/hr and 230.7 TPY) when firing natural gas.

[AC53-211670 and BACT Determination dated February 21, 1994]

**A.6. Nitrogen Oxides.** NO<sub>x</sub> emissions shall not exceed 42 ppmvd @ 15% O<sub>2</sub> (164.0 lbs/hr and 59.0 TPY) when firing new No. 2 fuel oil.

[AC53-211670 and BACT Determination dated February 21, 1994]

**A.7. Sulfur Dioxide.** The maximum sulfur content of the new No. 2 fuel oil shall not exceed 0.10 percent by weight.

[AC53-211670 and BACT Determination dated February 21, 1994]

**A.8. Volatile Organic Compound.** VOC emissions shall not exceed 9.2 lbs/hr and 3.3 TPY when firing new No. 2 fuel oil.

[AC53-211670 and BACT Determination dated February 21, 1994]

**A.9. Carbon Monoxide.** CO emissions shall not exceed 25 ppmvd @ 15% O<sub>2</sub> (53.0 lbs/hr and 232.0 TPY) when firing natural gas.

[AC53-211670 and BACT Determination dated February 21, 1994]

**A.10. Carbon Monoxide.** CO emissions shall not exceed 75.3 lbs/hr and 27.1 TPY when firing new No. 2 fuel oil.

[AC53-211670 and BACT Determination dated February 21, 1994]

**Test Methods and Procedures**

**A.11.** Performance tests shall be conducted under such conditions as the Administrator shall specify to the plant operator based on representative performance of the affected

facility. The owner or operator shall make available to the Administrator such records as may be necessary to determine the conditions of the performance tests. Operations during periods of startup, shutdown, and malfunction shall not constitute representative conditions for the purpose of a performance test nor shall emissions in excess of the level of the applicable emission limit during periods of startup, shutdown, and malfunction be considered a violation of the applicable emission limit unless otherwise specified in the applicable standard.

[40 CFR 60.8(c)]

**A.12.** Compliance with standards in 40 CFR 60, other than opacity, shall be determined only by performance tests established by 40 CFR 60.8, unless otherwise specified in the applicable standard.

[40 CFR 60.11(a)]

**A.13.** At all times, including periods of startup, shutdown, and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, opacity observations, review of operation and maintenance procedures, and inspection of the source.

[40 CFR 60.11(d)]

**A.14.** Circumvention. No owner or operator subject to the provisions of 40 CFR 60 shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.

[40 CFR 60.12]

**A.15.** To compute the nitrogen oxides emissions, the owner or operator shall use analytical methods and procedures that are accurate to within 5 percent and are approved by the Administrator to determine the nitrogen content of the fuel being fired.

[40 CFR 60.335(a)]

**A.16.** In conducting the performance tests required in 40 CFR 60.8, the owner or operator shall use as reference methods and procedures the test methods in appendix A of 40 CFR 60 or other methods and procedures as specified in this permit, except as

provided for in 40 CFR 60.8(b). Acceptable alternative methods and procedures are given in paragraph 40 CFR 60.335(f).  
[40 CFR 60.335(b)]

**A.17.** The owner or operator shall determine compliance with the sulfur content standard in 40 CFR 60.333(b) as follows: ASTM D 1072-96, D 3031-81(86), D 4084-94, D 3246-92, or the latest edition of the above ASTM methods shall be used for the sulfur content of gaseous fuels (incorporated by reference-see 40 CFR 60.17). The applicable ranges of some ASTM methods mentioned above are not adequate to measure the levels of sulfur in some fuel gases. Dilution of samples before analysis (with verification of the dilution ratio) may be used, subject to the approval of the Administrator.  
[40 CFR 60.335(d)]

**A.18.** The owner or operator shall determine compliance with the sulfur content standard in **Specific Condition A.7.** by using ASTM D 2880-96, or the latest edition.  
[40 CFR 60.335(d)]

**A.19.** To meet the requirements of 40 CFR 60.334(b), the owner or operator shall use the methods specified in 40 CFR 60.335 (a) and 40 CFR 60.335(d) of 40 CFR 60.335 to determine the nitrogen and sulfur contents of the fuel being burned. The 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.  
[40 CFR 60.335(e)]

**A.20.** Annual compliance with the VOC standard shall be determined by EPA Method 25A as described in 40 CFR 60, Appendix A and adopted by reference in Rule 62-297, F.A.C.  
[AC 53-211670]

### **Monitoring of Operations**

**A.21.** The owner or operator of any stationary gas turbine subject to the provisions of 40 CFR 60, Subpart GG shall monitor sulfur content and nitrogen content of the fuel being fired in the turbine. The frequency of determination of these values shall be as follows:

- (1) If the turbine is supplied its fuel from a bulk storage tank, the values shall be determined on each occasion that fuel is transferred to the storage tank from any other source.
- (2) If the turbine is supplied its fuel without intermediate bulk storage the values shall be determined and recorded daily. Owners, operators or fuel vendors may develop custom schedules for determination of the values based on the design and operation of the affected facility and the characteristics of the fuel supply. These custom schedules shall be



substantiated with data and must be approved by the Administrator before they can be used to comply with 40 CFR 60.334(b).  
[40 CFR 60.334(b)(1) and (2)]

A.22. The permittee shall monitor sulfur content and nitrogen content of natural gas fired in the turbine as follows:

Custom Fuel Monitoring Schedule for Natural Gas

1. Monitoring of fuel nitrogen content shall not be required when firing natural gas.
2. Sulfur Monitoring:
  - a. Analysis for fuel sulfur content of the natural gas shall be conducted using one of the approved ASTM reference methods for the measurement of sulfur in gaseous fuels, or an approved alternative method. The reference methods are ASTM D1072-90(94)E-1, ASTM D3031-81(86), ASTM D 3246-92, and ASTM D4084-94, or the latest edition of the above ASTM methods as referenced in 40 CFR 60.335(d).
  - b. This custom fuel monitoring schedule became effective on August 8, 1994. Sulfur monitoring shall be conducted twice monthly for six months. If this monitoring shows little variability in the fuel sulfur content, and indicates consistent compliance with 40 CFR 60.333, then sulfur monitoring shall be conducted once per quarter for six quarters. If monitoring data is provided by the applicant which demonstrates consistent compliance with the requirements herein, the applicant may begin monitoring as per the requirements of 2(c).
  - c. If after the monitoring required in item 2(b) above, or herein, the sulfur content of the fuel shows little variability and, calculated as sulfur dioxide, represents consistent compliance with the sulfur dioxide emission limits specified under 40 CFR 60.333, sample analysis shall be conducted twice per year. This monitoring shall be conducted during the first and third quarters of each calendar year.
  - d. Should any sulfur analysis as required in items 2(b) or 2(c) above indicate noncompliance with 40 CFR 60.333, the owner or operator shall notify the Department of such excess emissions and the custom schedule shall be re-examined. Sulfur monitoring shall be conducted weekly during the interim period when this custom schedule is being re-examined.

3. If there is a change in fuel supply, the owner or operator must notify the Department of such change for re-examination of this custom schedule. A substantial change for re-examination of this custom schedule. A substantial change in fuel quality shall be considered as a change in fuel supply. Sulfur monitoring shall be conducted weekly during the interim period when this custom schedule is being re-examined.

[40 CFR 60.334(b)(2) and AC 53-211670]

### **Continuous Monitoring Requirements**

**A.23.** The owner or operator required to install a continuous monitoring system (CMS) or monitoring device shall submit an excess emissions and monitoring systems performance report (excess emissions are defined in applicable subparts) and/or a summary report form [see 40 CFR 60.7(d)] to the Administrator semiannually, except when: more frequent reporting is specifically required by an applicable subpart; or, the CMS data are to be used directly for compliance determination, in which case quarterly reports shall be submitted; or, the Administrator, on a case-by-case basis, determines that more frequent reporting is necessary to accurately assess the compliance status of the source. All reports shall be postmarked by the 30th day following the end of each calendar half (or quarter, as appropriate). Written reports of excess emissions shall include the following information:

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

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

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

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

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

**A.24.** The owner or operator of any stationary gas turbine subject to the provisions of 40 CFR 60, Subpart GG and using water injection to control NO<sub>x</sub> emissions shall install and operate a continuous monitoring system to monitor and record the fuel consumption and the ratio of water to fuel being fired in the turbine. This system shall be accurate to within  $\pm 5.0$  percent and shall be approved by the Administrator.

[40 CFR 60.334(a)]

**Recordkeeping and Reporting Requirements**

**A.25.** The turbine manufacturer's capacity vs. temperature (ambient) curve shall be included with the compliance test results.  
[AC 53-211670]

**A.26.** Records of sample analysis and fuel supply pertinent to the "Custom Fuel Monitoring Schedule for Natural Gas" in **Specific Condition A.22.** shall be retained for a period of five years, and be available for inspection by personnel of federal, state, and local air pollution control agencies.  
[AC 53-211670]

**A.27.** For the purpose of reports required under 40 CFR 60.7(c), periods of excess emissions that shall be reported are defined as follows:

a. *Nitrogen oxides.* Any one-hour period during which the average water-to-fuel ratio, as measured by the continuous monitoring system, falls below the water-to-fuel ratio determined to demonstrate compliance with the permitted nitrogen oxide standard by the initial performance test required in 40 CFR 60.8 or any period during which the fuel-bound nitrogen of the fuel is greater than the maximum nitrogen content allowed by the fuel-bound nitrogen allowance used during the initial performance test. Each report shall include the average water-to-fuel ratio, average fuel consumption, ambient conditions, gas turbine load, and nitrogen content of the fuel during the period of excess emissions, and the graphs or figures developed under 40 CFR 60.335(a).  
[Rule 62-296.800, F.A.C.; 40 CFR 60.334(c)(1)]

**A.28.** The permittee shall maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative.  
[40 CFR 60.7(b)]

**A.29.** The summary report form shall contain the information and be in the format shown in Figure 1 (attached) unless otherwise specified by the Administrator. One summary report form shall be submitted for each pollutant monitored at each affected facility.

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

(2) If the total duration of excess emissions for the reporting period is 1 percent or greater of the total operating time for the reporting period or the total CMS downtime for the

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

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

**A.30.** (1) Notwithstanding the frequency of reporting requirements specified in 40 CFR 60.7(c), an owner or operator who is required by an applicable subpart to submit excess emissions and monitoring systems performance reports (and summary reports) on a quarterly (or more frequent) basis may reduce the frequency of reporting for that standard to semiannual if the following conditions are met:

(i) For 1 full year (e.g., 4 quarterly or 12 monthly reporting periods) the affected facility's excess emissions and monitoring systems reports submitted to comply with a standard under this part continually demonstrate that the facility is in compliance with the applicable standard;

(ii) The owner or operator continues to comply with all recordkeeping and monitoring requirements specified in 40 CFR 60, Subpart A, and the applicable standard; and

(iii) The Administrator does not object to a reduced frequency of reporting for the affected facility, as provided in 40 CFR 60.7(e)(2).

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

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

approval from the Administrator to reduce the frequency of reporting for that standard as provided for in 40 CFR 60.7(e)(1) and (e)(2).

[40 CFR 60.7(e)]

**A.31.** The permittee shall maintain a file of all measurements, including continuous monitoring systems, monitoring device, and performance testing measurements; all continuous monitoring system performance evaluations; all continuous monitoring system or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; all other information required by this part recorded in a permanent form suitable for inspection. The file shall be retained for at least five years following the date of such measurements, maintenance, reports, and records.

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

**A.32.** This emissions unit is also subject to the conditions contained in **Subsection C. Common Conditions.**

**Subsection B. This section addresses the following emissions unit(s).**

<u>E.U.</u>	<u>Brief Description</u>
<u>ID No.</u> -002	Secondary Boiler

The secondary boiler is for auxiliary steam. It is fired by natural gas. A portion of the exhaust gas from the combustion turbine is vented through the secondary boiler. NO<sub>x</sub> emissions are controlled with low-dry-NO<sub>x</sub> combustion technology. This emissions unit began commercial operation on August 10, 1994.

{Permitting notes: The emissions unit is regulated under Acid Rain, Phase II; Rule 212.400(5), F.A.C., Prevention of Significant Deterioration (PSD); Rule 62-212.400(6), F.A.C., Best Available Control Technology (BACT) Determination, dated February 21, 1994}

**The following specific conditions apply to the emissions unit listed above:**

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

**B.1. Permitted Capacity.** The operation rate shall not exceed 99 MMBtu/hr (LHV) at ISO conditions.

[Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.]

**B.2. Methods of Operation - Fuels.**

The only fuel allowed to be burned is natural gas. The fuel consumption rates (based on operation at 20 ° F) for the secondary boiler shall not exceed those listed below:

Natural Gas	
<u>M ft<sup>3</sup>/hr</u>	<u>MM ft<sup>3</sup>/yr</u>
104.2	450.2

\*Based on maximum firing rate for 4,320 hours per year.

[Rule 62-213.410, F.A.C. and AC 53-211670]

**B.3. Hours of Operation.** This emissions unit is allowed to operate continuously, i.e., 8,760 hours/year.

[Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.]

**Emission Limitations and Standards**

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

**B.4. Nitrogen Oxides.** NOx emissions shall not exceed 18.3 lbs/hr and 80.0 TPY when firing natural gas.

[AC53-211670 and BACT Determination dated February 21, 1994]

**B.5. Nitrogen Oxides.** NOx emissions shall not exceed 23.4 lbs/hr and 8.4 TPY when firing new No. 2 fuel oil in the combustion turbine.

[AC53-211670 and BACT Determination dated February 21, 1994]

**B.6. Sulfur Dioxide.** The maximum sulfur content of the new No. 2 fuel oil shall not exceed 0.10 percent by weight when fired in the combustion turbine.

[AC53-211670 and BACT Determination dated February 21, 1994]

**B.7. Carbon Monoxide.** CO emissions shall not exceed 12.6 lbs/hr and 55.2 TPY when firing natural gas.

[AC53-211670 and BACT Determination dated February 21, 1994]

**B.8. Carbon Monoxide.** CO emissions shall not exceed 13.4 lbs/hr and 4.8 TPY when firing new No. 2 fuel oil in the combustion turbine.

[AC53-211670 and BACT Determination dated February 21, 1994]

**B.9.** This emissions unit is also subject to the conditions contained in **Subsection C. Common Conditions.**

**Subsection C. Common Conditions.**

**E.U.**

<b><u>ID No.</u></b>	<b><u>Brief Description</u></b>
-001	Combustion Turbine with HRSG
-002	Secondary Boiler

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

**Emission Limitations and Standards**

**C.1. Visible Emissions.** Visible emissions shall not exceed 10 percent opacity when firing natural gas.  
[AC53-211670]

**C.2. Visible Emissions.** Visible emissions shall not exceed 20 percent opacity when firing new No. 2 fuel oil in the combustion turbine.  
[AC53-211670]

**Excess Emissions**

**C.3.** Excess emissions 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.]

**C.4.** 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.]

**Test Methods and Procedures**

**C.5. 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.]

**C.6.** Unless otherwise stated in the applicable emission limiting standard rule, testing of emissions shall be conducted with the emissions unit operation at permitted capacity as defined below. If it is impractical 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 unit is so limited, operation at higher capacities is allowed for no more than 15 consecutive days for the purpose of additional compliance to regain the authority to operate at the permitted capacity. **Permitted capacity** is defined as 90 to 100 percent of the maximum operation rate allowed by the permit..

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

**C.7. 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 three separate test runs unless otherwise specified in a particular test method or applicable rule.

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

**C.8. Applicable Test Procedures.**

(a) Required Sampling Time.

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

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

a. For batch, cyclical processes, or other operations which are normally completed within less than the minimum observation period and do not recur within that time, the period of observation shall be equal to the duration of the batch cycle or operation completion time.

b. The observation period for special opacity tests that are conducted to provide data to establish a surrogate standard pursuant to Rule 62-297.310(5)(k), F.A.C., Waiver of Compliance Test Requirements, shall be established as necessary to properly establish the relationship between a proposed surrogate standard and an existing mass emission limiting standard.

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

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

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

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

(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.]

#### C.9. 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.]

**C.10.** 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.]

**C.11. 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 and/or solid fuel for a total of no more than 400 hours.

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

a. Visible emissions, 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; 30 tons per year or more of acrylonitrile; or 100 tons per year or more of any other regulated air pollutant; and

**(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.; SIP approved]

**C.12.** Annual compliance with the NO<sub>x</sub>, CO, SO<sub>2</sub> and visible emission standards shall be determined by the following reference methods as described in 40 CFR 60, Appendix A and adopted by reference in Rule 62-297, F.A.C.

NO<sub>x</sub>: EPA Method 20  
CO: EPA Method 10  
SO<sub>2</sub>: Fuel supplier's sulfur analysis  
VE: EPA Method 9

[AC 53-211670]

#### **Continuous Monitoring Requirements**

**C.13.** The power output from the generators shall be metered and continuously recorded. The data shall be logged daily and maintained so that it can be provided to DEP upon request.

[AC 53-211670]

#### **Recordkeeping and Reporting Requirements**

**C.14.** The owner or operator shall notify the Southwest District Office of the Department, in writing, at least 15 days prior to the date on which each test, and the test contact person who will be responsible for coordinating and having such test conducted for the owner or operator.

[Rule 62-297.310(7)(a)9., F.A.C.]

**C.15.** In case of excess emissions resulting from malfunctions, Polk Power Partners, L.P. shall notify the Department's Southwest District Office in accordance with 62-4.130, F.A.C. A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Department.

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

#### **C.16. 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 on the results of each such test.

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

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

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

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

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

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

**Reasonable Assurances**

C.17. Any other operating parameters established during compliance testing and/or inspections, that will ensure the proper operation of this facility, are considered part of this operating permit. Said operating parameters include, but are not limited to: Fuel flow rate and heat input rate.

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

**Section IV. This section is the Acid Rain Part.**

**Operated by:** Polk Power Partners, L.P.  
**ORIS code:** 54426

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

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

**E.U.**

<b><u>ID No.</u></b>	<b><u>Brief Description</u></b>
-001	Combustion Turbine with HRSG
-002	Secondary Boiler

**A.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 Phase II acid rain units must comply with the standard requirements and special provisions set forth in the application listed below:

DEP Form No. 62-210.900(1)(a), dated December 27, 1995.  
 [Chapter 62-213, F.A.C. and Rule 62-214.320, F.A.C.]

**A.2.** Sulfur dioxide (SO<sub>2</sub>) allowance allocations for each Acid Rain unit is as follows:

<b><u>E.U. ID</u></b> <b>No.</b>	<b><u>EPA ID</u></b>	<b><u>Year</u></b>	<b>2000</b>	<b>2001</b>	<b>2002</b>
-001	01	<b>SO2 allowances, under Table 2 or 3 of 40 CFR Part 73</b>	0*	0*	0*
-002	02	<b>SO2 allowances, under Table 2 or 3 of 40 CFR Part 73</b>	0*	0*	0*

\*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 or 3 of 40 CFR 73.]

**A.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.

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

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

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

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

**A.4. Fast-Track Revisions of Acid Rain Parts.** Those Acid Rain sources making a change described at Rule 62- 214.370(4), F.A.C., may request such change 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.]

**A.5.** Comments, notes, and justifications: none



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

Mulberry Cogeneration Facility	<b>FINAL Permit No.:</b> 1050217-001-AV
Mulberry Cogeneration Facility	<b>Facility ID No.:</b> 1050217

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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’.

<u>E.U.</u>	<u>Brief Description of Emissions Units and/or Activity</u>
<u>ID No.</u> -003	New No. 2 Fuel Oil Tank (720,000 gal)

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

Mulberry Cogeneration Facility	<b>FINAL Permit No.:</b> 1050217-001-AV
Mulberry Cogeneration Facility	<b>Facility ID No.:</b> 1050217

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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. Comfort heating < 1 MMBtu/hr
2. Internal combustion engines - mobile sources
3. Non-industrial vacuum cleaning
4. Refrigeration equipment
5. Vacuum pumps for labs
6. Steam cleaning equipment
7. Sanders < 5 sq.ft.
8. Lab equipment used for chemical or physical analyses
9. Brazing, soldering or welding equipment
10. Emergency generators < 32,000 gal/yr
11. General purpose engines < 32,000 gal/yr
12. Fire and safety equipment
13. Surface coating > 5% VOC; 6 gal/month
14. Surface coating < 5% VOC
15. Freshwater cooling towers. The cooling towers do not use chromimum-based treatment chemicals.

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

Polk Power Partners, L.P.  
Mulberry Cogeneration

FINAL Permit No.: 1050217-001-AV  
Facility ID No.: 1050217

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

**E.U. ID No.    Brief Description**  
-001    Combustion Turbine (CT) with HRSG

Pollutant Name	Fuel(s)	Hours/Year	Allowable Emissions			Equivalent Emissions*		Regulatory Citation(s)	See permit condition(s)
			Standard(s)	lbs./hour	TPY	lbs./hour	TPY		
NOx	natural gas	8760	15 ppmvd @ 15% O <sub>2</sub>	52.7	230.7				III. A.5.
NOx	No. 2 Oil	720	42 ppmvd @ 15% O <sub>2</sub>	164.0	59.0				III.A.6.
SO <sub>2</sub>	No. 2 Oil	720	0.10 % by weight						III.A.7.
VOC	No. 2 Oil	720	10 ppmvd @ 15% O <sub>2</sub>	9.2	3.3				III.A.8.
CO	natural gas	8760	25 ppmvd @ 15% O <sub>2</sub>	53.0	232.0				III.A.9.
CO	No. 2 Oil	720	35 ppmvd @ 15% O <sub>2</sub>	75.3	27.1				III.A.10.

Notes:

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

[electronic file name: 10502171.xls]

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

Polk Power Partners, L.P.  
Mulberry Cogeneration

FINAL Permit No.: 1050217-001-AV  
Facility ID No.: 1050217

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

**E.U. ID No.    Brief Description**  
-002        Secondary Boiler

Pollutant Name	Fuel(s)	Hours/Year	Allowable Emissions			Equivalent Emissions*		Regulatory Citation(s)	See permit condition(s)	
			Standard(s)	lbs./hour	TPY	lbs./hour	TPY			
NOx	natural gas	8760	0.10 % by weight	18.3	80.0				III.B.4.	
NOx	No. 2 Oil fired in CT	720		23.4	8.4				III.B.5	
SO2	No. 2 Oil fired in CT	720							III.B.6.	
CO	natural gas	8760			12.6	55.2				III.B.7.
CO	No. 2 Oil fired in CT	720			13.4	4.8				III.B.8.

Notes:

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

[electronic file name: 10502171.xls]

## Table 2-1, Summary of Compliance Requirements

Polk Power Partners, L.P.  
Mulberry Cogeneration Facility

FINAL Permit No.: 1050217-001-AV  
Facility ID No.: 1050217

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

### E.U. ID No. Brief Description

-001 Combustion Turbine with HRSG  
-002 Secondary Boiler

Pollutant Name or Parameter	Fuel(s)	Compliance Method	Testing Time Frequency	Frequency Base Date *	Min. Compliance Test Duration	See permit condition(s)	
						CMS**	
NOx	Natural gas and No. 2 Oil	EPA Method 20	annual	26-Aug	1 hour		III.C.12.
CO	Natural gas and No. 2 Oil	EPA Method 10	annual	26-Aug	1 hour		III.C.12.
SO2	Natural gas	ASTM D 1072-80, D 3031-81, D 4084-82 or D 3246-81***	see custom fuel monitoring schedule		not applicable		III.A.18.; A.22. and C.12.
	No. 2 Oil	ASTM D 2880-71***	From bulk storage: after each shipment no bulk storage: daily		not applicable not applicable		III.A.18., C.12.
VE	Natural gas and No. 2 Oil	EPA Method 9	annual	26-Aug			III.C.12.
VOC	No.2 Oil	EPA Method 25A	annual	26-Aug			III.A.20.

Notes:

\* The frequency base date is established for planning purposes only; see Rule 62-297.310, F.A.C.

\*\*CMS [=] continuous monitoring system

\*\*\* The latest edition of the ASTM methods may be used.

electronic file name: 10502172.xls

## Appendix H-1, Permit History/ID Number Changes

Polk Power Partners  
Mulberry Cogeneration Facility

Facility ID No.: 1050217

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### Permit History (for tracking purposes):

E.U.

<u>ID No</u>	<u>Description</u>	<u>Permit No.</u>	<u>Issue Date</u>	<u>Expiration Date</u>	<u>Extended Date</u>	<u>Revised Date(s)</u>
-001	Combustion Turbine (CT) with HRSG	AC53-211670/ PSD-FL-187	11/24/92	12/31/95	12/31/97	8/3/94
-002	Secondary Boiler	AC53-211670/ PSD-FL-187	11/24/92	12/31/95	12/31/97	8/3/94

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### (if applicable) ID Number Changes (for tracking purposes):

From: Facility ID No.: 40TPA530217

To: Facility ID No.: 1050217

---



Plant Name (from Step 1)  
*Orange Cogeneration Facility*

#### Standard Requirements

##### Permit Requirements.

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

##### Monitoring Requirements.

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

##### Sulfur Dioxide Requirements.

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

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

##### Excess Emissions Requirements.

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

##### Recordkeeping and Reporting Requirements.

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



Plant Name (from Step 1)  
*Orange Cogeneration Facility*

Recordkeeping and Reporting Requirements (cont.)

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

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

Liability.

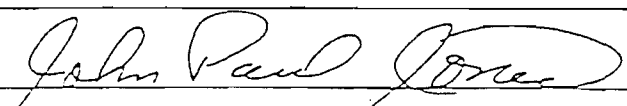
- (1) Any person who knowingly violates any requirement or prohibition of the Acid Rain Program, a complete Acid Rain part application, an Acid Rain part, or a written exemption under 40 CFR 72.7 or 72.8, including any requirement for the payment of any penalty owed to the United States, shall be subject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

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

- (1) Except as expressly provided in title IV of the Act, exempting or excluding the owners and operators and, to the extent applicable, the designated representative of an Acid Rain source or Acid Rain unit from compliance with any other provision of the Act, including the provisions of title I of the Act relating to applicable National Ambient Air Quality Standards or State Implementation Plans;
- (2) Limiting the number of allowances a unit can hold; *provided*, that the number of allowances held by the unit shall not affect the source's obligation to comply with any other provisions of the Act;
- (3) Requiring a change of any kind in any State law regulating electric utility rates and charges, affecting any State law regarding such State regulation, or limiting such State regulation, including any prudence review requirements under such State law;
- (4) Modifying the Federal Power Act or affecting the authority of the Federal Energy Regulatory Commission under the Federal Power Act; or,
- (5) Interfering with or impairing any program for competitive bidding for power supply in a State in which such program is established.

Certification

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

Name	John Paul Jones	
Signature		Date 12/27/95

STEP 5 (optional)  
Enter the source AIRS  
and FINDS identification  
numbers, if known

AIRS
FINDS



CSW Energy, Inc.  
Operations

A Central and South West Company

Mulberry Cogen  
P.O. Box 624 • 3500 Hwy. 555  
Bartow, FL 33831  
941-533-9073 • Fax 941-533-4082

BEST AVAILABLE COPY

JAN 10 1996

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

January 8, 1997

U. S. Environmental Protection Agency  
Acid Rain Program (6204J)  
Attention: Designated Representative  
401 M Street, SW  
Washington, D.C. 20460

Re: CSW Energy - Mulberry Cogeneration Facility  
ORIS Code: 54426

Dear Sir or Madam:

Pursuant to the requirements of 40 CFR 72.24, enclosed please find an original and three (3) copies of Certificate of Representation (revised) for the above-referenced facility. If you have any questions or additional information is required, please contact me at (941) 533-9073.

Sincerely,

Dennis J. Oehring  
Plant Manager

/pcp

Enclosure

xc:: Florida Department of Environmental  
Protection (w/ Enclosure)

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Wade Smith, Polk Power Partners  
(w/ Enclosure)

BEST AVAILABLE COPY

United States  
Environmental Protection Agency  
Acid Rain Program

OMB No. 2060-0221  
Expires 6-30-96



# Certificate of Representation

Page 1

For more information, see instructions and refer to 40 CFR 72.24

This submission is:  New  Revised

**STEP 1**  
Identify the source by  
plant name, State, and  
ORIS code from NAD6

Plant Name	Mulberry Cogeneration Facility	Florida State	54426 ORIS Code
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**STEP 2**  
Enter requested  
information for the  
designated  
representative

Name	Dennis J. Oehring		
Address	3600 Highway 555 Bartow, Florida 33830		
Phone Number	(941) 533-9073	Fax Number	(941) 533-4092

**STEP 3**  
Enter requested  
information for the  
alternate designated  
representative  
(optional)

Name	Donald Walters		
Address	3600 Highway 555 Bartow, Florida 33830		
Phone Number	(941) 533-9073	Fax Number	(941) 533-4092

**STEP 4**  
Complete Step 5, read  
the certifications and  
sign and date

I certify that I was selected as the designated representative or alternate designated representative, as applicable, by an agreement binding on the owners and operators of the affected source and each affected unit at the source.

I certify that I have given notice of the agreement, selecting me as the designated representative or alternate designated representative, as applicable for the affected source and each affected unit at the source identified in this certificate of representation, daily for a period of one week in a newspaper of general circulation in the area where the source is located or in a State publication designed to give general public notice.

I certify that I have all necessary authority to carry out my duties and responsibilities under the Acid Rain Program on behalf of the owners and operators of the affected source and of each affected unit at the source and that each such owner and operator shall be fully bound by my actions, inactions, or submissions.

I certify that I shall abide by any fiduciary responsibilities imposed by the agreement by which I was selected as designated representative or alternate designated representative, as applicable.

I certify that the owners and operators of the affected source and of each affected unit at the source shall be bound by any order issued to me by the Administrator, the permitting authority, or a court regarding the source or unit.

Where there are multiple holders of a legal or equitable title to, or a leasehold interest in, an affected unit, or where a utility or industrial customer purchases power from an affected unit under life-of-the-unit, firm power contractual arrangements, I certify that:

I have given a written notice of my selection as the designated representative or alternate designated representative, as applicable, and of the agreement by which I was selected to each owner and operator of the affected source and of each affected unit at the source; and

Allowances and the proceeds of transactions involving allowances will be deemed to be held or distributed in proportion to each holder's legal, equitable, leasehold, or contractual reservation or entitlement or, if such multiple holders have expressly provided for a different distribution of allowances by contract, that allowances and the proceeds of transactions involving allowances will be deemed to be held or distributed in accordance with the contract.

The agreement by which I was selected as the alternate designated representative includes a procedure for the owners and operators of the source and affected units at the source to authorize the alternate designated representative to act in lieu of the designated representative.

BEST AVAILABLE COPY

Mulberry Cogeneration Facility  
Plant Name (from Step 1)

Certification

I am authorized to make this submission on behalf of the owners and operators of the affected source or affected 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.

Signature (designated representative) *Donna A. ...* Date 1-8-97  
Signature (alternate) *Donald Waters* Date 1-8-97

STEP 5

Provide the name of every owner and operator of the source and each affected unit at the source. Identify the units they own and/or operate by boiler ID# from NADES. For owners only, identify each state or local utility regulatory authority with jurisdiction over each owner.

Name Polk Power Partners L.P.  Owner  Operator  
ID# 1 ID# ID# ID# ID# ID# ID#  
ID# ID# ID# ID# ID# ID# ID#  
Regulatory Authorities

Name CSW Energy, Inc.  Owner  Operator  
ID# 1 ID# ID# ID# ID# ID# ID#  
ID# ID# ID# ID# ID# ID# ID#  
Regulatory Authorities

Name  Owner  Operator  
ID# ID# ID# ID# ID# ID# ID#  
ID# ID# ID# ID# ID# ID# ID#  
Regulatory Authorities

Name  Owner  Operator  
ID# ID# ID# ID# ID# ID# ID#  
ID# ID# ID# ID# ID# ID# ID#  
Regulatory Authorities



# Department of Environmental Protection

Lawton Chiles  
Governor

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

Virginia B. Wetherell  
Secretary

## STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Mr. Allan Wade Smith  
General Manager  
Polk Power G.P., Inc.  
1125 US 98 South, Suite 100  
Lakeland, FL 33801

### ORDER EXTENDING PERMIT EXPIRATION DATE Mulberry Cogeneration Facility, Facility ID No.: 1050217

Section 403.0872(2)(b), Florida Statutes (F.S.), specifies that any facility which submits to the Department of Environmental Protection (Department) a timely and complete application for a Title V permit "is entitled to operate in compliance with its existing air permit pending the conclusion of proceedings associated with its application."

Section 403.0872(6), F.S., provides that a proposed Title V permit which is not objected to by the United States Environmental Protection Agency (EPA) "must become final no later than fifty-five (55) days after the date on which the proposed permit was mailed" to the EPA.

Pursuant to the Federal Acid Rain Program as defined in rule 62-210.200, Florida Administrative Code (F.A.C.), all Acid Rain permitting must become effective on January 1 of a given year.

This facility which will be permitted pursuant to section 403.0872, F.S., (Title V permit) will be required to have a permit effective date subsequent to the final processing date of the facility's Title V permit.

To prevent misunderstanding and to assure that the above identified facility continues to comply with existing permit terms and conditions until its Title V permit becomes effective, it is necessary to extend the expiration date(s) of its existing valid permit(s) until the effective date of its Title V permit. Therefore, under the authority granted to the Department by section 403.061(8), F.S., **IT IS ORDERED:**

1. The expiration date(s) of the existing valid permit(s) under which the above identified facility is currently operating is (are) hereby extended until the effective date of its permit issued pursuant to section 403.0872, F.S., (Title V permit);
2. The facility shall comply with all terms and conditions of its existing valid permit(s) until the effective date of its Title V permit;
3. The facility will continue to comply with the requirements of Chapter 62-214, F.A.C., and the Federal Acid Rain Program, as defined in rule 62-210.200, F.A.C., pending final issuance of its Title V permit.

PETITION FOR ADMINISTRATIVE REVIEW

The Department will take the action described in this Order unless a timely petition for an administrative hearing is filed pursuant to sections 120.569 and 120.57 of the Florida Statutes (F.S.). Mediation under Section 120.573, F.S., will not be available for this proposed action.

A person whose substantial interests are affected by the Department's proposed decision may petition for an administrative hearing in accordance with sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. Petitions must be filed within 21 days of receipt of this Order. A petitioner must mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under sections 120.569 and 120.57 of the Florida Statutes, or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with rule 28-5.207 of the Florida Administrative Code.

A petition must contain the following information:

- (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department File Number, and the county in which the project is proposed;
- (b) A statement of how and when each petitioner received notice of the Department's action or proposed action;
- (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action;
- (d) A statement of the material facts disputed by the petitioner, if any;
- (e) A statement of the facts that the petitioner contends warrant reversal or modification of the Department's action or proposed action;
- (f) A statement identifying the rules or statutes that the petitioner contends require reversal or modification of the Department's action or proposed action; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the Department to take with respect to the action or proposed action addressed in this notice of intent.

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

In addition to the above, a person subject to regulation has a right to apply for a variance from or waiver of the requirements of particular rules, on certain conditions, under section 120.542 of the Florida Statutes. The relief provided by this state statute applies only to state rules, not statutes, and not to any federal regulatory requirements. Applying for a variance or waiver does not substitute or extend the time for filing a petition for an administrative hearing or exercising any other right that a person may have in relation to the action proposed in this notice of intent.

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. The petition must specify the following information:

- (a) The name, address, and telephone number of the petitioner;

- (b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any;
- (c) Each rule or portion of a rule from which a variance or waiver is requested;
- (d) The citation to the statute underlying (implemented by) the rule identified in (c) above;
- (e) The type of action requested;
- (f) The specific facts that would justify a variance or waiver for the petitioner;
- (g) The reason why the variance or waiver would serve the purposes of the underlying statute (implemented by the rule); and
- (h) A statement whether the variance or waiver is permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

The Department will grant a variance or waiver when the petition demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of those terms is defined in section 120.542(2) of the Florida Statutes, and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner.

Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable by the Administrator of EPA and by any person under the Clean Air Act unless and until the Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

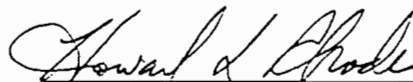
This Order constitutes final agency action unless a petition is filed in accordance with the above paragraphs.

#### RIGHT TO APPEAL

Any party to this Order has the right to seek judicial review of the Order pursuant to Section 120.68, F.S., by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000; and, by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date the Notice of Agency Action is filed with the Clerk of the Department.

DONE AND ORDERED this 16 day of Sept. 1997 in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION



HOWARD L. RHODES, Director  
Division of Air Resources Management  
Twin Towers Office Building  
Mail Station 5500  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400  
850/488-0114



CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this order and all copies were sent by certified mail before the close of business on 10/7/97 to the person(s) listed:

Dennis J. Oehring, DR  
Bill Thomas, SWD

Clerk Stamp

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

Barbara J. Portwell 10/7/97  
(Clerk) (Date)