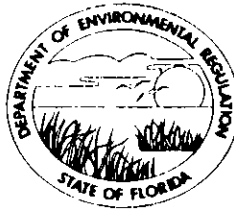


TWIN TOWERS OFFICE BUILDING
2600 BLAIR STONE ROAD
TALLAHASSEE, FLORIDA 32301



BOB GRAHAM
GOVERNOR

JACOB D. VARN
SECRETARY

STATE OF FLORIDA

DEPARTMENT OF ENVIRONMENTAL REGULATION

January 30, 1980

Mr. Wilbur L. Dumph
Rt. 1 Box 208-A
Sanford, Florida 32771

RE: Florida Power and Light Sanford Coal Processing Plant

Dear Mr. Dumph:

Your comments of 1/2/80 were received and actually addressed considerably more than the specific permit noticed.

I will try to give you a brief summary of the overall situation.

The present project is a test of the feasibility and cost of burning a mixture of pulverized coal and fuel oil as an alternative to continued complete dependency on oil or complete conversion to coal. If successful it could be a major step in reducing oil problems that could be taken relatively quickly and cheaply. This test involves only unit #4 of the plant and is the subject of a separate action from this permit. It is for a limited time only and is being treated as a variance in order to prove the practicality of the idea as quickly as possible. If it is proven to be feasible and burning of the coal-oil mix is to be a permanent thing, then considerably more pollution control equipment will be required. If that occurs then you may well see pollution levels reduced from those presently existing.

The notice which you answered was separate from this in that it covered only the facilities necessary to prepare the coal-oil mix for the test. In the preparation plant coal will be pulverized prior to mixing the #6 fuel oil. While coal is in the dry state all equipment will be sealed with a vacuum system pulling the dust to a baghouse filter. After mixing, of course, there will be no potential for dust.

Determination of "Best Available Control Technology" is required only of larger pollution sources that have the potential to degrade the environment. This coal plant, by nature of the processes and design has a much smaller potential than that which would require a determination. The permit will naturally require testing and record-keeping to ensure that everything will continue to work properly.

Mr. Wilbur Dumph
Page Two

I hope this will answer your questions and if I can be of further service, let me know.

Sincerely,

A handwritten signature in cursive script, appearing to read "W. A. Thomas".

William A. Thomas
Engineer

WAT:caa

RULES
OF THE
DEPARTMENT OF ENVIRONMENTAL REGULATION

CHAPTER 17-2

AIR POLLUTION

- 17-2.01 Declaration and intent
- 17-2.02 Definitions
- 17-2.03 Best Available Control Technology
- 17-2.04 Prevention of Significant Deterioration (PSD)
- 17-2.05 Prohibitive Acts
- 17-2.06 Ambient Air Quality Standards
- 17-2.07 Air Pollution Episode
- 17-2.08 Sampling and Testing
- 17-2.09 Local Regulations
- 17-2.091 Public Comment
- 17-2.10 Local Government
- 17-2.11 Low Sulfur Fuel Shortages
- 17-2.12 Source Testing Method

17-2.01 Declaration and Intent. The State of Florida Department of Environmental Regulation promulgates this chapter to eliminate, prevent, and control air pollution. This chapter shall apply to all sources of air pollution except open burning or the use of outdoor heating devices allowed by Chapter 17-5, Florida Administrative Code, unless otherwise provided in this chapter.

To protect and enhance the air quality of Florida, this chapter furthers the Department's prevention of significant deterioration policy and establishes ambient air quality standards and emission standards. The policy inherent in the standards shall be to protect the air quality existing at the time the air quality standards were adopted or to upgrade or enhance the quality of the air of the State. In any event, where a new or increased source of air pollution poses a possibility of degrading existing high air quality or ambient air quality established by this chapter, such source or proposed source shall not be issued a Department permit until the Department has reasonable assurance that such source, construction or development, will not violate this chapter.

This chapter is adopted to achieve and maintain such levels of air quality as will protect human health and safety, prevent injury to plant and animal life and property, foster the comfort and convenience of people, promote the economic and social development of this State and facilities the enjoyment of the natural attractions of this State.

Specific Authority 403.061 FS. Law Implemented 403.021, 403.031, 403.061 FS. History—Revised 1-18-72, Amended 6-8-78.

17-2.02 Definitions. The following words and phrases when used in this chapter shall, unless context clearly indicates otherwise, have the following meanings:

(1) "Acid Mist" — Liquid drops of any size of any acid including but not limited to sulfuric

acid and sulfur trioxide, hydrochloric acid and nitric acid as measured by test methods approved by the Department.

(2) "Air Pollutant" — Any matter found in the atmosphere other than oxygen, nitrogen, water vapor, carbon dioxide and the inert gases in natural concentrations.

(3) "Air Pollutant Source" or "Source" — Any source at, from, or by reasons of which there is emitted into the atmosphere any air pollutant(s).

(4) "Air Pollution Episode" — Any occurrence of elevated levels of pollutants in the atmosphere which require hasty and unusual abatement action.

(5) "Area of Impact" — The geographical region surrounding a facility and extending from the facility out to a distance of fifty kilometers or to a distance where the impact of emissions from the facility decreases to less than 1 ug/m³ annual arithmetic average, whichever distance is less.

(6) "Baseline air quality concentration" or "Baseline" — For sulfur dioxide and particulate matter, the applicable ambient concentration levels existing during 1974 plus any additional concentrations for the area of impact estimated to result from sources permitted for construction but not operating prior to January 1, 1975. These concentrations shall be established for all time periods covered by the standards set forth under Section 17-2.06, Florida Administrative Code, and may be either measured or estimated. In the case of the 3-hour and 24-hour concentrations, only the second highest concentrations shall be considered.

(7) "Best Available Control Technology" or "BACT" — an emission limitation based on the maximum degree of reduction of each pollutant emitted or resulting from any major emitting facility or major modification which the Department, taking into account, on a case-by-case basis, energy, environmental and economic impacts and other costs, determines is achievable for such facility through application of production processes and available methods, systems, and techniques, including but not limited to fuel cleaning or treatment, innovative fuel combustion, or other techniques for control of each such pollutant.

(8) "Capacity factor" — The ratio of the average load on or output of a machine or unit operation to the permitted capacity rating of the machine or unit operation for a normal operating period of cycle. The "capacity factor" shall be expressed as a percent of rating.

(9) "Carbonaceous Fuel" — Solid materials composed primarily of vegetative matter such as tree bark, wood waste, bagasse, and/or the combustible fraction of municipal wastes.

(10) "Carbonaceous Fuel Burning

Equipment" — A fire box, furnace or combustion device which burns carbonaceous fuel or a combination of carbonaceous and fossil fuels for the primary purpose of producing steam or to heat other liquids or gases. The term includes bagasse burners, bark burners and waste wood burners, but does not include teepee or conical wood burners or incinerators.

(11) "Continuous monitoring system" — All equipment, required under a Section 17-2.08, used to calibrate, sample, condition (if applicable), and analyse air emissions, or used to provide a permanent record of emissions or process parameters.

(12) "Emission Limiting Standard" or "Emission Limits" or "Emission Limitation" — The maximum allowable emission rate, concentration of emission, or level of opacity for an air pollutant source.

(13) "Department" — The State of Florida, Department of Environmental Regulation.

(14) "Excess Emissions" — Emissions of pollutants in excess of those allowed by Sections 17-2.03, 17-2.04 or 17-2.05 or by a permit issued pursuant to 17-4, Florida Administrative Code. The term applies only to conditions which occur during startup, shutdown, or malfunction.

(15) "Existing Source" — A source which is in existence, in operation or under construction or which has received a permit to begin construction prior to January 18, 1972, the revised date of this chapter.

(16) "Fossil Fuel" — Natural gas, petroleum, coal or any form of solid, liquid, or gaseous fuel derived from such material.

(17) "Fossil Fuel Steam Generators" — Furnaces and boilers which produce steam by combustion of oil, coal or gas of fossil origin.

(18) "Fugitive Particulate" — Particulate matter which escapes and becomes airborne from unenclosed operations or which is emitted into the atmosphere without passing or being conducted through a flue pipe, stack or other structure designed for the purpose of emitting air pollutants into the atmosphere.

(19) "Kraft Pulp Mill" — An industrial operation that processes wood to produce cellulose or cellulose materials by means of chemically cooking the wood with a liquor consisting of an alkaline sulfide solution containing sodium hydroxide and sodium sulfide, also known as the sulfate process.

(20) "Major Emitting Facility" or "Facility" — Any building structure, installation or source which has the potential to emit 100 tons per year or more of any air pollutant and which falls within one of the following categories:

- (a) Fossil-fuel fired steam electric plants of more than two hundred and fifty million British thermal units per hour heat input,
- (b) Coal cleaning plants,
- (c) Kraft pulp mills,
- (d) Portland cement plants,
- (e) Primary zinc smelters,
- (f) Iron and steel mill plants,
- (g) Primary aluminum ore reduction plants,
- (h) Primary copper smelters,
- (i) Municipal incinerators capable of charging

more than two hundred and fifty tons of refuse per day.

- (j) Hydrofluoric acid plants,
- (k) Sulfuric acid plants,
- (l) Nitric acid plants,
- (m) Petroleum refineries,
- (n) Lime plants,
- (o) Phosphate rock processing plants,
- (p) Coke oven batteries,
- (q) Sulfur recovery plants,
- (r) Carbon black plants (furnace process),
- (s) Primary lead smelters,
- (t) Fuel conversion plants,
- (u) Sintering plants,
- (v) Secondary metal production facilities,
- (w) Chemical process plants,
- (x) Fossil-fuel boilers of more than two hundred and fifty million British thermal units per hour heat input,
- (y) Petroleum storage and transfer facilities with a capacity exceeding three hundred thousand barrels,

(z) Taconite ore processing facilities,
 (aa) Glass fiber processing plants,
 (bb) Charcoal production facilities; Any other building, structure, installation, or source which has the potential to emit 250 tons per year or more of any air pollutant.

(21) "Malfunction" — Any unavoidable mechanical and/or electrical failure of air pollution control equipment or process equipment or of a process resulting in operation in an abnormal or unusual manner.

(22) "New Source" — Any source other than an existing source.

(23) "Nitric Acid Plant" — Any facility producing weak nitric acid by employing either the pressure or atmospheric pressure process.

(24) "Objectionable Odor" — Any odor present in the outdoor atmosphere which by itself or in combination with other odors, is or may be harmful or injurious to human health or welfare, which unreasonably interferes with the comfortable use and enjoyment of life or property, or which creates a nuisance.

(25) "Odor" — A sensation resulting from stimulation of the human olfactory organ.

(26) "Opacity" — A condition which renders material partially or wholly impervious to rays of light causing obstruction of observer's view.

(27) "Particulate Matter" — Any material, other than uncombined water, which exists in a finely divided form as a liquid or solid, as measured by the sampling methods approved by the Department.

(28) "Plant Section" — A part of a plant consisting of one or more unit operations including auxiliary equipment which provides the complete processing of input (raw) materials to produce a marketable product, including but not limited to, granular triple super phosphate, phosphoric acid, run-of-pile triple super phosphate and di-ammonium phosphate, or one or more unit operations including auxiliary equipment or structures which are used for the functions such as; storage, shipping, loading, unloading, or bagging.

(29) "Portland Cement Plant" — Any facility manufacturing Portland Cement by either the wet or dry process.

(30) "Process Weight" — The total weight of all materials introduced into any process. Solid fuels and recycled materials are included in the determination of process weights; but uncombined water, liquid and gaseous fuels, combustion air or excess air are not included.

(31) "Redesignation of an area" — The reclassification of an area to a different deterioration class or the redefinition of the boundaries of an area.

(32) "Ringelmann Chart" — The Chart published and described in the U.S. Bureau of Mines Information Circulars No. 8333 and No. 7718. The above references are available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. and may be inspected at the Department's Tallahassee Office.

(33) "Secretary" — Means the Secretary of the Department.

(34) "Shutdown" — The cessation of the operation of a source for any purpose.

(35) "Stagnant Atmospheric Condition" — The atmospheric and meteorological conditions which cause a reduction in the diffusion and dispersment of air pollutants in the atmosphere.

(36) "Standard Conditions" — A gas temperature of 70° Fahrenheit and a gas pressure of 14.7 pounds per square inch absolute.

(37) "Startup" — The Commencement of operation of any source which has shut down or ceased operation for a period of time sufficient to cause temperature, pressure, chemical, or pollution control device imbalances, which result in excess emissions.

(38) "Sulfur Recovery Plant" — Any plant that recovers sulfur from crude (unrefined) petroleum materials.

(39) "Sulfuric Acid Plant" — Any installation producing sulfuric acid by burning elemental sulfur, alkylation acid, hydrogen sulfides, organic sulfides and mercaptans, or acid sludge.

(40) "Visible Emission" — An emission greater than 5 percent opacity or $\frac{1}{4}$ Ringelmann measured by standard methods.

(41) "Volatile Organic Compounds" or "Organic Solvents" — Any compounds containing carbon and hydrogen or carbon and hydrogen in combination with any other element which have a vapor pressure of 1.5 pounds per square inch absolute (77.6 mm. Hg) or greater under actual storage conditions.

Specific Authority 403.061 FS. Law Implemented 403.021, 403.031, 403.061 FS. History—Revised 1-18-72, Amended 4-9-74, 12-28-74, 7-20-76, 1-3-78, 6-8-78.

17-2.03 Best Available Control Technology.

(1) Determination

Following receipt of a complete application for a permit to construct an air pollution facility to be constructed after the effective date of this rule, which does not have applicable Emission Limiting Standards in Section 17-2.05, Florida Administrative Code, or which requires a determination of Best Available Control Technology pursuant to Subsection 17-2.04(6)(c), Florida Administrative Code, the Department, following receipt of a complete application for a Best Available Control Technology determination, shall make a determination of Best Available Control

Technology. In making the BACT determination the Department shall give consideration to:

(a) The Environmental Protection Agency determination of Best Available Control Technology pursuant to Section 169, 42 USC 7401 et seq., Clean Air Act Amendments of 1977, PL 95-95 Aug. 7, 1977 and Environmental Protection Agency determinations of Standards of Performance for New Stationary Sources, pursuant to 40 C.F.R. Part 60. The above references are available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. and may be inspected at the Department's Tallahassee Office.

(b) All scientific, engineering, and technical material and other information available to the Department.

(c) The emission limiting standards or BACT determinations of any other state.

(d) The social and economic impact of the application of such technology.

(2) Within fifteen (15) days after receipt of application for construction permit for an air pollution source, which requires determination of BACT, the Department shall give notice of receipt of the application in the Florida Administrative Weekly and a newspaper of general circulation in the affected area.

(3) Exceptions

(a) Any source which has received a written determination of Latest Reasonably Available Control Technology from the Department prior to the effective date of this Subsection shall be exempt from the requirements of Best Available Control Technology.

(b) Any pending petition or proceeding involving a determination of Latest Reasonably Available Control Technology (LRACT) in process on the effective date of this Subsection, and any construction permit application or construction permit proceeding affected by such LRACT determination, petition or proceeding or relating to a category of sources encompassed by such proceeding shall be governed by the provisions of the LRACT rule, Chapter 17-2.02(30), and 17-2.03(1), Florida Administrative Code (Repealed). Specific Authority 403.061 FS. Law Implemented 403.021, 403.031, 403.061 FS. History—Revised 1-18-72, Amended 12-28-74, 6-10-76, 7-20-76, 1-3-78, 6-8-78.

17-2.04 Prevention of Significant Deterioration (PSD).

(1) In order to prevent significant deterioration of the ambient air quality, only limited increases in the ambient concentration of sulfur dioxide and particulate matter shall be allowed. The magnitude of the maximum allowed increases in ambient pollutant concentration over the baseline shall be determined for each area of the State by designating each area as one of three specified deterioration classes. Any increase in the ambient concentration of sulfur dioxide or particulate matter over the baseline, which is greater than the maximum allowable increase, shall be considered significant deterioration of the ambient air quality. For the purposes of this paragraph, areas designated as Class I, II, or III shall be limited to the following increases in pollutant concentration occurring over the baseline concentration. For any 24-hour or 3-hour period the applicable maximum allowable increase may be exceeded during one such period per year at any receptor site.

(a) For any Class I area, the maximum allowable increase in concentrations of sulfur dioxide and particulate matter over the baseline of such air pollutants shall not exceed the following amounts:

Maximum allowable increase (in micrograms per cubic meter)	
Pollutants	
Particulate matter:	
Annual geometric mean	5
Twenty-four hour maximum	10
Sulfur dioxide:	
Annual arithmetic mean	2
Twenty-four hour maximum	5
Three-hour maximum	25

(b) For any Class II area, the maximum allowable increase in concentrations of sulfur dioxide and particulate matter over the baseline of such pollutants shall not exceed the following amounts:

Maximum Allowable Increase (in micrograms per cubic meter)	
Pollutants	
Particulate matter:	
Annual geometric mean	19
Twenty-four hour maximum	37
Sulfur dioxide:	
Annual arithmetic mean	20
Twenty-four hour maximum	91
Three-hour maximum	512

(c) For any Class III area, the maximum allowable increase in concentrations of sulfur dioxide and particulate matter over the baseline of such pollutants shall not exceed the following amounts:

Maximum Allowable Increase (in micrograms per cubic meter)	
Pollutants	
Particulate matter:	
Annual geometric mean	37
Twenty-four hour maximum	75
Sulfur dioxide:	
Annual arithmetic mean	40
Twenty-four hour maximum	182
Three-hour maximum	700

(d) In all cases, ambient concentrations in excess of the ambient air quality standards as set forth in Section 17-2.06, Florida Administrative Code, shall be considered significant deterioration of ambient air quality and are expressly prohibited. Except as provided in Subsection (1) above, no net increase in ambient concentrations shall be allowed in an area over the specified increments.

(2) All areas of the State are hereby designated as Class II except for those areas specified in Subsections (3) and (4) below.

(3) Class I designations

(a) The following areas are designated as Class I and shall not be redesignated:

1. Everglades National Park
2. Chassahowitzka National Wilderness Area
3. St. Marks National Wilderness Area
4. Bradwell Bay Wilderness Area

(b) (Reserved for areas redesignated as Class I subject to future redesignation)

(4) (Reserved for areas redesignated as Class III)

(5) Redesignation

(a) Redesignation of an area may be proposed by filing a petition for Rulemaking with the Environmental Regulation Commission showing sufficient justification for redesignation. This petition shall conform to the requirements of Section 120.54, Florida Statutes. The Department may also initiate redesignation procedures.

(b) Decisions regarding whether an area should be redesignated shall be based on the following criteria:

1. The baseline in the area proposed for redesignation.
2. The level of deterioration considered significant.
3. The anticipated environmental impact of redesignation upon the proposed and adjacent areas.
4. The anticipated social, energy, and economic effects of redesignation upon the proposed and adjacent areas.

(c) The following areas shall not be redesignated as Class III:

1. An area which exceeds ten thousand acres in size and is a national monument, a national primitive area, a national preserve, a national recreation area, a national wild and scenic river, a national wildlife refuge, a national lakeshore or seashore, or
2. A national park or national wilderness area established after August 7, 1977 which exceeds ten thousand acres in size.

(d) Any area other than an area referred to in Subsection 1. or 2. or an area established as Class I under Section 17-2.04(3)(a) may be redesignated as Class III.

(6) Prevention of Significant Deterioration - PSD Review

(a) An applicant for a Permit to Construct a facility shall affirmatively provide the Department with reasonable assurance based on plans, test results, or other information that the facility will not cause a violation of the applicable maximum allowable increases or the applicable ambient air quality standard.

(b) Baseline and changes in pollutant concentration may be determined by using numerical, analytical, or physical models. These models, together with any computer code and data used to implement them, shall be approved by the Department prior to their use.

(c) No increase in pollutant concentration over the baseline will be allowed unless BACT is employed to control emissions from the facility.

(d) None of the following shall be considered a modification to any facility which would subject that facility to this subsection:

1. Routine maintenance, replacement, and repair;
2. An increase in the hours of operation, provided that the facility has a permit from the Department which allows for such an increase;
3. The use of an alternate fuel or raw material if the source was designed and has a permit from the Department to accommodate that alternative use;
4. The addition or use of any system or

device whose primary function is the reduction of air pollutants, except when an emission control system would be removed or replaced by a system that would be less environmentally beneficial;

5. The change in ownership of an existing facility;

6. The use of innovative technology in fuel burning emissions control if such innovative technology is for research and development purposes and is approved by the Secretary in writing.

(e) Any change in ambient concentration resulting from any source or facility issued a construction permit after December 31, 1974 shall be counted against the class increment.

(f) It is a violation of this rule for any source of facility, solely or in combination with others, to cause or contribute to a significant deterioration of the ambient air quality.

(7) Exclusion from Increment Consumption

(a) Any person may apply to the Department for an order providing that for the purpose of determining compliance with the maximum allowable increase in ambient concentrations of an air pollutant, the following concentrations of such pollutant shall not be taken into account:

1. Concentrations of such pollutant attributable to the increase in emissions from stationary sources operated by the person applying which have converted from the use of petroleum products, or natural gas, or both, by reason of an order which is in effect under the provisions of Subsections 2(a) and (b) of the Energy Supply and Environmental Coordination Act of 1974 (or any subsequent legislation which supersedes such provisions) over the emissions from such sources before the effective date of such order.

2. The concentrations of such pollutant attributable to the increase in emissions from stationary sources operated by the person applying which have converted from using natural gas by reason of a natural gas curtailment plan in effect pursuant to the Federal Power Act or the documented inability to obtain natural gas, over the emissions from such sources before the effective date of such plan or documented date of inability to obtain natural gas.

3. Concentrations of particulate matter attributable to the increase in emissions from construction or other temporary emission-related activities.

4. The increase in concentrations attributable to new sources outside the United States over the concentrations attributable to existing sources which are included in the baseline concentration determined in accordance with Section 17-2.02(6).

(b) Applications for an exclusion from increment consumption shall be treated as licensing proceedings under Section 120.60, Florida Statutes, and shall be filed with the Department.

(c) If the Department finds that the proposed exclusion qualifies under the provisions of Section 17-2.04(3)(a), it shall, within 90 days of receipt of the completed application, forward its analysis of the effects that the exclusion would have upon air quality in the area of impact and its final order constituting final agency action to the Governor. If the Governor concurs with the exclusion by issuing executive order pursuant to his constitutional

authority approving the Department's final order, the Department shall, within 10 days, issue the order, modify any necessary permits, and forward the entire record of the proceedings to the Administrator of the Environmental Protection Agency for his review.

(d) No action taken with respect to a source under Section 17-2.04(7)(a)1. or 2. of this Section shall apply more than five years after the effective date of the order referred to in Section 17-2.04(7)(a)1., or the plan or documentation referred to in Section 17-2.04(7)(a)2., whichever is applicable. If such order and plan or documentation are applicable, no such action shall apply more than five years after the later of such effective dates.

(8) Sources impacting Class I areas -- additional requirements.

(a) Notice to Environmental Protection Agency. The Department shall transmit to the Administrator of the Environmental Protection Agency a copy of each permit application relating to a major stationary emitting facility received and provide notice to the Administrator of every action related to the consideration of such permit.

(b) Denial-impact on air quality related values. The Federal Land Manager may present to the Department after the preliminary determination required under Subsection (9) of this section, a demonstration that the emissions from an applicable facility will have an adverse impact on the air quality-related values (including visibility) of any Federal mandatory Class I lands, notwithstanding the fact that the change in air quality resulting from emissions from such source will not cause or contribute to concentrations which exceed the maximum allowable increases for a Class I area. If the Department concurs with such demonstration, the Department shall not issue the permits.

(c) Alternate Class I Increments

1. The owner or operator of a proposed facility may demonstrate to the Federal Land Manager that the emissions from such facility will have no adverse impact on the air quality-related values of such lands (including visibility), notwithstanding the fact that the change in air quality resulting from emissions from such source will cause or contribute to concentrations which exceed the maximum allowable increases for a Class I area. If the Federal Land Manager concurs with such demonstration and so certifies, the Department may issue the permit, pursuant to the requirements of Subsection (8)(c)2. of this section; provided, the applicable requirements of this subsection are otherwise met.

2. In the case of a permit issued pursuant to Subsection (8)(c)1. of this section, such facility shall comply with such emission limitations under such permit as may be necessary to assure that emissions of sulfur dioxide and particulate matter will not exceed the following maximum allowable increases over baseline concentration for such pollutants:

	Maximum allowable increase (micrograms per cubic meter)
Particulate Matter:	
Annual geometric mean	19
24-hour maximum	37
Sulfur dioxide:	
Annual arithmetic mean	20
24-hour maximum	91
3-hour maximum	325

(d) Alternate Increments for sulfur dioxide with concurrence of the Governor and the Federal Land Manager. The owner or operator of a proposed major stationary facility or major modification which cannot be approved under paragraph c. of this section may, as part of the construction permit application (or in the case of electrical generating plants as part of the application for site certification under Chapter 403, Part II, Florida Statutes), demonstrate to the Department that the facility cannot be constructed by reason of any maximum allowable increase for sulfur dioxide for a period of twenty-four hours or less applicable to any Class I area and, in the case of Federal mandatory Class I areas, that the use of alternate increments under this clause will not adversely affect the air quality related values of the area (including visibility). If such demonstration is not rebutted, the Department, after consideration of the Federal Land Manager's recommendations (if any) and subject to his concurrence, shall issue a final order constituting final agency action to the Governor, recommending the use of alternate increments for such source. If the Governor, by executive order, recommends the use of alternate increments, the permit for the source may be issued pursuant to the requirements of paragraph (f) of this subsection: Provided that the applicable requirements of this Section 17-2.04(1) are otherwise met.

(e) Alternate Increments with the President's concurrence. The Department shall transmit the executive order of the Governor and the recommendations of the Federal Land Manager to the President in any case where the Governor recommends the allowance of alternate increments under this subparagraph in which the Federal Land Manager does not concur. The alternate increments shall become applicable if the President approves the Governor's recommendation. If the use of alternate increments is allowed, the Department may issue a permit pursuant to the requirements of paragraph (f) of this section, provided, that the applicable requirements of this Section 17-2.04(1) are otherwise met.

(f) Emission limitations for Presidential/Gubernatorial variance. In the case of a permit issued pursuant to paragraph (d) or (e) of this subsection, such facility shall comply with such emission limitations under such permit as may be necessary to assure that emissions of sulfur dioxide from such source together with all other sources, will exceed the otherwise applicable maximum allowable increases for a period of exposure of twenty-four hours or less on not more than eighteen (18) days during any annual period and that during such day such emissions will not exceed the following maximum allowable increases occurring over the baseline concentration of such pollutant:

Maximum Allowable Increase
(in Micrograms per cubic meter)

Period of Exposure	Low Terrain Areas	High Terrain Areas
24-hour maximum	36	62
3-hour maximum	130	221

(9) Public participation

(a) After receipt of an application to

construct an air pollutant source or any addition to such application, the Department shall, pursuant to Section 120.60(2), Florida Statutes, advise the owner or operator of any deficiency in the information submitted in support of the application. In the event of such a deficiency, the date of receipt of the application for the purpose of this section shall be the date on which all required information is received by the Department.

(b) Within 90 days after receipt of a completed application or within 15 days after conclusion of any public hearing held on the application, whichever is latest, the Department shall:

1. Make a determination whether the application should be approved, approved with conditions, or disapproved pursuant to the requirements of this section.

2. Make available in at least one location in each district in which the proposed source would be constructed, a copy of all materials submitted by the owner or operator, a copy of the Department's determination and a copy or summary of other materials, if any, considered by the Department in making a preliminary determination.

3. Notify the public, by prominent advertisement in a newspaper of general circulation in each region in which the proposed source would be constructed, of the opportunity for comment at a public hearing as well as written public comments on the information submitted by the owner or operator and the Department's preliminary determination on the approvability of the source.

4. Send a copy of the notice required in Subsection (9)(b)3. of this subsection to the applicant, the Governor, the Administrator and to officials and agencies having cognizance over the locations where the facility will be sited as follows: Local air pollution control agencies, the chief executive of the city and county; any comprehensive regional land use planning agency, and any State, Federal Land Manager, or Indian Governing Body whose lands may be significantly affected by the facility's emissions. In the case of an application for alternate sulfur dioxide increments affecting a Federal Mandatory Class I area, the Federal Land Manager shall submit his recommendation to the Department within 45 days of receipt of a copy of the public notice and application. If the Federal Land Manager fails to submit his recommendation within this time, the Department shall presume that he concurs with the proposed alternate increments.

5. Provide opportunity at any public hearing held during the public comment period for interested persons including representatives of the Administrator to appear and submit written or oral presentations on the air quality impact of such source, alternatives thereto, control technology requirement, and other appropriate considerations.

6. Consider all public comments submitted in writing within a time specified in the public notice required in paragraph (9)(b)3. of this subsection and all comments received at any public hearing(s) conducted pursuant to Subsection (9)(b)5. of this subsection in making its final decision on the approvability of the application. All comments shall be made available for public inspection in at least one location in the region in which the source

would be located.

7. Make a final determination whether the application should be approved, approved with conditions, or disapproved pursuant to the requirements of this section.

8. Notify the applicant in writing of its final determination. Such notification shall be made available for public inspection in at least one location in the region in which the source would be located.

(10) Notwithstanding any other provisions in this Section 17-2.04 to the contrary, applications for exclusion from increment consumption and applications for alternate Class I increments involving electrical power plants governed by the Florida Electrical Power Plant Siting Act, Sections 403.501-403.517, Florida Statutes, shall be processed as follows:

(a) Applications shall be filed as part of the application for site certification as that term is defined at Section 403.504(2), Florida Statutes;

(b) The Department shall provide a copy of the application to the Federal Land Manager of any Class I area which may be impacted by construction of the plant;

(c) The Department shall include an evaluation of the proposed exclusion from increment consumption and/or alternate Class I increments as part of the studies required by Section 403.507, Florida Statutes;

(d) Final action on such application shall be taken by the Governor and Cabinet as part of the application for site certification, provided that the Governor must individually concur with the grant of any exclusion from increment consumption or allowance of alternate Class I increments;

(e) Applications for site certification which are pending upon the effective date of this rule may be amended to include an application for increment exclusion and/or an application for alternate Class I increments.

Specific Authority 403.061 FS. Law Implemented 403.021, 403.031, 403.061 FS. History—Revised 1-18-72, Amended 12-28-74, 6-10-76, 6-20-76, 12-1-77, 6-8-78, Formerly included in 17-2.03.

17-2.05 Prohibitive Acts.

(1) Visible Emissions — No person shall cause, let, permit, suffer or allow to be discharged into the atmosphere any air pollutants from:

(a) New, and after July 1, 1975, or existing sources, the density of which is equal to or greater than that designated as Number 1 on the Ringelmann Chart the opacity of which is equal to or greater than 20 percent.

(b) This Subsection, 17-2.04, 17-2.05(1), does not apply to emission emitted in accordance with specified emission limiting standards or in accordance with specified emission limiting standards or in accordance with the process weight table (Table I) provided in this chapter.

(c) If the presence of uncombined water is the only reason for failure to meet visible emission standards given in this section, such failure shall not be a violation of this rule.

(2) Particulate Matter — No person shall cause, let, permit, suffer or allow the emission of particulate matter from any air pollutant source in total quantities in excess of the amount shown in Table I, except as otherwise provided for in this

chapter for specific emission limiting standards of particulate matter from specified sources.

Interpolation of the data in Table I for the process weight rates up to 30 tons per hour shall be accomplished by the use of the equation: $E=3.59P^{0.62}$, P less than or equal to 30 tons per hour and interpolation and extrapolation of the data for process weight rates in excess of 30 tons per day hour shall be accomplished by use of the equation: $E=17.31P^{0.16}$, P is greater than 30 tons per hour. Where: E=Emissions in pounds per hour, P=Process weight rate in tons per hour. Application of mass emission limitations on the basis of all similar units at a plant is recommended in order to avoid unequal application of this type of limitation to plants with the same total emission potential but different size units. Upon establishing the total mass limitation, individual source emissions will be determined by prorating the mass emission total on the basis of the percentage weight input to each source process.

PROCESS WEIGHT TABLE
TABLE I

Rate (Tons Per Hour)	Emission Rate (Pounds per Hour)
.025	0.30
.050	0.55
.250	1.53
.50	2.25
2.5	6.34
5	9.73
10	14.99
30	29.83
40	31.23
60	33.33
80	34.90
100	36.17
200	40.41
500	46.79

(3) Fugitive Particulate — No person shall cause, let, permit, suffer or allow the emissions of particulate matter, from any source whatsoever, including but not limited to vehicular movement, transportation of materials, construction, alteration, demolition or wrecking, or industrially related activities such as loading, unloading, storing or handling, without taking reasonable precautions to prevent such emission, except particulate matter emitted in accordance with the process weight table (Table I), the visible emission standards or specific source limiting standards specified in this chapter.

(4) Objectionable Odor Prohibited — No person shall cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor.

(5) Volatile organic compounds emissions or organic solvents emissions.

(a) No person shall 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.

(b) All persons shall use reasonable care to avoid discharging, leaking, spilling, seeping, pouring or dumping volatile organic compounds or organic

solvents.
 (6) Stationary sources — No person shall cause, let, permit, suffer or allow to be discharged into the atmosphere emissions from the listed sources greater than any emission limiting standard given in Table II.

TABLE II
 EMISSION LIMITING STANDARDS

Stationary Sources	Particulates	Objectionable odor	Visible emissions	SO ₂ per ton of 100% acid produced	Acid mist per ton on 100% acid produced	Fluorides (water soluble or gaseous-atomic weight 19) expressed as pounds of fluoride per ton of phosphatic materials input to the system as tons of P ₂ O ₅
A. INCINERATORS						
(1) New incinerators with a charging rate of fifty or more tons per day	0.08 grains per standard cubic foot dry gas corrected to 50 percent excess air	None allowed	None allowed (except for up to three minutes in any one hour at densities up to but not more than a density of Ringelmann number 1 (20 percent opacity))			
(2) New and existing incinerators with a charging rate of less than 50 tons per day						
(3) Existing incinerators with a charging rate of fifty or more tons per day	0.1 grains per standard cubic foot dry gas corrected to 50 percent excess air					
B. SULFURIC ACID PLANTS						
(1) Existing plants - Effective July 1, 1975			A plume with visibility no greater than ten percent opacity	29 pounds	0.15 pounds	
(a) Florida portion of the Jacksonville, Florida - Brunswick, Georgia, Interstate Air Quality Control Region as defined in 40 C.F.R. Section 81.91				10 pounds		
(b) All other areas of the State of Florida				4 pounds		
(2) New plants						
C. PHOSPHATE PROCESSING						
(1) New plants or plant sections						0.07 pounds
(a) Wet process phosphoric acid production and auxiliary equipment						0.05 pounds
(b) Run-of-pile triple superphosphate (TSP) mixing belt and den and auxiliary equipment						0.12 pounds
(c) Run-of-pile TSP curing or storage process and auxiliary equipment						

TABLE II
EMISSION LIMITING STANDARDS

Stationary Sources	Particulates	Objectionable odor	Visible emissions	Fluorides (water soluble or gaseous-atomic weight 18) expressed as pounds of fluoride per ton of phosphatic materials input to the system expressed as tons of P ₂ O ₅
C. PHOSPHATE PROCESS (cont.)				
(1) (d) Granular triple superphosphate (GTSP) production and auxiliary equipment				
1. GTSP made by granulating run-of-pile TSP				0.06 pounds
2. GTSP made from phosphoric acid and phosphate rock slurry				0.15 pounds
(e) GTSP storage and auxiliary equipment				0.05 pounds
(f) Diammonium phosphate production and auxiliary equipment				0.06 pounds
(g) Calcining or other thermal phosphate rock processing and auxiliary equipment excepting phosphate rock drying and defluorinating				0.06 pounds
(h) Defluorinating phosphate rock by thermal processing and auxiliary equipment				0.37 pounds
(i) All plants, plant sections or unit operations and auxiliary equipment not listed in 17.2.05(6) Table II items C.(1) (a) through (h).	Must comply with best technology pursuant to 17.2.03(1)			
(2) Existing plants or plant sections. Emissions shall comply with 17.2.05(6) Table II Item C.(1). Effective July 1, 1975 or				
(3) Existing plant complexes with an operating wet process phosphoric acid section (including any items 17.2.05(6) Table II items C.(1)(a) through (i) and other plant sections processing or handling phosphoric acid or products or phosphoric acid processing				Total emission of the entire complex shall not exceed 0.4 pounds per ton of P ₂ O ₅ input to the wet process phosphoric acid section
(4) Individual plant sections included in 17.2.05(6) Table II items C.(1) (a) through (i) but not included as a part as defined in C.(3)	If it can be shown by comprehensive engineering study and report to the Department that the existing plant sections are not suitable for the application of existing technology, which may include major rebuilding or repairs and scrubber installations, the emission limiting standard to apply will be the lowest obtained by any similar plant section existing and operating.			

TABLE II
EMISSION LIMITING STANDARDS

Stationary Sources	Particulates	Visible emissions	Total reduced sulfur	Sulfur dioxide per million BTU heat input	Nitrogen oxides, per million BTU heat input, Maximum 2 hr. avg. expressed as NO ₂
D. KRAFT (SULFATE LIQUOR) PULP MILLS BLACK LIQUOR RECOVERY FURNACES (1) New plants	No greater than three pounds per each 3000 pounds of black liquor solids fed.		No greater than one ppm as H ₂ S on the dry basis or 0.03 pound per 3000 pounds black liquor solids fed, whichever is the more restrictive		
E. FOSSIL FUEL STEAM GENERATORS (1) Plants with more than 250 million BTU per hour heat input (a) New sources burning 1. Liquid fuel	0.1 pounds per million BTU heat input, maximum two hour average	Density of which is equal to or greater than Number 1 of the Ringelmann Chart (20 percent opacity) except that a shade as dark as Number 2 of the Ringelmann Chart (40 percent opacity) shall be permissible for no more than 2 minutes in any hour.			0.8 pounds maximum two hour average
					0.30 pounds
					1.2 pounds maximum two hour average
					0.70 pounds
2. Solid fuel					
3. Gaseous fuel					
(b) Existing sources 1. Liquid fuel a. Duval County North of Hecksher Drive excluding Jacksonville Electric Authority Northside Generating Stations					2.5 pounds maximum two hour average

60

TABLE II
EMISSION LIMITING STANDARDS

Stationary Sources	Particulates	Visible emissions	Sulfur dioxide per million BTU heat input
E. FOSSIL FUEL STEAM GENERATORS (cont.) (1) (b) 1. b. All other sources in Duval County.	0.1 pounds per million BTU heat input, maximum two hour average	Density of which is equal to or greater than Number 1 of the Ringelmann Chart (20 percent opacity) except that a shade as dark as Number 2 of the Ringelmann Chart (40 percent opacity) shall be permissible for not more than 2 minutes in any one hour	1.65 pounds per million BTU heat input
c. Hillsborough county including Tampa Electric Co. Gannon Station units 1 through 4 and Hooker's Point Generating Station.			1.1 pounds per million BTU heat input
d. Escambia county, Gulf Power Co. Crist Steam Plant units 1, 2 and 3.			1.88 pounds per million BTU heat input
e. Escambia county, Monsanto Textiles Co. boiler units 1 through 8 in the aggregate.			57.5 tons per any 24 hour period
f. All other areas of the State			2.75 pounds per million BTU heat input
2. Solid fuel a. Hillsborough county, Tampa Electric Co. Francis J. Gannon Generating Station Units 5 and 6.			2.4 pounds per million BTU heat input
b. All other areas of the State.			6.17 pounds per million BTU heat input
3. Existing sources rule re-evaluation - This rule shall be re-evaluated and reconsidered by the Commission at public hearing prior to October 1, 1978. As part of the re-evaluation and reconsideration required by this rule, the Department shall consider and give due weight to all competent substantial evidence including any findings and conclusions of any studies directed or supervised by the Commission. Unless the Commission finds that the sulfur dioxide emission limitations set forth in 17-2.05(6) Table II, item E. (1)(b) adequately protect public health and welfare, existing fossil fuel steam generators shall be subjected to compliance schedules which must be submitted to the Department on or before November 1, 1978, and which propose increments of progress dated that will as expeditiously as possible bring them into compliance with the following:			
a. Liquid fuel			1.1 pounds per million BTU heat input
b. Solid fuel			1.5 pounds per million BTU heat input
If the Commission finds that the sulfur dioxide emission limitations set forth in 17-2.05(6) Table II item E. (1)(b) 3. adequately protect public health and welfare this rule shall be continued or amended to reflect such findings and conclusions			
4. Owners of fossil fuel steam generators shall monitor their emissions and the effects of the emissions of ambient concentrations of sulfur dioxide, in a manner, frequency, and locations approved, and deemed reasonably necessary and ordered by the Department. The owners shall submit to the Department a written proposal for such monitoring program on or before July 1, 1975			
5. A rule for limiting nitrogen oxides emission from existing fossil fuel steam generators will be considered by the Environmental Regulation Commission by July 1, 1979.			

8D

TABLE II
EMISSION LIMITING STANDARDS

Stationary Sources	Particulates	Visible emissions	Sulfur dioxide	Nitrogen oxides, (NO ₂ per million BTU heat input, Maximum 2 hour average
E. (1) (c) New sources not subject to Federal standards of performance for stationary sources promulgated under section 111(a), Federal Clean Air Act (42 U.S.C. 1857, et seq.) 1. Tampa Electric Company's Bit Bend Generating Station Units 1, 2, and 3 burning solid fuel. a. Units 1, 2, and 3 i. Prior to October 1, 1977. The contingency plan, which is now in force which includes steps to be taken in order to curtail emissions when ambient concentrations may exceed the standard, shall be resubmitted by May 1, 1977, and implemented by July 1, 1977. ii. After September 30, 1977, through and including July 1, 1978	0.1 pounds per million BTU heat input, maximum two hour average	Density of which is equal to or greater than Number 1 of the Ringelmann Chart (20 percent opacity) except that a shade as dark as Number 2 of the Ringelmann Chart (40 percent opacity) shall be permissible for no more than 2 minutes in any hour.	Units 1, 2, and 3 in total shall not emit more than 35 tons per hour of sulfur dioxide on a three hour average but in no case to exceed a two hour average emission of 6.5 pounds of sulfur dioxide per million BTU Units 1, 2, and 3 in total shall not emit more than 32 tons per hour of sulfur dioxide on a 24 hour average.	0.70 pounds (Unit 3 only)
			Units 1, 2, and 3 in total shall not emit more than 35 tons per hour of sulfur dioxide on a three hour average but in no case to exceed a two hour average emission of 6.5 pounds of sulfur dioxide per million BTU Units 1, 2, and 3 in total shall not emit more than 25 tons per hour of sulfur dioxide on a 24 hour average	
			1.20 pounds of sulfur dioxide maximum two hour average per million BTU heat input	
			1.10 pounds of sulfur dioxide maximum two hour average per million BTU heat input	
2. Florida Power and Light Company's Manatee Generating Station, Wilcox Str., Manatee County burning liquid fuel. a. Units 1 and 2 i. Prior to August 1, 1978 ii. By August 1, 1978			0.8 pounds of sulfur dioxide maximum two hour average per million BTU heat input	0.30 pounds maximum two hour average

TABLE II
EMISSION LIMITING STANDARDS

Stationary Sources	Particulates	Visible emissions	Nitrogen oxides, (NO ₂ per million BTU heat input, Maximum 2 hour average	Sulfur dioxide per million BTU heat input
E. (1) (c) 3. Jacksonville Electric Authority's Northside Generating Station, Jacksonville, Florida burning liquid fuel. a. Units 1 and 2 i. Prior to August 1, 1978. A contingency plan, which shall include steps to be taken in order to curtail emissions when ambient concentrations may exceed the standard, shall be submitted by May 1, 1977, and implemented by July 1, 1977.	0.1 pounds per million BTU heat input, maximum two hour average	Density of which is equal to or greater than Number 1 of the Ringelmann Chart (20 percent opacity) except that a shade as dark as Number 2 of the Ringelmann Chart (40 percent opacity) shall be permissible for not more than 2 minutes in any one hour		1.98 pounds, maximum two hour average
ii. By August 1, 1978				1.65 pounds
b. Unit 3 i. Prior to August 1, 1978. A contingency plan, which shall include steps to be taken in order to curtail emissions when ambient concentrations may exceed the standard, shall be submitted by May 1, 1977, and implemented by July 1, 1977.			0.30 pounds	1.98 pounds, maximum two hour average
ii. By August 1, 1978				0.80 pounds, maximum two hour average
4. Each of the above sources shall submit to the Department a compliance schedule, containing increments of progress, no later than three (3) months prior to the date by which a specified generating unit is required to meet the sulfur dioxide standard applicable to new sources. Each schedule shall specify steps that have been or will be taken, together with the dates of each increment, to ensure that the source will comply with the applicable new source standard in accordance with this subsection. 5. Upon completion of current sulfur oxide studies directed or supervised by the Commission, the Commission shall review the emission standards applicable to the sources contained in 17-2 05(6) Table II E(1) (C).				

67

TABLE II
EMISSION LIMITING STANDARDS

Stationary Sources	Particulates	Visible emissions	Sulfur dioxide per million BTU heat input	Nitrogen oxides, per million BTU heat input, maximum two hour average expressed as NO ₂
E. (2) New and existing plants with 250 million or less BTU per hour heat input	Apply latest technology per 17-2.03(1)	Density equal to or less than 20% opacity (a density of 40% opacity is permitted not more than two minutes in any one hour)	Apply latest technology per 17-2.03(1)	Apply latest technology per 17-2.03(1)
(3) Compliance schedules				
(a) SO ₂ emissions for existing plants regulated by 17-2.05(6) Table II items E. (1)(b) 1 and 2, are repealed as of the effective date of this rule				
(b) All fossil fuel steam generators, regardless of size, need not comply with any existing compliance schedule for SO ₂ emissions required by the Department, but shall as expeditiously as possible comply with the specific emission standards set forth in 17-2.05(6) Table II items E. (1)(b) 1 and 2 or, if applicable item E. (2), at option of the owner.				
(c) If at any time the Commission determines, after notice and public hearing, that appropriate and substantially lower sulfur fuels are available on a long term basis at a reasonably comparable cost (including all costs such as contract revisions or termination costs) with fuels allowed under this rule, the Commission may establish revised emission limiting standards.				

TABLE II
EMISSION LIMITING STANDARDS

Stationary Source	Particulates	Visible Emissions Shall Not Exceed	Sulfur oxide calculated as sulfur dioxide shall be no greater than	Nitrogen oxides per ton of acid produced (100 percent basis)
F. PORTLAND CEMENT PLANTS				
(1) Existing sources Kilns and Clinker Coolers	Not greater than allowed by the Process Weight Table, Table I set forth in 17-2.05(2)			
(2) New Sources				
(a) Kilns	0.3 pound per ton of feed to the kiln			
(b) Clinker Coolers	0.1 pound per ton of feed to the kiln			
G. NITRIC ACID PLANTS (producing weak nitric acid (50-70 percent) by pressure or atmospheric pressure process)		10 percent opacity		3 pounds
(1) New and existing plants. Effective July 1, 1975				
H. SULFUR RECOVERY PLANTS (For sulfur recovery plants recovering sulfur from crude oil gas)				
(1) New plants			0.004 pounds of SO ₂ per pound of sulfur input to the recovery system or no greater than 0.004 pounds of SO ₂ per pound of sulfur removed from an oil well	
(2) Existing plants for which a valid Department Construc- tion permit was issued prior to July 1, 1973			0.08 pounds of SO ₂ per pound of sulfur input to the recovery system or 0.08 pounds of SO ₂ per pound of sulfur removed from crude oil or gas processed	

TABLE II
EMISSION LIMITING STANDARDS

Stationary Sources	Particulate Matter Shall Not Exceed	Visible Emissions Shall Not Exceed
CARBONACEOUS FUEL BURNING EQUIPMENT		
(1) Existing sources for which a valid Department operation or construction permit has been issued prior to July 1, 1974		
(a) Burners of capacity less than 30 million BTU per hour total heat input.		Ringelmann Number 1 or an opacity of 20 percent except that a density of Ringelmann Number 2 is permissible for not more than two minutes in any one hour.
(b) Burners of capacity equal to or greater than 30 million BTU per hour total heat input.	0.3 pounds per million BTU of heat input of carbonaceous fuel plus 0.1 pounds per million BTU heat input of fossil fuel.	Ringelmann Number 1.5 or an opacity of 30 percent except that a density of Ringelmann Number 2 or opacity of 40 percent is permissible for not more than two minutes in any one hour.
(2) New sources for which a valid Department operation or construction permit is issued on or after July 1, 1974		
(a) Burners of capacity less than 30 million BTU per hour total heat input.		Ringelmann Number 1 or an opacity of 20 percent except that a density of Ringelmann Number 2 is permissible for not more than two minutes in any one hour.
(b) Burners of capacity equal to or greater than 30 million BTU per hour total heat input.	0.2 pounds per million BTU of heat input of carbonaceous fuel plus 0.1 pounds per million BTU heat input of fossil fuel.	Ringelmann Number 1.5 or an opacity of 30 percent except that a density of Ringelmann Number 2 or opacity of 40 percent is permissible for not more than two minutes in any one hour.
(c) The Department shall provide for an annual review and evaluation of the particulate and visible emission standards applicable to new sources.		
(3) The above standards shall not relieve any person from complying with more stringent Department permit conditions promulgated pursuant to Section 403.087, Florida Statutes and Department Rule 17-4.07(5), Florida Administrative Code.		

(7) Mobile Sources

(a) No person shall cause, let, permit, suffer or allow the emission of smoke from motor vehicles on public roadways that is visible within the proximity of the engine exhaust outlet for a period of more than five (5) seconds.

1. Definitions — apply to this Section 17-2.05(7)(a) only.

a. Smoke — Small gasborne and airborne particles, exclusive of water vapor, from a process of combustion, in sufficient number to be observable.

b. Motor vehicle — Any device powered by an internal combustion engine and on or in which any person or property may be transported.

2. Exception — all 2 stroke gasoline engines manufactured prior to the year 1976.

(8) Complex Sources

(a) For the purposes of this section the following definitions shall apply:

1. "Complex Source" — Any facility, or group of facilities, which is a source of air pollution by reason that it causes, directly or indirectly, significant increases or emissions of pollutants into the atmosphere or which reasonably can be expected to cause an increase in the ambient air concentrations of pollutants, either by itself or in association with mobile sources.

2. "Commencement of Construction" The actual on-site, continuous and systematic activity of land surface alterations, construction, and fabrication of the source.

3. "Modification" — Any physical change in the source that will result in the source causing or contributing to an increase of emissions to the ambient air.

(b) No person shall construct or modify or operate or maintain any complex source of air pollution that results in or causes an increase in ambient pollutant concentrations in violation of the Ambient Air Quality Standards.

(c) After December 15, 1973, no person shall commence construction or modification of any of the following listed complex sources without a permit from the Department, or other governmental agency authorized by the Department to issue such permit:

1. Any new complex source with which is associated a single level unenclosed parking facility with a design or use capacity of 1,500 cars or more, or any modification which will increase such unenclosed parking facility to a design or use capacity of 1,500 cars or more.

2. Any multi-level unenclosed parking facility with a design or use capacity of 750 cars or more, or any modification which will increase a multi-level unenclosed facility to a design or use capacity of 750 cars or more.

3. Any new road designed to accommodate 2,000 vehicles per hour or more at peak traffic flow rates, or a modification of an existing road the result of which is designed to accommodate 2,000 vehicles or more at peak traffic flow rates.

4. Any new road or modification to accommodate 1,000 vehicles per hour or more of peak traffic flow rates or a modification which results in a design capacity for accommodation of 1,000 vehicles per hour or more of peak traffic flow rates or a modification which results in a design

capacity for accommodation of 1,000 vehicles per hour or more of peak traffic flow rates in the following urban counties: Dade, Broward, Palm Beach, Brevard, Hillsborough, Pinellas, Orange, Duval, Escambia, Polk, Leon, Sarasota, Volusia, Alachua, Pasco and Lee.

5. All major tollways or interstate highways or other major roads of more than two lanes of traffic outside of the urban areas named in Paragraph 4 above.

6. Any new airport which is designed or may be used to serve commercial airlines regularly scheduled or otherwise or any modification of a parking facility at such an airport which results in a ten percent increase in capacity.

7. If the Department finds after notice, and hearing, if requested, that projected emissions associated with any proposed complex source not listed above may result in the failure of the Ambient Air Quality Standards being achieved and maintained, the Department may require an application to be submitted and a permit required prior to construction.

(d) Any person seeking a permit shall submit such information that is necessary for the Department to determine that the complex source will not cause a violation of Ambient Air Quality Standards and submit to the Department such information that shall include, but not be limited to:

1. The nature and amounts of pollutants to be emitted or caused to be emitted by the complex source, or by associated mobile sources, and an air quality impact statement.

2. The location, design, construction and operation of such facility.

(e) No such permit shall be issued without an opportunity for public comment in accordance with 17-2.09, Florida Administrative Code.

(f) This Subsection 17-2.05(8), Florida Administrative Code, shall not apply to air pollution sources for which a permit is required by Chapter 17-4, Florida Administrative Code, and shall not apply to sources for which the commencement of construction was started prior to December 15, 1973, unless construction is, or has been, discontinued for more than ninety (90) days.

(g) Public highways projects which would otherwise be covered by this Subsection (17-2.05(8)) and for which bid letting has been advertised prior to April 1, 1974, are exempted from the formal permitting requirements of this section provided, however, that the staffs of the State of Florida Department of Transportation and Department of Environmental Regulation will re-examine the environmental assessments for each project to identify those projects which will violate State Ambient Air Quality Standards. Those projects so identified will not be exempted from the permitting requirements of this section.

(9) Existing Source Compliance — Except where compliance dates are specified, existing sources shall comply with this chapter as expeditiously as possible but in no case later than July 1, 1975.

(10) Operation Rates — No plant or source shall operate at capacities which exceed the limits of operation of a control device or exceed the capability of the plant or control device to maintain

the air emission within the standard limitation imposed by this chapter, or by permit conditions.

(11) Concealment — No person shall build, erect, install or use any article, machine, equipment or other contrivance, the use of which will conceal an emission which would otherwise constitute a violation of any of the provisions of this chapter.

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

(13) maintenance — All Air pollution control devices and systems shall be properly and consistently maintained in order to maintain emissions in compliance with Department Rules.

(14) Excess emissions during startup, shutdown, and malfunctions.

(a) Excess emissions resulting from startup, shutdown or malfunction of any source shall be permitted providing (1) best operational practices to minimize emissions are adhered to and (2) the duration of excess emissions shall be minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for a longer duration.

(b) 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.

(c) Considering operational variations in types

of industrial equipment operations affected by this rule, the Department may adjust maximum and minimum factors to provide reasonable and practical regulatory controls consistent with the public interest.

(d) In case of excess emissions resulting from malfunctions, each source shall notify the Department or the appropriate Local Program in accordance with Section 17-4.13, Florida Administrative Code. A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Department.

Specific Authority 408.061 FS. Clean Air Act of 1977 Law Implemented 408.021, 408.031, 408.061, 408.067 FS. Clean Air Act of 1977 History—Revised 1-18-72, Amended 11-21-73, 2-8-74, 4-9-74, 12-28-74, 6-30-75, 6-10-76, 7-20-76, 3-2-77, 5-10-77, 7-19-77, 9-1-77, 1-3-78, Formerly included in 17-2.03 and 17-2.04.

17-2.06 Ambient Air Quality Standards.

(1) The air quality of the State's atmosphere is determined by the presence of specific pollutants in certain concentrations. Human health and welfare is affected and known or anticipated adverse results are produced by the presence of pollutants in excess of the certain concentrations. It is, therefore, established that maximum limiting levels, Ambient Air Quality Standards, of pollutants existing in the ambient air are necessary to protect human health and public welfare. The state-wide Ambient Air Quality Standards are established for Florida in Table III.

TABLE III (Ambient Air Quality Standards)

POLLUTANTS	MAXIMUM LIMITING LEVELS					
	Maximum one hour concentration, not to be exceeded more than once per year.	Maximum three hour concentration, not to be exceeded more than once per year.	Maximum eight hour concentration, not to be exceeded more than once per year.	Maximum 24 hour concentration, not to be exceeded more than once per year.	Annual Arithmetic Mean Not To Be Exceeded	Annual Geometric Mean Not To Be Exceeded
A. Sulfur Dioxide		1300 micrograms per cubic meter (0.5 ppm)		200 micrograms per cubic meter (0.1 ppm)	60 micrograms per cubic meter (0.02 ppm)	
B. Particulate Matter				150 microgram per cubic meter		60 micrograms per cubic meter
C. Carbon Monoxide	40 milligrams per cubic meter (35 ppm)		10 milligrams per cubic meter (8 ppm)			
D. Photochemical oxidants measured and corrected for interference due to nitrogen oxides and sulfur dioxide.	160 micrograms per cubic meter (0.08 ppm)					
E. Hydrocarbons - For use as a guide in devising implementation plans to achieve oxidant standards. To be measured and corrected to methane.		160 micrograms per cubic meter (0.24 ppm) between 8 to 9 am				
F. Nitrogen Dioxide					100 micrograms per cubic meter (0.05 ppm)	

(2) Sampling and analyses of contaminants in this section shall be performed by the methods approved by the Department.

(3) Abatement — a determination that any of the above standards in Section 17-2.06(1) Table III, above, has been exceeded, shall be adequate evidence for the Department to commence an investigation to determine the cause and to execute appropriate remedial measures.

(4) Air Quality Maintenance

(a) Air Quality Standards Violated — No person shall build, erect, construct, or implant any new source or operate, modify or rebuild an existing source or by any other means release or take action which would result in release of air pollutants into the atmosphere of any region, which will, as determined by the Department, result in, including concentrations of existing air pollutants, ambient air concentrations greater than Ambient Air Quality Standards.

Specific Authority 408.061(7) FS. Law Implemented 408.021, 408.031, 408.061(13) FS. History—Revised 1-18-72, Amended 7-20-76, Formerly 17-2.05, Amended 6-8-78.

17-2.07 Air Pollution Episode. An episode describes a condition which exists when meteorological conditions and rates of discharge of air pollutants combine to produce pollutant levels in the atmosphere which, if sustained, can lead to a substantial threat to the health of the people. In order to prevent episode conditions from continuing or from developing into more severe conditions, positive action and a rapid abatement response is necessary. The severity of an episode has been classified upon the basis of the criteria given in the following sections with the three levels, alert, warning and emergency, described in Table IV.

(1) Due to the exigent nature of named episodes the Secretary, pursuant to Subsection 120.59(3), Florida Statutes, shall determine and declare that an air pollution episode exists. His determination shall be in accordance with the following criteria:

(a) Air Pollution Forecast — the existence or forecast of a stagnant atmospheric condition as advised by a National Weather Service Advisory or by an equivalent state or local determination.

TABLE IV
POLLUTANT CONCENTRATIONS

	Sulfur Dioxide (SO ₂) 24 hour average	Particulates 24 hour average	Sulfur Dioxide (SO ₂) and Particulates combined 24 hour average	Carbon Monoxide (CO) 8 hour average	Oxidant (O ₃) 1 hour average	Nitrogen dioxide (NO ₂)	
						1 hour average	24 hour average
A. ALERT - The alert level is that concentration of pollutants at which first stage control actions are to begin. An "ALERT" shall be declared when any one of the pollutant concentration levels is reached at any monitoring site and with meteorological conditions such that this condition can be expected to continue for twelve (12) or more hours.	800 Micrograms per cubic meter (0.3ppm)	3.0 COH ₂ or 375 micrograms per cubic meter	Product of SO ₂ ppm, 24 hour average, and COH ₂ equal to 0.2 or product of SO ₂ micrograms per cubic meter, 24 hour average and particulate micrograms per cubic meter, 24 hour average equal to 86X10 ⁻³ .	17 milligrams per cubic meter (15ppm)	200 micrograms per cubic meter (0.1ppm)	1130 micrograms per cubic meter (0.6ppm)	262 micrograms per cubic meter (0.15ppm)
B. WARNING - The warning level indicates that air quality is continuing to degrade and that additional control actions are necessary. A "WARNING" shall be declared when any one of the pollutant concentration levels is reached at any monitoring site and with meteorological conditions such that this condition can be expected to continue for twelve (12) or more hours.	1800 micrograms per cubic meter (0.9ppm)	5.0 COH ₂ or 625 micrograms per cubic meter	Product of SO ₂ ppm, 24 hour average, and COH ₂ equal to 0.8 or product of SO ₂ micrograms per cubic meter, 24 hour average and particulate micrograms per cubic meter, 24 hour average equal to 261X10 ⁻³ .	34 milligrams per cubic meter (30ppm)	800 micrograms per cubic meter (0.4ppm)	2260 micrograms per cubic meter (1.2ppm)	565 micrograms per cubic meter (0.3ppm)
C. EMERGENCY - The emergency level indicates that air quality is continuing to degrade to a level that should never be reached and that the most stringent control actions are necessary. An "EMERGENCY" shall be declared when any one of the pollutant concentration levels is reached at any monitoring site and with meteorological conditions such that this condition can be expected to continue for twelve (12) or more hours.	2100 micrograms per cubic meter (0.9ppm)	7.0 COH ₂ or 875 micrograms per cubic meter	Product of SO ₂ ppm, 24 hour average, and COH ₂ equal to 1.2 or product of SO ₂ micrograms per cubic meter, 24 hour average and particulate micrograms per cubic meter, 24 hour average equal to 383X10 ⁻³ .	46 milligrams per cubic meter (40ppm)	1200 micrograms per cubic meter (0.6ppm)	3000 micrograms per cubic meter (1.6ppm)	750 micrograms per cubic meter (0.4ppm)

(b) Area of Episode — The Secretary shall, when declaring any episode level, declare the counties in which the episode exists.

(c) Termination — Once declared, any episode level will remain in effect until the pollutant concentration increases to meet the next higher level criteria or decreases to a point below the declared criteria level.

(2) Emission Reduction Plans and Actions — Upon a declaration by the Secretary that any episode level exists (alert, warning, or emergency) any person responsible for the operation or conduct of activities which result in emission of air pollutants shall take actions as required for such source or activity for the declared episode level as set forth in Episode Tables V, VI, and VII of this section and shall put into effect the Preplanned Abatement Strategy set forth below.

(3) Preplanned Abatement Strategies — Any person responsible for one or more air pollutant sources shall prepare and submit upon written request from the Department a standby plan which describes the action which will be taken by that person to reduce emissions when an episode is declared. The plan shall be submitted within 30

days of the request and will be subject to approval, modification or rejection by the Department. The plan shall be in writing and shall include but not be limited to:

(a) Identity and location of pollutant sources and of contaminants discharged.

(b) Approximate amount of normal emission and of reduction of emission expected.

(c) A brief description of the manner in which reduction will be achieved, for each of the episode levels, alert, warning and emergency.

(4) During an episode (alert, warning, or emergency) whenever any person responsible for the operation of a source or conduct of activities which result in emission of air pollutants does not take actions as required for the source or activity for the declared episode level or put into effect the Preplanned Abatement Strategy, the Secretary shall immediately institute proceedings in a court of competent jurisdiction for injunctive relief to enforce this chapter.

Specific Authority 403.061, 120.59(3), 120.60(6) FS. Law Implemented 403.021, 403.031, 403.061 FS. History—Revised 1-18-72, Formerly 17-2.06, Amended 6-8-78.

TABLE - V
Alert Level Emission Reduction Plans

Part A. General

During an "alert" level episode:

1. All forms of open burning are prohibited.
2. The use of incinerators for disposal of any form of solid waste or liquid waste is prohibited.
3. Persons operating fuel-burning equipment which requires boiler lancing or soot blowing shall perform such operations only between the hours of 12 noon and 4 p.m.
4. Persons operating motor vehicles should eliminate all unnecessary operations.

Part B. Source Curtailment.

During an alert level episode any persons responsible for the operation of a source of air pollutants listed below shall take all required control actions for this alert level:

Source of Air Pollution	Required Control Action:
1. Coal or oil-fired electric power generating facilities.	<ol style="list-style-type: none"> a. Substantial reduction by utilization of fuels having low ash or sulfur content. b. Maximum utilization of midday (12 noon to 4 P.M.) atmospheric turbulence of boiler lancing and soot blowing. c. Substantial reduction by diverting electric power generation to facilities outside of alert area.
2. Process steam generating facilities which fire coal or oil.	<ol style="list-style-type: none"> a. Substantial reduction by utilization of fuels having low ash and sulfur content. b. Maximum utilization of midday (12 noon to 4P.M.) atmospheric turbulence of boiler lancing and soot blowing. c. Substantial reduction of steam demands consistent with continuing plant operations.

69

Source of Air Pollution	Required control action:
<p>3. Process steam generating facilities which fire wood, bark or bagasse; totally or in combination with other fuels.</p>	<p>a. Substantial reduction by switching to fossil fuels with low ash and sulfur content or by diverting steam demands to steam generators utilizing low ash and sulfur content fuels.</p> <p>b. Maximum utilization of midday (12 noon to 4 P.M.) atmospheric turbulence for boiler lancing and soot blowing.</p> <p>c. Substantial reduction of steam demands consistent with continuing plant operations.</p>
<p>4. Manufacturing industries of the following classifications:</p> <p>Pulp and paper industries</p> <p>Citrus industries</p> <p>Mineral Processing industries</p> <p>Phosphate and allied chemical industries</p> <p>Secondary metal industry</p> <p>Petroleum operations.</p>	<p>a. Substantial reduction of air pollutants from manufacturing operations by enacting preplanned abatement strategies including curtailing, postponing or deferring production and all operations.</p> <p>b. Curtail trade waste disposal operations which emit air pollutants.</p>
<p>5. Bulk handling operations which transfer or store material including but not limited to:</p> <p>Cement</p> <p>Fertilizer</p> <p>Phosphate rock</p> <p>Grain or Feed</p>	<p>a. Maximum reduction of fugitive dust by curtailing, postponing or deferring bulk handling operations.</p>

Source of Air Pollution	Required control action:
ROP Triple Super Phosphate Lime Sand and Gravel Dolomite 6. Any other industrial or commercial establishments which emit air pollutants.	a. Substantial reduction of air pollutants by curtailing, postponing or deferring operations. b. Curtail trade waste disposal operations which emit air pollutants.

TABLE - V

Warning Level Emission Reduction Plans

Part A. General

During a "Warning" Level episode.

1. All forms of open burning are prohibited.
2. The use of incinerators for disposal of any form of solid waste or liquid waste is prohibited.
3. Persons operating fuel burning equipment which requires boiler lancing or soot blowing shall perform such operations only between the hours of 12 noon and 4 p.m.
4. Persons operating motor vehicles must reduce operations by the use of car pools, increased use of public transportation and elimination of unnecessary operation.
5. Unnecessary space heating or cooling is prohibited.

Part B. Source Curtailment:

During a warning level episode any persons responsible for the operation of a source of air pollutants listed below shall take all required control actions for this warning level:

Source of Air Pollution:	Required control action:
<p>1. Coal or oil-fired electric power generating facilities.</p>	<p>a. Maximum reduction by utilization of fuels having 1 lowest ash and sulfur content.</p> <p>b. Maximum utilization of midday (12 noon to 4 P.M.) atmospheric turbulence for boiler lancing and soot blowing.</p> <p>c. Maximum reduction by diverting electric power generation to facilities outside of warning area or to generating stations emitting less pollutants per kilowatt generated.</p>
<p>2. Process steam generating facilities that fire oil or coal.</p>	<p>a. Maximum reduction by utilization of fuels having the lowest available ash and sulfur content.</p> <p>b. Maximum utilization of midday (12 noon to 4 P.M.) atmospheric turbulence for boiler lancing and soot blowing.</p> <p>c. Standby to enact preplanned emergency action plan</p>
<p>3. Process steam generating facilities that fire wood, bark or bagasse.</p>	<p>a. Maximum reduction by reducing heat and steam demands to absolute necessities consistent with preventing equipment damage.</p> <p>b. Maximum utilization of midday (12 noon to 4 P.M.) atmospheric turbulence for boiler lancing and soot blowing.</p>

Source of Air Pollutants:	Required Control Action:
<p>4. Manufacturing industries of the following classifications:</p> <ul style="list-style-type: none"> Pulp and paper industries Citrus industries Mineral processing industries Phosphate and allied chemical industries Secondary metal industry Petroleum operations 	<ul style="list-style-type: none"> a. Commence preplanned abatement strategies for the elimination of all air pollutants. b. Elimination of air pollutants from trade waste disposal operations which emit air pollutants.
<p>5. Bulk handling operations which transfer or store material including but not limited to:</p> <ul style="list-style-type: none"> Fertilizer Phosphate Rock Grain or Feed ROP Triple Super Phosphate Cement Lime Sand and Gravel Dolomite 	<ul style="list-style-type: none"> a. Elimination of fugitive dust by ceasing, curtailing, postponing or deferring transfer or storage of material.
<p>6. Any other industrial or commercial establishments <u>that</u> emit air pollutants.</p>	<ul style="list-style-type: none"> a. Maximum reduction by curtailing, postponing or deferring operations. b. Eliminate trade waste disposal operations which emit air pollutants.

TABLE VII

Emergency Level Emission Reduction Plans

Part A General

During an "Emergency" level episode:

1. All forms of open burning are prohibited.
2. The use of incinerators for disposal of any form of solid or liquid waste is prohibited.
3. All places of employment described below shall immediately cease operations.
 - a. Mining and quarrying of nonmetallic minerals.
 - b. All construction work except that which must proceed to avoid emergent physical harm.
 - c. All manufacturing establishments except those required to have in force an air pollution emergency plan.
 - d. All wholesale trade establishments: i.e., places of business primarily engaged in selling merchandise to retailers or industrial, commercial, institutional or professional users, or to other wholesalers, or acting as agents in buying merchandise for or selling merchandise to such persons or companies, except those engaged in the distribution of drugs, surgical supplies and food.
 - e. All offices of local, county and State government including authorities, joint meeting, and other public bodies excepting such agencies which are determined by the chief administrative officer of local, county, or State government, authorities, joint meetings and other public bodies to be vital for public safety and welfare and the enforcement of the provisions of this order.
 - f. All retail trade establishments except pharmacies, surgical supply distributors, and stores primarily engaged in the sale of food.
 - g. Banks, credit agencies other than banks, securities and commodities brokers, dealers, exchanges and services, offices of insurance carriers, agents and brokers, real estate offices.

h. Wholesale and retail laundries, laundry services, cleaning and dyeing establishments, photographic studios, beauty shops, barber shops, shoe repair shops.

i. Advertising offices; consumer credit reporting, adjustment and collection agencies; duplicating, addressing, blue-printing; photocopying, mailing, mailing list and stenographic services; equipment rental services, commercial testing laboratories.

j. Automobile repair, automobile services, garages.

k. Establishments rendering amusement and recreational services including motion picture theaters.

l. Elementary and secondary schools, colleges, universities, professional schools, junior colleges, vocational schools, and public and private libraries.

4. All commercial and manufacturing establishments not included in this section will institute such actions as will result in maximum reduction of air pollutants from their operation by ceasing, curtailing or postponing operations which emit air pollutants to the extent possible without causing injury to person(s) or damage to equipment.

5. The use of motor vehicles is prohibited except in emergencies with the approval of local or state police.

6. Unnecessary lighting, heating or cooling in unoccupied structures is prohibited.

Part B Source Curtailment

During an emergency level episode any persons responsible for the operation of a source of air pollutant listed below shall take all required action for this emergency level.

Source of Air Pollutants:	Required Control Action:
1. Coal or oil-fired electric power generating facilities:	a. Maximum reduction by utilization of fuels having lowest ash and sulfur content. b. Maximum utilization of midday (12 noon to 4 P.M.) atmospheric turbulence for boiler lancing or soot blowing.

Source of Air Pollutants:	Required control action:
	c. Maximum reduction by diverting electric power generation to facilities outside of emergency area or to generating stations emitting less pollutants per kilowatt generated.
2. <u>Steam generating facilities that fire</u> coal, oil, natural gas, wood, bark or bagasse.	a. Maximum reduction by reducing heat and steam demands to absolute necessities consistent with preventing equipment damage. b. Maximum utilization of midday (12 noon to 4 P.M.) atmospheric turbulence for boiler lancing or soot blowing. c. Taking the action called for in preplanned emergency action plan.
3. Manufacturing industries of the following classification: Pulp and paper industries Citrus industries Mineral Processing industries Phosphate and allied chemical industries Secondary metal industries Petroleum operations	a. Continuation of preplanned abatement strategies for the elimination of air pollutants. b. Elimination of air pollutants from trade waste disposal operations which emit air pollutants.

6W

Source of Air Pollutants:	Required Control Action:
<p>4. Bulk handling operations <u>that</u> transfer or store material including but not limited to:</p> <p>Cement</p> <p>Fertilizer</p> <p>Phosphate Rock</p> <p>Grain</p> <p>ROP Triple Super Phosphate</p> <p>Lime</p> <p>Sand and Gravel</p> <p>Dolomite</p>	<p>a. Elimination of fugitive dust by ceasing, curtailing, postponing or deferring transfer or storage of material.</p>
<p>5. Any other industrial or commercial establishments which emit air pollutants.</p>	<p>a. Elimination of air pollutants by ceasing, curtailing, postponing or deferring operations.</p> <p>b. Elimination of air pollutants from trade waste disposal <u>operations</u> which emit air pollutants.</p>

XO

17-2.08 Sampling and Testing.

(1) **General Conditions** — All owners or operators of an air pollutant source specified in Section 17-2.08(1) shall install, calibrate, operate and maintain a continuous monitoring system for continuously monitoring the pollutants specified in Section 17-2.08(1) and (2). Complete installation and performance tests of continuous monitoring systems shall be completed no later than 18 months after adoption of this Rule for existing sources. Sources issued construction permits after adoption of this Rule shall have the systems installed prior to issuance of an operating permit. Installation may be completed at a later date if approved in writing by the Department. Performance specifications, location of monitor, data requirements, data reductions, reporting, and special considerations shall conform with the requirements in: C.F.R. 40, Part 51, Appendix P, July 1, 1976; C.F.R. Vol. 40 No. 194, October 6, 1975; and C.F.R. 40, Part 60, Appendix B, July 1, 1976, C.F.R. Vol. 40 No. 194, October 6, 1975, available from the Superintendent of Publications, U.S. Government Printing Office, Washington, D.C. and specifically incorporated as part of this Rule, for existing sources and new sources. Any monitoring equipment purchased prior to adoption of this Rule, is exempt from meeting test procedures specified in Appendix B. of Part 60 until October 1, 1981. Alternative procedures (as specified in 3.9, Appendix P, C.F.R. Vol. 40 No. 194, October 6, 1975) or Special Considerations (as specified in 6.0, Appendix P, C.F.R. Vol. 40, No. 194, October 6, 1975) may be approved in writing on a case by case basis by the Department. All of the above references which are available from the Superintendent of Publications, U. S. Government Printing Office, Washington, D.C., are available for review at the District and Subdistrict Offices of this Department. For air pollutant sources where the operator considers the operating procedures, location, or installation of continuous monitoring equipment to be impractical or impossible, any request for special consideration or alternate procedures shall be submitted within six (6) months from the adoption of this Rule, to the District Office in which the source is located. The request must show that the requirements are impractical and/or impossible and that a proposed alternative will provide equivalent data. Sources scheduled to cease operations prior to January 1, 1984, shall be relieved from the requirements of this Rule by providing evidence within eighteen (18) months from the adoption of this Rule that the existing source will cease operations prior to January 1, 1984.

(a) Existing fossil fuel steam generators with more than 250 million BTU per hour heat input and with a capacity factor of greater than 30% for the latest year of record or as otherwise documented to the Department by the owner or operator, shall install continuous monitoring systems as set forth in Subsections (1)(a)1., 2., and 3. below. Any reactivated or previously exempted unit whose operated capacity factor for the previous six (6) months is greater than 30% must install continuous monitoring systems as set forth in Subsections (1)(a)1., 2., and 3. below, no later than twelve (12) months following the previous six (6)

month period of achieving a capacity factor greater than 30%.

1. **Opacity** — All air pollutant sources as set forth in Subsection (1)(a) shall install continuous monitoring systems for monitoring opacity. Exempted are:

a. Sources burning only gas and/or oil which comply with the applicable state visible emission limiting standard without the use of emission control equipment. This exemption may be voided by the Department when a facility has been found to be in violation of any visible emission limiting standard pursuant to administrative proceedings conducted pursuant to Chapter 120, Florida Statutes, or judicial proceedings after the effective date of this Rule. No later than ninety (90) days following the date an order establishing such violation becomes final and enforceable, the Department may require the owner or operator of such a source to submit a compliance schedule for installing continuous opacity monitoring systems. When such a schedule is approved by the Department, the source owner shall install the continuous monitoring systems in accordance with the schedule.

b. Any source of emission using a wet scrubber.

2. **Sulfur dioxide** — All air pollutant sources as set forth in Subsection (1)(a) shall install sulfur dioxide continuous monitoring equipment on sources which have installed sulfur dioxide control equipment.

3. **Nitrogen Oxides** — All new air pollutant sources as set forth in Subsection (1)(a) with more than 1000 million BTU per hour heat input shall during construction install continuous monitoring systems for monitoring nitrogen oxides during construction.

4. **Oxygen or carbon dioxide** — A continuous monitoring system shall be installed at each air pollutant source, as set forth in Subsection (1)(a), where measurements of oxygen or carbon dioxide in the flue gas are utilized to convert either sulfur dioxide or nitrogen oxides continuous emission monitoring data to units of the emission limiting standards for proof of compliance as set forth in 17-2.04(6)e) Table II E.

(b) **Sulfuric Acid Plants** — Plants greater than 300 tons per day production capacity, expressed as 100% acid, shall install continuous monitoring systems for the measurement of sulfur dioxide emissions for each sulfuric acid emission source.

(c) Where two or more sources as set forth in Subsection (1)(a) emit through a common stack, continuous monitoring systems, if required, shall be installed on each source prior to combination of the emission.

(2) **Reporting** — The owners or operators of facilities for which monitoring is required shall submit to the Department a written report of emissions in excess of emission limiting standards as set forth in Table II E for each calendar quarter. The nature and cause of the excessive emissions shall be explained. This report does not relieve the owner or operator of the legal liability for violations. All recorded data shall be maintained on file by the source for a period of two (2) years.

(3) All persons shall provide facilities for continuously determining the input process weight

or input heat when such factors are the basis for limiting standards.

(4) A person responsible for the emission of air pollutants from any source shall, upon request of the Department, provide in connection with such sources and related source operations, such sampling and testing facilities exclusive of instruments and sensing devices as set forth in the Standard Sampling Techniques and Methods of Analysis for the Determination of Air Pollutants from Point Sources, July 1975, as adopted by the Department.

(5) When the Department after investigation has good reason to believe that the provisions of this chapter concerning emission of pollutants are being violated, it may require the person responsible for the source of pollutants to conduct tests which will identify the nature and quantity of pollutant emissions from the source and to provide the results of said tests to the Department. These tests shall be carried out under the supervision of the Department, and at the expense of the person responsible for the source of pollutants.

(6) All analyses and tests shall be conducted in a manner specified by the Department. Results of analyses and tests shall be calculated and reported in a manner specified by the Department.

(7) Analyses and tests for compliance may be performed by the Department at the cost of the person responsible for the emission of air pollutants.

(8) Air Pollutant emissions shall be tested and analyzed in accordance with the Standard Sampling Techniques and Methods of Analysis for the Determination of Air Pollutants from Point Sources, July 1975, as adopted by the Department and as may be amended from time to time by the Department.

Specific Authority 403.061, 403.101 FS. Law Implemented 403.021, 403.031, 403.061, 403.101 FS. History—Revised 1-18-72, Amended 1-3-76, Formerly 17-2.07, Amended 6-8-78.

17-2.09 Local Regulations. Regulations controlling air pollution may be adopted by local governmental authorities provided that such regulations shall not be in conflict herewith or that standards so adopted shall not be less stringent than those established herein.

Specific Authority 403.061, 403.182 FS. Law Implemented 403.021, 403.031, 403.061, 403.182 FS. History—Revised 1-18-72, Formerly 17-2.08, Amended 6-8-78.

17-2.091 Public Comment.

(1) Before any Department construction permit is issued for any source of air pollution, the Department shall provide an opportunity for public comment which shall include as a minimum the following:

(a) Availability for public inspection in at least one location in the district affected, the information, other than confidential records under Section 403.111, Florida Statutes, submitted by the owners or operator and the Department's analysis of the effect of such construction or modification on ambient air quality, including the Department's proposed approval or disapproval.

(b) A 30-day period for submittal of public comment; and

(c) A notice by prominent advertisement in the district affected, specifying the nature and location of the proposed source, whether BACT will be determined and the location of the information specified in Subsection (1) above.

(d) A copy of the notice provided for in Subsection (3) above shall also be sent to the Regional Office of the U.S. Environmental Protection Agency and to all other state and local air pollution control agencies having jurisdiction in the district in which such new or modified installation will be located.

(e) A copy of the notice shall be displayed in the appropriate District, Subdistrict, Branch and Local Program Offices.

Specific Authority 403.061 FS. Law Implemented 403.021, 403.031, 403.061 FS. History—New 11-21-73, Formerly 17-2.09, Amended 6-8-78.

17-2.10 Local Government.

Specific Authority 403.061 FS. Law Implemented 403.021, 403.031, 403.061 FS. History—New 11-21-73, Repealed 6-8-78.

17-2.11 Low Sulfur Fuel Shortage.

Specific Authority 120.041, 403.061 FS. Law Implemented 403.021, 403.031, 403.061, 403.067 FS. History—New 2-8-74, Repealed 6-8-78.

17-2.12 Source Testing Method.

Specific Authority 403.061(7) FS. Law Implemented 403.031, 403.061 FS. History—New 12-28-74, Transferred to 17-2.09(6), Repealed 6-8-78.



STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION
APPLICATION FOR DETERMINATION OF BEST
AVAILABLE CONTROL TECHNOLOGY FOR AIR POLLUTION SOURCES

SOURCE STATUS: () New () Modification

Company Name: _____ County: _____

Source Identification: _____

Source Location: Street: _____ City: _____

UTM: East _____ North _____

Appl. Name and Title: _____

Appl. Address: _____

Appl. Phone: _____

DEPARTMENT USE ONLY

Date Appl. Received: _____

Notice of Receipt:

Newspaper: _____ Date: _____

Florida Administrative Weekly Date: _____

BACT Determination: _____

Declared by Secretary: _____ Date: _____

BACT: _____

NOTICE OF DETERMINATION

Newspaper: _____ Date: _____

Florida Administrative Weekly Date: _____

I. DETAILED DESCRIPTION OF SOURCE

A. Describe the manufacturing process at the facility and the unit operation to be controlled. Discuss the source of emissions, existing control devices, the expected improvement in performance, and state whether the project will result in compliance with ambient air quality standards or applicable PSD increments. Attach additional sheet if necessary.

B. For this source indicate any previous DER permits, orders, and notices; including issuance dates and expiration dates.

C. Raw materials, fuels, and chemicals used:

DESCRIPTION	HOURLY USE	CONTAMINANTS		RELATION TO FLOW DIAGRAM
		TYPE	% WT.	
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

D. Process Rate

1. Total Process Input Rate:

2. Product Output Rate:

3. Operating Time:

a. Hrs./Day:

b. Days/Wk:

c. Wks./Yr.:

d. Seasons:

II. BEST AVAILABLE CONTROL TECHNOLOGY DATA

A. Emission limitations for any pollutants emitted from the source pursuant to 17-2 F.A.C.?

Yes ()

No ()

CONTAMINANT	RATE OR CONCENTRATION
_____	_____
_____	_____
_____	_____
_____	_____

B. Are standards of performance for new stationary sources pursuant to 40 C.F.R. Part 60 applicable to the source?

Yes () No ()

CONTAMINANT

RATE OR CONCENTRATION

_____	_____
_____	_____
_____	_____
_____	_____

C. Has EPA declared the best available control technology for this class of sources? (If yes attach copy)

Yes () No ()

CONTAMINANT

RATE OR CONCENTRATION

_____	_____
_____	_____
_____	_____
_____	_____

D. What emission levels do you propose as best available control technology?

CONTAMINANT

RATE OR CONCENTRATION

_____	_____
_____	_____
_____	_____
_____	_____

E. Describe the existing control and treatment technology (if any)

1. Control Device:

2. Operating Principles:

3. Efficiency:*

5. Useful Life:

7. Energy:

9. Emissions

4. Capital Costs:

6. Operating Costs:

8. Maintenance Cost:

*Explain method of determining E 3 above.
DER Form P&HM 12-2 (Mar 73, Page 3 of 10)

CONTAMINANT	RATE OR CONCENTRATION	
	Before Device	After Device
_____	_____	_____
_____	_____	_____
_____	_____	_____

10. Stack Parameters

- a. Height: Ft.
- b. Diameter: Ft.
- c. Flow Rate: ACFM
- d. Temperature: °F
- e. Velocity: FPS

F. Describe the control and treatment technology available (As many types as applicable, use additional pages if necessary)

1.

- a. Control Device:
- b. Operating Principles:
- c. Efficiency:
- d. Capital Cost:
- e. Life:
- f. Operating Cost:
- g. *Energy:
- h. Maintenance Cost:
- i. Availability of construction materials and process chemicals:
- j. Applicability to manufacturing processes:
- k. Ability to construct with control device, install in available space, and operate within proposed levels:

2.

- a. Control Device:
- b. Operating Principles:
- c. Efficiency:
- d. Capital Cost:
- e. Life:
- f. Operating Cost:
- g. Energy:
- h. Maintenance Costs:
- i. Availability of construction materials and process chemicals:
- j. Applicability to manufacturing processes:
- k. Ability to construct with control device, install in available space, and operate within proposed levels:

*Energy to be reported in units of electrical power - KWH design rate.

3.

- a. Control Device:
- b. Operating Principles:

- c. Efficiency:
- d. Capital Cost:
- e. Life:
- f. Operating Cost:
- g. Energy:
- h. Maintenance Cost:
- i. Availability of construction materials and process chemicals:
- j. Applicability to manufacturing processes:
- k. Ability to construct with control device, install in available space, and operate within proposed levels:

4.

- a. Control Device:
- b. Operating Principles:

- c. Efficiency:
- d. Capital Cost:
- e. Life:
- f. Operating Cost:
- g. Energy:
- h. Maintenance Cost:
- i. Availability of construction materials and process chemicals:
- j. Applicability to manufacturing processes:
- k. Ability to construct with control device, install in available space, and operate within proposed levels:

G. Describe the control technology selected:

1. Control Device:
2. Efficiency:
3. Capital Cost:
4. Life:
5. Operating Cost:
6. Energy:
7. Maintenance Cost:
8. Manufacturer:
9. Other locations where employed on similar processes:
 - a.
 - (1) Company:
 - (2) Mailing Address:
 - (3) City:
 - (4) State:
 - (5) Environmental Manager:
 - (6) Telephone No.:
 - (7) Emissions:

DER Form PEHM 12-2 (Mar 78) Page 5 of 10

CONTAMINANT	RATE OR CONCENTRATION
_____	_____
_____	_____
_____	_____
_____	_____

(8) Process Rate:

b.

(1) Company:

(2) Mailing Address:

(3) City:

(4) State:

(5) Environmental Manager:

(6) Telephone No.:

(7) Emissions:

CONTAMINANT	RATE OR CONCENTRATION
_____	_____
_____	_____
_____	_____
_____	_____

(8) Process Rate:

c.

(1) Company:

(2) Mailing Address:

(3) City:

(4) State:

(5) Environmental Manager:

(6) Telephone No.:

(7) Emissions:

CONTAMINANT	RATE OR CONCENTRATION
_____	_____
_____	_____
_____	_____
_____	_____

(8) Process Rate:

d

(1) Company:

(2) Mailing Address:

(3) City:

(4) State:

(5) Environmental Manager:

(6) Telephone No.:

(7) Emissions:

CONTAMINANT

RATE OR CONCENTRATION

CONTAMINANT	RATE OR CONCENTRATION
_____	_____
_____	_____
_____	_____
_____	_____

(8) Process Rate:

e.

(1) Company:

(2) Mailing Address:

(3) City:

(4) State:

(5) Environmental Manager:

(6) Telephone No.:

(7) Emissions:

CONTAMINANT

RATE OR CONCENTRATION

CONTAMINANT	RATE OR CONCENTRATION
_____	_____
_____	_____
_____	_____
_____	_____

(8) Process Rate:

10. Reason for selection and description of systems:

11. Emissions:

CONTAMINANT	RATE OR CONCENTRATION
_____	_____
_____	_____
_____	_____
_____	_____

12. Stack Parameters:

- a. Height: Ft.
- b. Diameter: Ft.
- c. Flow Rate: CFM
- d. Temperature: °F
- e. Velocity: FPS

13. Fuels:

TYPE	HOURLY USE*		HOURLY HEAT INPUT MILLION BTU/HR.	
	AVG.	MAX.	AVG.	MAX.
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

TYPE	DENSITY	%S	%N	%ASH
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

*Gaseous: Cu. Ft./Hr.; Liquid & Solid: Lbs./Hr.

14. Wastes generated, disposal method, cost of disposal:

- H. Discuss the social impact of the selected technology versus other applicable technologies. (i.e. jobs, payroll, production, taxes, energy, etc.)
Include assessment of the environmental impact of the sources.

III. ADDITIONAL ATTACHED INFORMATION

- A. Show derivation of total process input rate and product weight.
- B. Show derivation of efficiency estimation.
- C. An 8½" x 11" flow diagram which will, without revealing trade secrets, identify the individual operations and/or processes. Indicate where raw materials enter, where solid and liquid waste exist, where gaseous emissions and/or airborne particles are evolved and where finished products are obtained.
- D. An 8½" x 11" plot plan showing the exact location of manufacturing processes and outlets for airborne emissions. Relate all flows to the flow diagram.
- E. An 8½" x 11" plot plan showing the exact location of the establishment, and points of airborne emissions in relation to the surrounding area, residences and other permanent structures and roadways.
- F. Attach all scientific, engineering, and technical material, reports, publications, journals, and other competent relevant information describing the theory and application of the requested best available control technology.



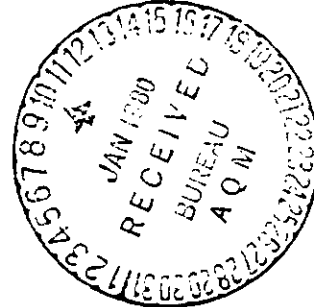
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IV

345 COURTLAND STREET
ATLANTA, GEORGIA 30308

JAN 4 1980

REF: 4AH-AF



Mr. Steve Smallwood, Chief
Bureau of Air Quality Management
Division of Environmental Programs
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, FL 32301

Re: EPA #PSD-FL-047

Dear Mr. Smallwood:

Enclosed for your review and comment are the Public Notice and Preliminary PSD Determination for the Florida Power and Light Corporation's modification of the Sanford Power Plant Unit No. 4 to be fired with a coal/oil mixture. The public notice will appear in a local newspaper in the near future.

Please let my office know if you have comments or questions regarding this determination. You may contact Frank Collins of my staff at 404/881-4552 or Jeffrey L. Shumaker of TRW Inc. at 919/541-9100. TRW Inc. is under contract to EPA, and TRW personnel are acting as authorized representatives of the Agency in providing aid to the Region IV PSD review program.

Sincerely yours,

Tommie A. Gibbs
Chief
Air Facilities Branch

PUBLIC NOTICE

An existing air pollution source is proposed to be modified by the Florida Power and Light Company at their plant near the City of Sanford in Volusia County. Emitting facilities in the modification at the Sanford Power Plant Unit No. 4 are to be fired with a coal-oil mixture rather than fuel oil for a test period not to exceed 365 days.

The proposed modification has been reviewed by the U. S. Environmental Protection Agency (EPA) under Federal Prevention of Significant Deterioration Regulations (40 CFR 52.21). EPA has made a Preliminary Determination that the modification can be approved provided certain conditions are met. A summary of the basis for this determination and the conditions for a permit for Florida Power and Light Company are available for public review in the Office of the County Controller in the Volusia County Courthouse Annex, Daytona Beach, Florida.

The allowable emissions from this modification are included in the EPA Preliminary Determination.

Any person may submit written comments to EPA regarding the proposed modification. All comments, postmarked not later than 30 days from the date of this notice, will be considered by EPA in making a Final Determination regarding approval for construction of this source. These comments will be made available for public review at the above location.

Public Notice
Page 2.

Furthermore, a public hearing can be requested by any person. Such requests should be submitted within 15 days of the date of this notice. Letters should be addressed to:

Mr. Tommie A. Gibbs, Chief
Air Facilities Branch
U. S. Environmental Protection Agency
345 Courtland Street, NE
Atlanta, Georgia 30308

Preliminary Determination

I. Applicant

Florida Power and Light Company
P. O. Box 529100
Miami, Florida 33152

II. Location

The proposed modification is to a plant located off U.S. Highway 17-92 in Volusia County, Florida. The UTM coordinates of the proposed modification are 468310 east and 3190380 north.

III. Project Description

The applicant proposes to modify the method of operating the existing Sanford Power Plant Unit No. 4 by firing the steam generator (3600 million Btu per hour boiler) with a coal-oil mixture rather than the previously fired fuel oil. The weight ratio of bituminous coal to residual fuel oil fed to the boiler will vary from zero to a maximum of one.

It is important to note that the modification is to be temporary. Normal operation is being modified to assess the feasibility of coal/oil firing, and this modified firing "test" will not exceed the equivalent of 120 days at maximum capacity (3600 Mbtu/hr; 400 megawatts) within a one-year maximum "test" period.

IV. Source Impact Analysis

The modification increases this steam generating unit's potential emissions of particulate matter (TSP) by greater than 100 tons per year as shown in Table I. Therefore, preconstruction review is required under Federal Prevention of Significant Deterioration (PSD) Regulations (40 CFR 52.21). Full PSD review includes an analysis of the following:

1. Best Available Control Technology (BACT);
2. National Ambient Air Quality Standards (NAAQS) Impact;
3. Increment Impact;
4. Soils, Vegetation and Visibility Impacts;
5. Growth Impacts; and
6. Class I Area Impact.

TABLE I
EMISSIONS SUMMARY
(Tons/Yr)

	<u>TSP</u>	<u>SO₂</u>	<u>NO_x</u>	<u>CO</u>
Previously Permitted Emissions ^a	5,361	41,010	(11,515)	(561)
Proposed Potential Emissions ^b	8,120	14,232	3,783	192
Net Increase in Potential Emissions	2,759	None	None	None
Proposed Allowable Emissions	8,120	c	c	c

- a. TSP and SO₂ are based on SIP and variance requirements (2.5% S fuel oil, 8760 hr/yr, 0.34 lb TSP/MM Btu). NO_x and CO limits are not included in state permits. Actual emissions of NO_x and CO are estimated from AP-42 factors.
- b. Based on proposed worst case conditions (2880 hours of operation, 3600 MM Btu/hr, 50/50 coal-oil firing, and 60% collection of TSP in an existing cyclone collector). TSP collection in the cyclone was included in the potential emissions estimate because it is existing and will not be affected by the modification. Additional controls are considered in the BACT analysis.
- c. The modification will not increase potential emissions of these pollutants by greater than 100 T/yr. Therefore, PSD review does not apply.

Modifications such as this which have allowable emissions which exceed 50 tons per year, generally require full PSD review. However, this modification is temporary, as explained previously, and consistent with Paragraph (k) of the PSD regulation, the modification is exempt from air impact analyses providing that emissions impact no Class I area or area where the increment is known to be violated. The modification is located greater than 100 kilometers from the nearest Class I area. Further, no areas of known increment violations will be impacted, therefore, PSD review for this modification is limited to a BACT analysis.

A. BACT Analysis

The applicant proposes only to maintain the existing multicyclone collectors as BACT for TSP from the boiler. No additional controls are to be constructed at this time. The applicant contends and EPA agrees that construction of additional equipment such as a baghouse or an electrostatic precipitator (ESP) is unwarranted for this temporary modification.

The BACT determination in this case is based on two major considerations. First, purchasing and installing an alternate control device will require at least two years. This delay must be weighed against the urgency of finding innovative alternate fuel capabilities which the combined oil-coal firing represents. Second, the cost of a high technology device such as an ESP or a baghouse is excessive considering that the costs (16 to 30 million dollars) would be amortized over only the one-year test period. This cost penalty would be offset if the test is successful and subsequent permanent modifications are made. However, this is a different case than the proposed modification and a permanent modification will be subject to separate consideration for applicability and review under the PSD regulation.

Emissions of particulate also emanate from the coal and fly ash handling and transfer facilities. BACT for these sources is proposed by the applicant and accepted by EPA as outlined in Table II.

TABLE II
BACT FOR FUGITIVE TSP SOURCES

Bottom Ash	Transfer to disposal by sluicing.
Fly Ash	Transfer to disposal or sale by sluicing or a closed loop pneumatic conveying system.
Coal Storage	Compacting and water spraying.
Coal Transfer	Purchase of washed coal.
Coal Pulverizer	Cyclone primary collectors and <u>baghouse filters</u> (99+% control) on pneumatic conveying air.

As with the boiler, more costly control equipment for fugitive TSP sources was determined not to be warranted as BACT for this temporary modification.

BACT for pollutants other than TSP also are not required because potential emissions do not exceed 100 tons per year and PSD review for these pollutants does not apply.

V. Conclusion

EPA Region IV proposes a preliminary determination of approval with conditions for the modification of Florida Power and Light, Sanford Unit No. 4. This determination is based on the information contained in the application received on December 14, 1979. The conditions set forth in the permit are as follow:

1. The modification will be constructed in accordance with the capacities and specifications presented in the application (PSD-FL-047) except as otherwise required in the conditions of this permit. This specifically includes a maximum firing rate of 3600 million Btu's per hour for the boiler.
2. Combined coal-oil firing of Unit No. 4 is permitted for a period of not more than 365 consecutive calendar days starting with the first day that the coal-oil mixture is fired in the unit. In addition, the heat value of the total quantity of fuel fired in the unit within this period shall not exceed 1.04×10^{13} Btu's. Further, the quantity and types and heat values of fuels burned during this period will be monitored continuously and recorded in a log on a daily basis for the purposes of determining compliance with this condition.
3. The maximum allowable particulate emissions limits from the modified Unit No. 4 are 5639 pounds per hour and 1.57 pounds per million Btu's. Maximum allowable limits for other pollutants and opacity will remain in the existing state permit for this facility.

4. Compliance with the allowable emissions limit for TSP will be determined with performance tests carried out in accordance with EPA standard methods (Method 5 for TSP) and the applicable provisions of 40 CFR Part 60.46 and Part 60.8.
5. The applicant will notify EPA Region IV in writing within 10 days of the date which ends the 365 day "test" period referred to in Condition 2 of this permit. Such notification will also include certification that the operations approved in this permit have been discontinued.
6. The applicant will control fugitive emissions of TSP by implementing the practices and techniques outlined in Table II of the determination for each source of fugitive TSP.
7. The applicant will comply with the provisions of the attached general conditions.

GENERAL CONDITIONS

1. The permittee shall notify the permitting authority in writing of the beginning of construction of the permitted source within 30 days of such action and the estimated date of start-up of operation.
2. The permittee shall notify the permitting authority in writing of the actual start-up of the permitted source within 30 days of such action and the estimated date of demonstration of compliance as required in the specific conditions.
3. Each emission point for which an emission test method is established in this permit shall be tested in order to determine compliance with the emission limitations contained herein within sixty (60) days of achieving the maximum production rate, but in no event later than 180 days after initial start-up of the permitted source. The permittee shall notify the permitting authority of the scheduled date of compliance testing at least thirty (30) days in advance of such test. Compliance test results shall be submitted to the permitting authority within forty-five (45) days after the complete testing. The permittee shall provide (1) sampling ports adequate for test methods applicable to such facility, (2) safe sampling platforms, (3) safe access to sampling platforms, and (4) utilities for sampling and testing equipment.
4. The permittee shall retain records of all information resulting from monitoring activities and information indicating operating parameters as specified in the specific conditions of this permit for a minimum of two (2) years from the date of recording.
5. If, for any reason, the permittee does not comply with or will not be able to comply with the emission limitations specified in this permit, the permittee shall provide the permitting authority with the following information in writing within five (5) days of such conditions:
 - (a) description of noncomplying emission(s),
 - (b) cause of noncompliance,
 - (c) anticipated time the noncompliance is expected to continue or, if corrected, the duration of the period of noncompliance,
 - (d) steps taken by the permittee to reduce and eliminate the noncomplying emission,and
 - (e) steps taken by the permittee to prevent recurrence of the noncomplying emission.

Failure to provide the above information when appropriate shall constitute a violation of the terms and conditions of this permit. Submittal of this report does not constitute a waiver of the emission limitations contained within this permit.

6. Any change in the information submitted in the application regarding facility emissions or changes in the quantity or quality of materials processed that will result in new or increased emissions must be reported to the permitting authority. If appropriate, modifications to the permit may then be made by the permitting authority to reflect any necessary changes in the permit conditions. In no case are any new or increased emissions allowed that will cause violation of the emission limitations specified herein.
7. In the event of any change in control or ownership of the source described in the permit, the permittee shall notify the succeeding owner of the existence of this permit by letter and forward a copy of such letter to the permitting authority.
8. The permittee shall allow representatives of the State environmental control agency or representatives of the Environmental Protection Agency, upon the presentation of credentials:
 - (a) to enter upon the permittee's premises, or other premises under the control of the permittee, where an air pollutant source is located or in which any records are required to be kept under the terms and conditions of the permit;
 - (b) to have access to and copy at reasonable times any records required to be kept under the terms and conditions of this permit, or the Act;
 - (c) to inspect at reasonable times any monitoring equipment or monitoring method required in this permit;
 - (d) to sample at reasonable times any emission of pollutants;and
 - (e) to perform at reasonable times an operation and maintenance inspection of the permitted source.
9. All correspondence required to be submitted by this permit to the permitting agency shall be mailed to the:

Chief, Air Facilities Branch
Air and Hazardous Materials Division
U.S. Environmental Protection Agency
Region IV
345 Courtland Street
Atlanta, Georgia 30308
10. The conditions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

The emission of any pollutant more frequently or at a level in excess of that authorized by this permit shall constitute a violation of the terms and conditions of this permit.

December 28, 1979

To Whom it May Concern:-

This is to certify that the attached Public Notice appeared in the December 26, 1979, issue of The Evening Herald, a newspaper published by The Sanford Herald, Inc., at Sanford, Seminole County, Florida.

Signed Wayne D. Doyle
Wayne D. Doyle, Publisher

Sworn to and subscribed before me this 28th day of December, 1979.

Robert [Signature]
Notary Public

Notary Public, State of Florida
My commission expires June 12, 1983
Bonded with Lawyers Surety Corp.

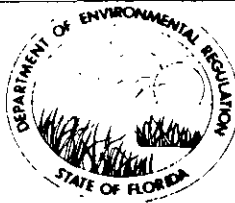
Public Notice

Construction Permit

The Florida Department of Environmental Regulation (DER) has received an application from and intends to issue a Construction Permit to the Florida Power and Light Company for the construction of a coal pulverizer at the Sanford Power Plant located on Barwick Road, Sanford, Volusia County, Florida. Information of Best Available Control Technology is required. Copies of the Technical Evaluation and Construction Permit are available for inspection at the following locations:

- St. Johns River Water Control District
- Office of DER
- 3319 Main Street, Suite 200
- Orlando, Florida 32807
- Bureau of Air Quality
- 2000 North 1st Street, Suite 200
- Tallahassee, Florida 32301
- Seminole County Courthouse
- 100 N. Park Street
- Sanford, Florida 32771

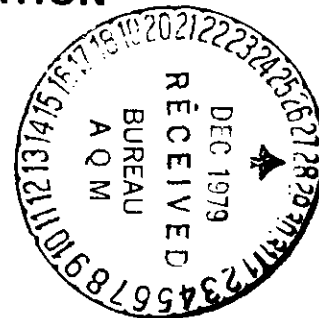
Persons wishing to comment on this action shall submit comments to Mr. Bill Thomas, of the Tallahassee Office within 30 days of this notice.



STATE OF FLORIDA

DEPARTMENT OF ENVIRONMENTAL REGULATION

W. J. Barrow
Florida Power and Light Company
P. O. Box 529100
Miami, Florida 33152



Dear Buzz:

In accordance with your conversation of December 12, 1979, with Vicki Tschinkel, Steve Smallwood and I re construction of a coal handling facility at your Sanford plant. It was agreed that preliminary work, including installation of a culvert under a new road, driving of pilings and pouring of a concrete pad could begin as soon as necessary. This letter does not authorize operation of any coal pulverizing equipment prior to issuance of an air construction permit. It is also my understanding that no coal will be delivered to the site prior to permit issuance.

Any work done at the site is done wholly at the company's risk. In addition should any formal action be instituted by a third party relative to this work, construction of the facility must be halted.

If you have any questions in this regard, please feel free to call.

Sincerely,

A handwritten signature in cursive script that reads "Mary".

Mary F. Clark
Assistant General Counsel

MFC/dg

cc: William H. Green
Steve Smallwood
Victoria Tschinkel
David Gluckman
Alex Senkevich
Charles Collins