


Florida Department of
Environmental Protection

Memorandum

BAR

TO: Howard L. Rhodes
FROM: Clair H. Fancy 
DATE: May 28, 1999
SUBJECT: **FINAL Permit No.:** 1270028-001-AV
Florida Power Corporation, DeBary Facility

This permit is for the initial Title V air operation permit for the subject facility. This facility consists of six peaking combustion turbines which are fired with new No. 6 or new No. 2 fuel oil and four combustion turbines which are fired with new No. 2 fuel oil and/or natural gas. The four combustion turbines are regulated under Acid Rain, Phase II and NSPS - 40 CFR 60, Subpart GG, Standards of Performance for Stationary Gas Turbines.

We received an objection from Region 4, U.S. EPA, on February 26, regarding the PROPOSED permit. The objection issues were related to periodic monitoring. **USEPA's concerns have been satisfied.**

CHF/sms

STATEMENT OF BASIS

Florida Power Corporation
DeBary Facility
Facility ID No.: 1270028
Volusia County

Initial Title V Air Operation Permit
FINAL Permit No.: 1270028-001-AV

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

This facility consists of six peaking combustion turbines which are fired with new No. 6 or new No. 2 fuel oil and four combustion turbines which are fired with new No. 2 fuel oil and/or natural gas.

The latter four combustion turbines (P7, P8, P9, P10) are each 92.9 megawatt simple cycle units manufactured by General Electric (Model PG7111EA). The units are fired with natural gas and/or new No. 2 fuel oil containing an average of 0.3 percent (%) sulfur. Annual hours of operation are limited to an equivalent of 3,390 or less based on a sliding scale related to the fuel sulfur content. Control measures and equipment consists of firing relatively clean fuel, good combustion practices, and water injection.

Combustion Turbine Unit Nos. 7-10 are not intended to be continuously operated units. Each CT is regulated under Acid Rain, Phase II and NSPS - 40 CFR 60, Subpart GG, Standards of Performance for Stationary Gas Turbines. Except for NO_x, air pollutant emissions are dependent on the quality of the fuel burned in the units, and on good combustion. NO_x emissions are controlled by water injection. As stated in the BACT determination, PM/PM₁₀, CO, and VOC are controlled by combustion design and the combustion of clean fuels. The units burn natural gas and/or new No. 2 fuel oil. SO₂ emissions are controlled by restrictions on sulfur content in the fuel oil. The new No. 2 fuel oil's sulfur content by weight shall not exceed 0.30 percent average, based upon a weighted 12 month rolling average, and 0.5 percent maximum. Sulfur content is verified by fuel analysis. FPC has provided a synopsis of compliance tests from 1992 - 1998 (see attachment dated May 11, 1999) showing results below allowable emissions. Based on the test results and the above justification, the Department feels that periodic monitoring is satisfied.

STATEMENT OF BASIS
Florida Power Corporation
DeBary Facility
FINAL Permit No.: 1270028-001-AV
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The Department has determined that the appropriate VE testing frequency for the ten combustion turbines is a VE test upon exceeding 400 hours of operation on fuel oil in any given federal fiscal year (October 1 through September 30). This frequency is justified by the low historical operational use of fuel oil for these units and the previous VE tests which documented compliance while firing fuel oil. Moreover, no Method 9 tests since 1993 on these ten units have resulted in an opacity measurement greater than 5% and, out of 43 separate VE compliance tests on these units, the results of 33 of these tests (78 percent) were zero percent opacity. Regarding hours of operation, units P1-P6 had not exceeded 400 hours on oil in a year (going all the way back to 1993) until the summer of 1998. All electric generating units, not only within FPC's system, but state-wide, operated at record levels during the summer of 1998. The hours of operation for P7-P10 have historically been higher, however, these units are newer and more efficient. Further, FPC has converted two of these units to natural gas (P7 and P9) and has a construction permit that allows for the conversion of P8 and P10 to gas. After the conversions of P7 and P9 to gas in 1997, it can be seen that the hours of operation on oil have decreased dramatically. FPC expects the same trend following conversions to P8 (scheduled for completion by May 1999) and P10.

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

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

Based on the initial Title V permit application received June 14, 1996, this facility is a major source of hazardous air pollutants (HAPs).

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF FINAL PERMIT

In the Matter of an
Application for Permit by:

Mr. W. Jeffrey Pardue, C.E.P.
Director of Environmental Services
Florida Power Corporation
3201 34th Street South
St. Petersburg, Florida 33711

FINAL Permit No.: 1270028-001-AV
DeBary Facility

Enclosed is FINAL Permit Number 1270028-001-AV for the operation of the DeBary Facility located at 788 West Highbanks Road, DeBary, Volusia County, issued pursuant to Chapter 403, Florida Statutes (F.S.).

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

Executed in Tallahassee, Florida.



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

CERTIFICATE OF SERVICE

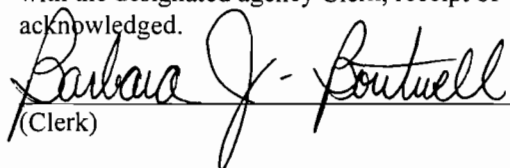
The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF FINAL PERMIT (including the FINAL permit) was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on 6/14/99 to the person(s) listed or as otherwise noted:

Mr. W. Jeffrey Pardue, C.E.P., FPC*
Mr. Scott H. Osbourn, FPC
Mr. Kennard F. Kosky, P.E., Golder Associates, Inc.
Mr. Len Kozlov, CD
Ms. Carla E. Pierce, USEPA, Region 4 (INTERNET E-mail Memorandum)
Ms. Gracy R. Danois, USEPA, Region 4 (INTERNET E-mail Memorandum)

Clerk Stamp

6/14/99
cc: Reading File
Wendy Alexander

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


(Clerk) 6/14/99
(Date)

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

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

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

- 1. Addressee's Address
- 2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:
 Mr. W. Jeffrey Pardue, C.E.P.
 Director of Environmental
 Services
 Florida Power Corporation
 3201 34th Street South
 St. Petersburg, Florida 33711

4a. Article Number
 P 263 585 225

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

7. Date of Delivery **JUN 16 1999**

5. Received By: (Print Name)

Dana Clark

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

6. Signature: (Addressee or Agent)

X

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PS Form 3811 December 1994

Domestic Return Receipt

P 263 585 225

US Postal Service

Receipt for Certified Mail

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 Mr. W. Jeffrey Pardue
 Street & Number
 3201 34th Street South
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 St. Petersburg, FL 33711

Postage	\$
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TOTAL Postage & Fees	\$

Postmark or Date 6/14/99
 Florida Power Corp.-DeBar
 Facility ID#1270028-001-AV

PS Form 3800, April 1995

FINAL PERMIT DETERMINATION

Permit No.: 1270028-001-AV

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Comments were received from USEPA and the PROPOSED Title V permit was changed. The comments were not considered significant enough to reissue a DRAFT Title V permit and require another public notice. The changes made are shown below.

I. USEPA Objection Issues.

1. Periodic Monitoring: The permit does not require sufficient periodic monitoring to ensure compliance with the applicable opacity standard. The permit for FPC-DeBary only requires an annual one hour Method 9 visible emissions reading. In most cases, this does not constitute adequate periodic monitoring to ensure continuous compliance with the opacity standard. The permit must require that the source conduct visible emissions observations on a daily basis when burning fuel oil, or a technical demonstration must be included in the statement of basis explaining why the State has chosen not to require any additional visible emissions testing. The demonstration needs to identify the rationale for basing the compliance certification on data from a short-term test performed once a year.

RESPONSE: Florida Power Corporation provided test data to justify the frequency of testing contained in the permit. A summary of the data is provided in the statement of basis. Further, a permitting note is added to clarify the testing frequency for the turbines.

The following language is added to the Statement of Basis:

The Department has determined that the appropriate VE testing frequency for the ten combustion turbines is a VE test upon exceeding 400 hours of operation on fuel oil in any given federal fiscal year (October 1 through September 30). This frequency is justified by the low historical operational use of fuel oil for these units and the previous VE tests which documented compliance while firing fuel oil. Moreover, no Method 9 tests since 1993 on these ten units have resulted in an opacity measurement greater than 5% and, out of 43 separate VE compliance tests on these units, the results of 33 of these tests (78 percent) were zero percent opacity. Regarding hours of operation, units P1-P6 had not exceeded 400 hours on oil in a year (going all the way back to 1993) until the summer of 1998. All electric generating units, not only within FPC's system, but state-wide, operated at record levels during the summer of 1998. The hours of operation for P7-P10 have historically been higher, however, these units are newer and more efficient. Further, FPC has converted two of these units to natural gas (P7 and P9) and has a construction permit that allows for the conversion of P8 and P10 to gas. After the conversions of P7 and P9 to gas in 1997, it can be seen that the hours of operation on oil have decreased dramatically. FPC expects the same trend following conversions to P8 (scheduled for completion by May 1999) and P10.

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The following “permitting note” is inserted following conditions A.14 and B.36,

Permitting Note: The owner or operator shall conduct testing for visible emissions while firing fuel oil for each combustion turbine upon that turbine’s exceeding 400 hours of operation on fuel oil in any given federal fiscal year (October 1 through September 30). Regardless of the number of hours of operation on fuel oil, at least one compliance test shall be conducted on all ten combustion turbines every five years, coinciding with the term of the operation permit for these turbines.

2. Periodic Monitoring: The permit does not require sufficient periodic monitoring to ensure compliance with the applicable SO₂, PM/PM10, CO, and VOC, limits in Section III, subsection B. The FPC- DeBary permit only requires testing once every year for these pollutants. This monitoring scheme does not appear to constitute adequate periodic monitoring to ensure compliance with the limits contained in the permit. In order for infrequent testing to be approved as the periodic monitoring method for this facility, the State must provide a technical demonstration that no additional monitoring is warranted to ensure compliance with the limits listed above. The demonstration needs to identify the rationale for basing the compliance certification on data from a short-term test performed once a year. If it is determined that additional monitoring is necessary to ensure compliance with the permit conditions, more frequent testing requirements must be included in the permit.

RESPONSE: Combustion Turbine Unit Nos. 7-10 are not intended to be continuously operated units. Each CT is regulated under Acid Rain, Phase II and NSPS - 40 CFR 60, Subpart GG, Standards of Performance for Stationary Gas Turbines. Except for NOx emissions, air pollutant emissions are dependent on the quality of the fuel burned in the units and good combustion. NOx emissions are controlled by water injection. As stated in the BACT determination, PM/PM10, CO, and VOC are controlled by combustion design and the combustion of clean fuels. SO₂ emissions are controlled by the firing of low sulfur fuel oil. Sulfur content is verified by fuel analysis.

Also, FPC has provided a synopsis of compliance tests from 1992 – 1998 (see attachment dated May 11, 1999) showing results well below allowable emissions. Based on the test results and the above justification, the Department feels that periodic monitoring is satisfied.

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The following language is added to the Statement of Basis:

Combustion Turbine Unit Nos. 7-10 are not intended to be continuously operated units. Each CT is regulated under Acid Rain, Phase II and NSPS - 40 CFR 60, Subpart GG, Standards of Performance for Stationary Gas Turbines. Except for NO_x, air pollutant emissions are dependent on the quality of the fuel burned in the units and good combustion. NO_x emissions are controlled by water injection. As stated in the BACT determination, PM/PM₁₀, CO, and VOC are controlled by combustion design and the combustion of clean fuels. The units burn natural gas and/or new No. 2 fuel oil. SO₂ emissions are controlled by restrictions on sulfur content in the fuel oil. The new No. 2 fuel oil's sulfur content by weight shall not exceed 0.30 percent average, based upon a weighted 12 month rolling average, and 0.5 percent maximum. Sulfur content is verified by fuel analysis. FPC has provided a synopsis of compliance tests from 1992 – 1998 (see attachment dated May 11, 1999) showing results below allowable emissions. Based on the test results and the above justification, the Department feels that periodic monitoring is satisfied.

3. Periodic Monitoring: Section III, subsection B, condition B.19 establishes that a one hour opacity test with values no greater than 10%, may serve as the annual particulate test. In order for this to be approved as periodic monitoring for PM, the permit or the statement of basis must contain a technical demonstration of the correlation between these two parameters and the methodology that the source will follow to assess compliance with the particulate matter standard in this permit.

RESPONSE: Combustion Turbine Unit Nos. 7-10 are not intended to be continuously operated units. As stated in the BACT determination, particulate matter is controlled by combustion design and the combustion of clean fuels. The units burn natural gas and/or new No. 2 fuel oil. The PSD permit established a 10% limit at full load, otherwise a 20% limit applies. The permit is clarified that any CT with visible emissions greater than 10% at full load requires a particulate matter test. Condition number **B.19.** is hereby changed:

From:

B.19. A one hour opacity test for each CT with opacity values no greater than 10%, may serve as the annual particulate test. If however, opacity values are over 10% and less than 20%, then a Method 5 or Method 17 particulate test must be conducted on one CT to prove compliance with the particulate standard. The CT chosen for the Method 5 or Method 17 test, must be the one that exceeded the 10% opacity limit by the greatest amount. [AO64-233544]

To:

B.19. A one hour opacity test for each CT with opacity values no greater than 10% at full load, may serve as the annual particulate matter test. If however, opacity values from any CT are over 10% at full load, then a Method 5 or Method 17 particulate test must be conducted on the CT(s) to prove compliance with the particulate matter standard.

[PSD-FL-167]

FINAL PERMIT DETERMINATION

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Also, FPC has provided a synopsis of compliance tests from 1992 – 1998 (see attachment dated May 11, 1999) showing results well below allowable emissions. Based on the test results and the changed testing requirement above, the Department feels that periodic monitoring is satisfied.

4. Missing Applicable Requirement: Section III, subsection B, condition B.8, does not appear to ensure compliance with 40 CFR § 60.333(a). The permit must include the requirements contained in 40 CFR § 60.333(a), or the statement of basis must include an explanation of why this portion of the regulations do not apply to this facility.

RESPONSE: USEPA retracted this comment.

5. Credible Evidence: Section III, subsection B, condition B.25, appear to limit the type of information that may be used to evaluate the compliance status of this facility. The source should be aware that any credible evidence may be used to ensure compliance and for enforcement associated with the title V permit. Although the intent of this provision is to specify the applicable test methods to be used, it could be misconstrued to be the exclusive means of determining compliance with the applicable emission limits. As EPA has previously explained, the reference test methods are to be used as test methods of reference against which other data will be measured. Thus, the reference test methods will be used as the standard for determining credibility and precision of other emissions data and measurements, but not as the sole means of determining compliance. In an effort to clarify that such permit conditions are not meant to limit the use of any credible evidence, the statement of basis must include the following language:

"This permit contains provisions which require specific test methods or procedures be used as a demonstration of compliance with permit limits, but are not intended as the only means of demonstrating or certifying compliance with permit limits. No provision in this permit precludes the use of any credible evidence for compliance and enforcement purposes."

RESPONSE: Due to the federal rule change, Condition B.25. is hereby changed:

From:

B.25. Compliance with standards in 40 CFR 60, other than opacity, shall be determined only by performance tests established by 40 CFR 60.8, unless otherwise specified in the applicable standard.
[40 CFR 60.11(a)]

To:

B.25. Compliance with standards in 40 CFR 60, other than opacity, shall be determined in accordance with performance tests established by 40 CFR 60.8, unless otherwise specified in the applicable standard.
[40 CFR 60.11(a)]

FINAL PERMIT DETERMINATION

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Also, due to the federal rule change, the following new condition is inserted after condition B.26.:

B.27. Credible Evidence. For the purpose of submitting compliance certifications or establishing whether or not a person has violated or is in violation of any standard in 40 CFR 60, nothing in 40 CFR 60 shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test or procedure had been performed.

[40 CFR 60.11(g)].

II. General Comments

1. Section III, subsection B, condition B.4: Please add the appropriate regulatory citation to this condition. If the condition stems from the BACT determination, the date of the determination should also be cited.

RESPONSE: The condition originates from the air construction permit referenced. No change is made.

2. Section III, subsection B, condition B.7: If this condition also assures compliance with 40 CFR § 60.332, the appropriate citation needs to be added to the condition.

RESPONSE: This condition also assures compliance with 40 CFR 60.332. The federal NSPS regulatory citation is added to the condition.

III. DEP Changes

1. The effective date, renewal due date, and expiration dates are changed.

2. USEPA's address and telephone numbers are changed.

3. The acid rain allowance table is expanded due to the date changes.

IV. Conclusion.

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

Florida Power Corporation
DeBary Facility
Facility ID No.: 1270028
Volusia County

Initial Title V Air Operation Permit
FINAL Permit No.: 1270028-001-AV

Permitting Authority:

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

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

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

Compliance Authority

Central District Office
3319 Maguire Boulevard, Suite 232
Orlando, FL 32803-3767
Telephone: 407/894-7555
Fax: 407/897-2966

Initial Title V Air Operation Permit
FINAL Permit No.: 1270028-001-AV

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Jeb Bush
Governor

Department of Environmental Protection

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

David B. Struhs
Secretary

Permittee:

Florida Power Corporation
3201 34th Street South
St. Petersburg, FL 33711

FINAL Permit No.: 1270028-001-AV

Facility ID No.: 1270028

SIC Nos.: 49

Project: Initial Title V Air Operation Permit

This permit is for the operation of the DeBary Facility. This facility is located at 788 West Highbanks Road, DeBary, Volusia; UTM Coordinates: Zone 17, 467.5 km East and 3197.2 km North; Latitude: 28° 54' 17" North and Longitude: 81° 19' 55" West.

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

Referenced attachments made a part of this permit:

Appendix I-1, List of Insignificant Emissions Units and/or Activities
APPENDIX TV-1, TITLE V CONDITIONS (version dated 12/02/97)
APPENDIX SS-1, STACK SAMPLING FACILITIES (version dated 10/07/96)
TABLE 297.310-1, CALIBRATION SCHEDULE (version dated 10/07/96)
FIGURE 1 - SUMMARY REPORT-GASEOUS AND OPACITY EXCESS EMISSION
AND MONITORING SYSTEM PERFORMANCE REPORT (version dated 7/96)
Phase II Acid Rain Application/Compliance Plan received 12/22/95
ORDER EXTENDING PERMIT EXPIRATION DATE dated 10/06/98

Effective Date: January 1, 2000

Renewal Application Due Date: July 5, 2004

Expiration Date: December 31, 2004

Howard L. Rhodes, Director
Division of Air Resources
Management

HLR/sms/a

Section I. Facility Information.

Subsection A. Facility Description.

This facility consists of six peaking combustion turbines which are fired with new No. 6 or new No. 2 fuel oil and four combustion turbines which are fired with new No. 2 fuel oil and/or natural gas.

The latter four combustion turbines (P7, P8, P9, P10) are each 92.9 megawatt simple cycle units manufactured by General Electric (Model PG7111EA). The units are fired with natural gas and/or new No. 2 fuel oil containing an average of 0.3 percent (%) sulfur. Annual hours of operation are limited to an equivalent of 3,390 or less based on a sliding scale related to the fuel sulfur content. Control measures and equipment consists of firing relatively clean fuel, good combustion practices, and water injection.

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

Based on the initial Title V permit application received June 14, 1996, this facility is a major source of hazardous air pollutants (HAPs).

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

E.U.

<u>ID No.</u>	<u>Brief Description</u>
-003	Peaking Combustion Turbine Unit No. 1
-005	Peaking Combustion Turbine Unit No. 2
-007	Peaking Combustion Turbine Unit No. 3
-009	Peaking Combustion Turbine Unit No. 4
-011	Peaking Combustion Turbine Unit No. 5
-013	Peaking Combustion Turbine Unit No. 6
-015	Combustion Turbine Unit No. 7
-016	Combustion Turbine Unit No. 8
-017	Combustion Turbine Unit No. 9
-018	Combustion Turbine Unit No. 10

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

Subsection C. Relevant Documents.

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

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

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

Table 2-1, Summary of Compliance Requirements

Appendix A-1, Abbreviations, Acronyms, Citations, and Identification Numbers

Appendix H-1, Permit History/ID Number Changes

These documents are on file with the permitting authority:

Initial Title V Permit Application received June 14, 1996.

Additional Information Request dated March 5, 1997

Additional Information Response received June 3, 1997

Section II. Facility-wide Conditions.

The following conditions apply facility-wide:

1. APPENDIX TV-1, TITLE V CONDITIONS, is a part of this permit.
{Permitting note: APPENDIX TV-1, TITLE V CONDITIONS, is distributed to the permittee only. Other persons requesting copies of these conditions shall be provided a copy when requested or otherwise appropriate.}
2. **Not federally enforceable.** General Pollutant Emission Limiting Standards. Objectionable Odor Prohibited. No person shall cause, suffer, allow, or permit the discharge of air pollutants which cause or contribute to an objectionable odor.
[Rule 62-296.320(2), F.A.C.]
3. General Particulate Emission Limiting Standards. General Visible Emissions Standard.
Except for emissions units that are subject to a particulate matter or opacity limit set forth or established by rule and reflected by conditions in this permit, no person shall cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity, the density of which is equal to or greater than that designated as Number 1 on the Ringelmann Chart (20 percent opacity). EPA Method 9 is the method of compliance pursuant to Chapter 62-297, F.A.C.
[Rule 62-296.320(4)(b)1. & 4, F.A.C.]
4. Prevention of Accidental Releases (Section 112(r) of CAA). If required by 40 CFR 68, the permittee shall submit to the implementing agency:
 - a. a risk management plan (RMP) when, and if, such requirement becomes applicable;
 - b. certification forms and/or RMPs according to the promulgated rule schedule.[40 CFR 68]
5. Insignificant Emissions Units and/or Activities. Appendix I-1, List of Insignificant Emissions Units and/or Activities, is a part of this permit.
[Rules 62-213.440(1), 62-213.430(6) and 62-4.040(1)(b), F.A.C.]
6. **Not federally enforceable.** General Pollutant Emission Limiting Standards. Volatile Organic Compounds Emissions or Organic Solvents Emissions. The permittee shall allow no person to store, pump, handle, process, load, unload or use in any process or installation, volatile organic compounds or organic solvents without applying known and existing vapor emission control devices or systems deemed necessary and ordered by the Department.
[Rule 62-296.320(1)(a), F.A.C.]

7. Not federally enforceable. Unconfined emissions of Particulate Matter. No person shall cause, let, permit, suffer or allow the emissions of unconfined particulate matter from any emissions unit 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.

Reasonable precautions to prevent emissions of unconfined particulate matter at this facility include:

- a. Paving and maintenance of roads, parking areas and yards.
- b. Landscaping or planting of vegetation.
- c. Limiting access to plant property by unnecessary vehicles.

[Rule 62-296.320(4)(c)1. & 3., F.A.C.; and, proposed by applicant in the initial Title V permit application received June 14, 1996.]

8. When appropriate, any recording, monitoring, or reporting requirements that are time-specific shall be in accordance with the effective date of the permit, which defines day one.

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

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

[Rule 62-214.420(11), F.A.C.]

10. The permittee shall submit all compliance related notifications and reports required of this permit to the Department's Central District Office:

Central District Office
3319 Maguire Boulevard, Suite 232
Orlando, FL 32803-3767
Telephone: 407/894-7555
Fax: 407/897-2966

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

United States Environmental Protection Agency, Region 4
Air, Pesticides & Toxics Management Division
Air and EPCRA Enforcement Branch, Air Enforcement Section
61 Forsyth Street
Atlanta, Georgia 30303
Telephone: 404/562-9055, Fax: 404/562-9164

Section III. Emissions Unit and Conditions.

Subsection A. This section addresses the following emissions unit.

E.U.

<u>ID No.</u>	<u>Brief Description</u>
-003	Peaking Combustion Turbine Unit No. 1
-005	Peaking Combustion Turbine Unit No. 2
-007	Peaking Combustion Turbine Unit No. 3
-009	Peaking Combustion Turbine Unit No. 4
-011	Peaking Combustion Turbine Unit No. 5
-013	Peaking Combustion Turbine Unit No. 6

Each of the six peaking combustion turbines (PCT) is a General Electric, Model MS 7000. The output is rated at 51,900 kW. New No. 2 or new No. 6 fuel oil is allowed to be fired, with the sulfur content not to exceed 0.5% and 0.7 % by weight, respectively. Commercial operation began on February 6, 1976; March 20, 1976; December 31, 1975; April 14, 1976; December 22, 1975; and April 30, 1975, respectively for PCT Units 1 through 6.

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

Essential Potential to Emit (PTE) Parameters

A.1. Permitted Capacity. The operation rate for each PCT shall not exceed:

- a. 640 MMBtu/hr (LHV) at 59 °F using new No. 6 fuel oil, or
- b. 745 MMBtu/hr (LHV) at 59 °F using new No. 2 fuel oil.

{Permitting note: The heat input and fuel consumption can vary with ambient temperature in accordance with the design curves. The heat input limitations have been placed in each permit to identify the capacity of each unit for the purposes of confirming that emissions testing is conducted within 90 - 100 percent of the unit's rated capacity (or to limit future operation to 110 percent of the test load), to establish appropriate emission limits and to aid in determining future rule applicability.}

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

A.2. Methods of Operation - Fuels.

- a. Startup: The only fuels allowed to be burned are new No. 2 or new No. 6 fuel oil.
- b. Normal: The only fuels allowed to be burned are new No. 2 or new No. 6 fuel oil. New No. 2 fuel oil shall not be cofired with new No. 6 fuel oil.

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

A.3. Hours of Operation. Each PCT is allowed to operate continuously, i.e., 8,760 hours/year.

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

Emission Limitations and Standards

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

A.4. Sulfur Dioxide. The maximum sulfur content of the new No. 2 fuel oil shall not exceed 0.5 percent by weight.

[AO64-207447 and proposed by applicant in the initial Title V permit application received June 14, 1996]

A.5. Sulfur Dioxide. The maximum sulfur content of the new No. 6 fuel oil shall not exceed 0.7 percent by weight.

[AC64-2116, AC64-2117, AC64-2118, AC64-2119, AC64-2120, AC64-2121, AO64-207447 and proposed by applicant in the initial Title V permit application received June 14, 1996]

A.6. Visible emissions. Visible emissions from each PCT unit shall not be equal to or greater than 20 percent opacity.

[Rule 62-296.320(4)(b)1., F.A.C. and AO64-207447]

Monitoring of Operations

A.7. The permittee shall demonstrate compliance with the liquid fuel sulfur limit by means of a fuel analysis provided by the vendor upon each fuel delivery. See **Specific Condition A.9.**

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

A.8. Determination of Process Variables.

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

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

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

Test Methods and Procedures

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

A.9. The fuel sulfur content, percent by weight, for liquid fuels shall be evaluated using either ASTM D2622-94, ASTM D4294-90(95), or both ASTM D4057-88 and ASTM D129-95 or the latest edition of the above ASTM methods.

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

A.10. The test method for visible emissions shall be EPA Method 9, adopted and incorporated by reference in Rule 62-204.800, F.A.C., and referenced in Chapter 62-297, F.A.C.

[Rules 62-204.800, 62-296.320(4)(b)4.a. and 62-297.401, F.A.C.]

A.11. PCT Units No. 1 through 6 shall be tested in accordance with EPA Method 9 within 10 days after being placed back in operation using new No. 6 fuel oil.

[AO64-207447]

A.12. PCT Units No. 1 through 6 shall be tested for visible emissions annually on or within 60 days prior to April 1.

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

A.13. Opacity Compliance Tests. When EPA Method 9 is specified as the applicable opacity test method, the required minimum period of observation for a compliance test shall be sixty (60) minutes for emissions units which emit or have the potential to emit 100 tons per year or more of particulate matter, and thirty (30) minutes for emissions units which have potential emissions less than 100 tons per year of particulate matter and are not subject to a multiple-valued opacity standard. The opacity test observation period shall include the period during which the highest opacity emissions can reasonably be expected to occur. Exceptions to these requirements are as follows:

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

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

c. The minimum observation period for opacity tests conducted by employees or agents of the Department to verify the day-to-day continuing compliance of a unit or activity with an applicable opacity standard shall be twelve minutes.
[Rule 62-297.310(4)(a)2., F.A.C.]

A.14. (a) General Compliance Testing.

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

a. Did not operate; or

b. In the case of a fuel burning emissions unit, burned liquid and/or solid fuel for a total of no more than 400 hours.

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

a. Visible emissions;

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

{Permitting Note: The owner or operator shall conduct testing for visible emissions while firing fuel oil for each combustion turbine upon that turbine's exceeding 400 hours of operation on fuel oil in any given federal fiscal year (October 1 through September 30). Regardless of the number of hours of operation on fuel oil, at least one compliance test shall be conducted on all ten combustion turbines every five years, coinciding with the term of the operation permit for these turbines.}

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

A.15. These emissions units are also subject to conditions contained in **Subsection C. Common Conditions.**

Subsection B. This section addresses the following emissions units.

E.U.

<u>ID No.</u>	<u>Brief Description</u>
-015	Combustion Turbine Unit No. 7
-016	Combustion Turbine Unit No. 8
-017	Combustion Turbine Unit No. 9
-018	Combustion Turbine Unit No. 10

Each simple cycle combustion turbine (CT) is a General Electric PG7111EA model with a nameplate rating of 92.9 MW at ISO conditions. Each CT is allowed to burn new No. 2 fuel oil and/or natural gas. NO_x emissions are controlled by water-injection. These emissions units began commercial operation on November 1, 1992.

{Permitting notes: Each CT is regulated under Acid Rain, Phase II; NSPS - 40 CFR 60, Subpart GG, Standards of Performance for Stationary Gas Turbines, adopted and incorporated by reference in Rule 62-204.800(7), F.A.C.; NSPS 40 CFR 60 Subpart A; Rule 212.400(5), F.A.C., Prevention of Significant Deterioration (PSD); Rule 62-212.400(6), F.A.C., Best Available Control Technology (BACT) Determination, dated October 16, 1991}

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

Essential Potential to Emit (PTE) Parameters

B.1. Permitted Capacity. The operation rate for each CT shall not exceed:

- a. 1,144 MMBtu/hr/unit (LHV) at 20 °F using new No. 2 oil, or
- b. 1,159 MMBtu/hr/unit (LHV) at 20 °F using natural gas.

{Permitting note: The heat input and fuel consumption can vary with ambient temperature in accordance with the design curves. The heat input limitations have been placed in each permit to identify the capacity of each unit for the purposes of confirming that emissions testing is conducted within 90 - 100 percent of the unit's rated capacity (or to limit future operation to 110 percent of the test load), to establish appropriate emission limits and to aid in determining future rule applicability.}

[Rules 62-4.160(2), 62-210.200(PTE), F.A.C. and AC64-191015(B)]

B.2. Methods of Operation - Fuels.

- a. Startup: The only fuels allowed to be burned are natural gas and/or new No. 2 fuel.
- b. Normal: The only fuels allowed to be burned are natural gas and/or new No. 2 fuel.

[Rule 62-213.410, F.A.C. and AC64-191015(B)]

B.3. The maximum fuel consumption for the 4 CTs at 59 °F shall not exceed:

- a. 106,133,333 gal/yr, 12-month rolling average.
- b. 14,212 (million cubic feet)/yr, 12-month rolling average.

[AC64-191015(B); proposed by applicant in the initial Title V permit application amendment received August 29, 1997]

B.4. The capacity factor shall be limited to 33% based on a weighted 12-month rolling average sulfur content of 0.30 %. However, if the weighted rolling average sulfur content of the fuel oil is less than 0.30%, the capacity factor may be adjusted using the following table:

<u>Percent Average Sulfur Content</u>	<u>% Capacity Factor</u>	<u>Cumulative Hours/Year for any four CT</u>
0.30 - 0.295	33	11,564 (based on an average of 2891 hr/CT/yr)
0.29 - 0.285	34.4	12,056 (based on an average of 3014 hr/CT/yr)
0.28 - 0.275	35.8	12,544 (based on an average of 3136 hr/CT/yr)
0.27 - 0.265	37.2	13,036 (based on an average of 3259 hr/CT/yr)
0.26 - or less	38.7	13,560 (based on an average of 3390 hr/CT/yr)

[AC64-191015]

B.5. Hours of Operation. The cumulative hours of operation for any CT combination shall not exceed 13,560 hours/year, 12-month rolling average, at 38.7% capacity factor.

See specific Condition B.4.

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

Emission Limitations and Standards

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

B.6. All emission limits in **Specific Conditions B.7.** through **B.14.** are based on operation at 59 °F and 15% O₂.

[AC64-191015]

B.7. Nitrogen Oxides. NO_x emissions shall not exceed:

- a. 42 ppmvd @ 15% O₂ (182 lb/hr/unit and 1,234 TPY, 12-month rolling average, for all 4 CTs), new No. 2 fuel oil.
- b. 25 ppmvd @ 15% O₂ (107 lb/hr/unit and 726 TPY, 12-month rolling average, for all 4 CTs), natural gas.

[AC64-191015, BACT Determination dated October 16, 1991, and 40 CFR 60.332]

B.8. Sulfur Dioxide. The new No. 2 fuel oil's sulfur content by weight shall not exceed 0.30 percent average, based upon a weighted 12 month rolling average, and 0.5 percent maximum (555 lb/hr/unit and 1,925 TPY, 12-month rolling average, for all 4 CTs).
[AC64-191015 and BACT Determination dated October 16, 1991]

B.9. Sulfur Dioxide. The sulfur content of the natural gas shall not exceed 0.8 percent by weight.
[40 CFR 60.333(b)]

B.10. Particulate Matter. PM/PM₁₀ emissions shall not exceed 0.015 lb/MMBtu (15.0 lb/hr/unit and 102 TPY, 12-month rolling average, for all 4 CTs).
[AC64-191015 and BACT Determination dated October 16, 1991]

B.11. Volatile Organic Compound. VOC emissions shall not exceed 5 lb/hr/unit and 34 TPY, 12-month rolling average, for all 4 CTs.
[AC64-191015 and BACT Determination dated October 16, 1991]

B.12. Carbon Monoxide. CO emissions shall not exceed 54 lb/hr/unit and 365 TPY, 12-month rolling average, for all 4 CTs.
[AC64-191015 and BACT Determination dated October 16, 1991]

B.13. Sulfuric Acid Mist. The sulfur content by weight shall not exceed 0.30 percent, based upon a weighted 12-month rolling average, and 0.5 percent maximum (69 lb/hr/unit and 469 TPY, 12-month rolling average, for all 4 CTs).
[AC64-191015 and BACT Determination dated October 16, 1991]

B.14. Visible Emissions. Visible emissions shall not exceed 20 percent opacity except at full load, in which case visible emissions shall not exceed 10 percent opacity.
[AC64-191015]

Test Methods and Procedures

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

B.15. As required by this permit, compliance tests shall be conducted on an annual basis for parameters in **Specific Conditions B.16.** through **B.23.** on or within 60 days prior to April 1.
[Rule 62-297.310(7), F.A.C.]

B.16. Nitrogen Oxides. The test method for NO_x emissions shall be EPA Method 20. [AC64-191015]

B.17. Sulfur Dioxide. The owner or operator shall determine compliance with the sulfur content standard in **Specific Conditions B.8. and B.9.** as follows: Fuel analysis as specified in ASTM D 2880-94, or the latest edition, shall be used to determine the sulfur content of liquid fuels and ASTM D 1072-80, D 3031-81, D 4084-82, D 3246-81, or the latest edition, shall be used for the sulfur content of gaseous fuels (incorporated by reference-see 40 CFR 60.17). The applicable ranges of some ASTM methods mentioned above are not adequate to measure the levels of sulfur in some fuel gases. Dilution of samples before analysis (with verification of the dilution ratio) may be used, subject to the approval of the Administrator. [AC64-191015 and 40 CFR 60.335(d)]

B.18. Particulate Matter. The test method for PM/PM₁₀ shall be EPA Method 5 or Method 17. [AC64-191015]

B.19. A one hour opacity test for each CT with opacity values no greater than 10% at full load, may serve as the annual particulate matter test. If however, opacity values from any CT are over 10% at full load, then a Method 5 or Method 17 particulate test must be conducted on the CT(s) to prove compliance with the particulate matter standard. [PSD-FL-167]

B.20. Volatile Organic Compounds. The test method for VOC shall be EPA Method 25A. Testing is not required if compliance with CO limit is shown. [AC64-191015]

B.21. Carbon Monoxide. The test method for CO shall be EPA Method 10. [AC64-191015]

B.22. Visible Emissions. The test method for visible emissions shall be EPA Method 9. [AC64-191015]

B.23. Sulfuric Acid Mist. The test method for sulfuric acid mist shall be EPA Method 8 or fuel analysis as specified in ASTM D 2880-94 or the latest edition. [AC64-191015 and 40 CFR 60.335(d)]

B.24. Performance tests shall be conducted under such conditions as the Administrator shall specify to the plant operator based on representative performance of the affected facility. The owner or operator shall make available to the Administrator such records as may be necessary to determine the conditions of the performance tests. Operations during periods of startup, shutdown, and malfunction shall not constitute representative conditions for the purpose of a performance test nor shall emissions in excess of the level of the applicable emission limit during periods of startup, shutdown, and malfunction be considered a violation of the applicable emission limit unless otherwise specified in the applicable standard.

[40 CFR 60.8(c)]

B.25. Compliance with standards in 40 CFR 60, other than opacity, shall be determined in accordance with performance tests established by 40 CFR 60.8, unless otherwise specified in the applicable standard.

[40 CFR 60.11(a)]

B.26. At all times, including periods of startup, shutdown, and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, opacity observations, review of operation and maintenance procedures, and inspection of the source.

[40 CFR 60.11(d)]

B.27. Credible Evidence. For the purpose of submitting compliance certifications or establishing whether or not a person has violated or is in violation of any standard in 40 CFR 60, nothing in 40 CFR 60 shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test or procedure had been performed.

[40 CFR 60.11(g)].

B.28. Circumvention. No owner or operator subject to the provisions of 40 CFR 60 shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.

[40 CFR 60.12]

B.29. To compute the nitrogen oxides emissions, the owner or operator shall use analytical methods and procedures that are accurate to within 5 percent and are approved by the Administrator to determine the nitrogen content of the fuel being fired.
[40 CFR 60.335(a)]

B.30. In conducting the performance tests required in 40 CFR 60.8, the owner or operator shall use as reference methods and procedures the test methods in appendix A of 40 CFR 60 or other methods and procedures as specified in this permit, except as provided for in 40 CFR 60.8(b). Acceptable alternative methods and procedures are given in paragraph 40 CFR 60.335(f).
[40 CFR 60.335(b)]

B.31. To meet the requirements of 40 CFR 60.334(b), the owner or operator shall use the methods specified in 40 CFR 60.335(a) and 40 CFR 60.335(d) of 40 CFR 60.335 to determine the nitrogen and sulfur contents of the fuel being burned. The analysis may be performed by the owner or operator, a service contractor retained by the owner or operator, the fuel vendor, or any other qualified agency.
[40 CFR 60.335(e)]

B.32. Required Number of Test Runs. For mass emission limitations, a compliance test shall consist of three complete and separate determinations of the total air pollutant emission rate through the test section of the stack or duct and three complete and separate determinations of any applicable process variables corresponding to the three distinct time periods during which the stack emission rate was measured provided, however, that three complete and separate determinations shall not be required if the process variables are not subject to variation during a compliance test, or if three determinations are not necessary in order to calculate the unit's emission rate. The three required test runs shall be completed within one consecutive five day period. In the event that a sample is lost or one of the three runs must be discontinued because of circumstances beyond the control of the owner or operator, and a valid third run cannot be obtained within the five day period allowed for the test, the Secretary or his or her designee may accept the results of the two complete runs as proof of compliance, provided that the arithmetic mean of the results of the two complete runs is at least 20 percent below the allowable emission limiting standards.
[Rule 62-297.310(1), F.A.C.]

B.33. Calculation of Emission Rate. The indicated emission rate or concentration shall be the arithmetic average of the emission rate or concentration determined by each of the three separate test runs unless otherwise specified in a particular test method or applicable rule. [Rule 62-297.310(3), F.A.C.]

B.34. Applicable Test Procedures.

(a) Required Sampling Time.

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

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

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

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

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

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

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

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

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

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

B.35. Determination of Process Variables.

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

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

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

B.36. The permittee shall comply with the requirements contained in APPENDIX SS-1, Stack Sampling Facilities, attached to this permit.

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

B.37. Frequency of Compliance Tests. The following provisions apply only to those emissions units that are subject to an emissions limiting standard for which compliance testing is required.

(a) General Compliance Testing.

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

a. Did not operate; or

b. In the case of a fuel burning emissions unit, burned liquid and/or solid fuel for a total of no more than 400 hours.

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

a. Visible emissions;

b. Each of the following pollutants, if there is an applicable standard, and if the emissions unit emits or has the potential to emit: 5 tons per year or more of lead or lead compounds measured as elemental lead; 30 tons per year or more of acrylonitrile; or 100 tons per year or more of any other regulated air pollutant; and

10. An annual compliance test conducted for visible emissions shall not be required for units exempted from permitting at Rule 62-210.300(3)(a), F.A.C., or units permitted under the General Permit provisions at Rule 62-210.300(4), F.A.C.

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

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

{Permitting Note: The owner or operator shall conduct testing for visible emissions while firing fuel oil for each combustion turbine upon that turbine's exceeding 400 hours of operation on fuel oil in any given federal fiscal year (October 1 through September 30). Regardless of the number of hours of operation on fuel oil, at least one compliance test shall be conducted on all ten combustion turbines every five years, coinciding with the term of the operation permit for these turbines.}

[Rule 62-297.310(7), F.A.C. and SIP approved]

Monitoring of Operations

B.38. The owner or operator of any stationary gas turbine subject to the provisions of 40 CFR 60, Subpart GG shall monitor sulfur content and nitrogen content of the fuel being fired in the turbine. The frequency of determination of these values shall be as follows:

(1) If the turbine is supplied its fuel from a bulk storage tank, the values shall be determined on each occasion that fuel is transferred to the storage tank from any other source.

(2) If the turbine is supplied its fuel without intermediate bulk storage the values shall be determined and recorded daily. Owners, operators or fuel vendors may develop custom schedules for determination of the values based on the design and operation of the

affected facility and the characteristics of the fuel supply. These custom schedules shall be substantiated with data and must be approved by the Administrator before they can be used to comply with 40 CFR 60.334(b).

[40 CFR 60.334(b)(1) and (2)]

B.39. The permittee shall monitor sulfur content and nitrogen content of the new No. 2 fuel oil and sulfur content of natural gas. These values may be provided by the vendor and the sulfur content, for compliance purposes, shall be based on a weighted 12 month rolling average from fuel delivery receipts. The frequency of determinations of these values shall be as follows:

A. New No. 2 Fuel Oil

The values, sulfur and nitrogen content, shall be determined on each occasion that fuel is transferred to the storage tanks from any other source. The sulfur content of the fuel oil shall be based on a weighted 12 month rolling average and shall not exceed 0.3%. The maximum weighted sulfur content of the fuel oil shall not exceed 0.5% at any time. Records of these values shall be kept by the facility for a five year period for regulatory agency inspection purposes.

B. Natural Gas

Pursuant to 40 CFR 60.344(b)(2), a custom fuel monitoring schedule for the determination of these values shall be followed for the natural gas fired at this facility and shall be as follows:

Custom Fuel Monitoring Schedule for Natural Gas

1. Monitoring of fuel nitrogen content shall not be required when firing natural gas.
2. Sulfur Monitoring:
 - a. Analysis for fuel sulfur content of the natural gas shall be conducted using one of the approved ASTM reference methods for the measurement of sulfur in gaseous fuels, or an approved alternative method. The reference methods are ASTM D1072-80; ASTM D3031-81; ASTM D3246-81; and ASTM D4084-82, or the latest edition of the above ASTM methods as referenced in 40 CFR 60.335(d).
 - b. This custom fuel monitoring schedule became effective on October 25, 1997. Sulfur monitoring shall be conducted twice monthly for six months. If this monitoring shows little variability in the fuel sulfur content, and indicates consistent compliance with 40 CFR 60.333 and the conditions of this permit,

then sulfur monitoring shall be conducted once per quarter for six quarters. If monitoring data is provided by the applicant which demonstrates consistent compliance with the requirements herein the applicant may begin monitoring as per the requirements of 2.c.

- c. If after the monitoring required in item 2.b. above, or herein, the sulfur content of the fuel shows little variability and, calculated as sulfur dioxide, represents consistent compliance with the sulfur dioxide emission limits specified under 40 CFR 60.333 and the conditions of this permit, sample analysis shall be conducted twice per annum. This monitoring shall be conducted during the first and third quarter of each calendar year.
 - d. Should any sulfur analysis as required in items 2.b. or 2.c. above indicate noncompliance with 40 CFR 60.333 and the conditions of this permit, the owner or operator shall notify the Department of such excess emissions and the custom schedule shall be re-examined by the Environmental Protection Agency. Sulfur monitoring shall be conducted weekly during the interim period when this custom schedule is being re-examined.
3. If there is a change in fuel supply, the owner or operator must notify the Department of such change for re-examination of this custom schedule. A substantial change in fuel quality shall be considered as a change in fuel supply. Sulfur monitoring shall be conducted weekly during the interim period when this custom schedule is being re-examined.
4. Records of samples analysis and fuel supply pertinent to this custom schedule shall be retained for a period of five years, and be available for inspection by personnel of federal, state, and local air pollution control agencies.
[Rule 62-4.070(3), F.A.C., AC64-191015(B) and EPA's October 25, 1997 approval letter]

Continuous Monitoring Requirements

B.40. The owner or operator required to install a continuous monitoring system (CMS) or monitoring device shall submit an excess emissions and monitoring systems performance report (excess emissions are defined in applicable subparts) and/or a summary report form [see 40 CFR 60.7(d)] to the Administrator semiannually, except when: more frequent reporting is specifically required by an applicable subpart; or, the CMS data are to be used directly for compliance determination, in which case quarterly reports shall be submitted; or, the Administrator, on a case-by-case basis, determines that

more frequent reporting is necessary to accurately assess the compliance status of the source. All reports shall be postmarked by the 30th day following the end of each calendar half (or quarter, as appropriate). Written reports of excess emissions shall include the following information:

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

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

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

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

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

B.41. The owner or operator of any stationary gas turbine subject to the provisions of 40 CFR 60, Subpart GG and using water injection to control NO_x emissions shall install and operate a continuous monitoring system to monitor and record the fuel consumption and the ratio of water to fuel being fired in the turbine. This system shall be accurate to within ± 5.0 percent and shall be approved by the Administrator.

[40 CFR 60.334(a)]

Recordkeeping and Reporting Requirements

B.42. For the purpose of reports required under 40 CFR 60.7(c), periods of excess emissions that shall be reported are defined as follows:

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

[Rule 62-204.800, F.A.C.; 40 CFR 60.334(c)(1)]

B.43. The permittee shall maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative.
[40 CFR 60.7(b)]

B.44. The summary report form shall contain the information and be in the format shown in Figure 1 (attached) unless otherwise specified by the Administrator. One summary report form shall be submitted for each pollutant monitored at each affected facility.

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

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

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

B.45. (1) Notwithstanding the frequency of reporting requirements specified in 40 CFR 60.7(c), an owner or operator who is required by an applicable subpart to submit excess emissions and monitoring systems performance reports (and summary reports) on a quarterly (or more frequent) basis may reduce the frequency of reporting for that standard to semiannual if the following conditions are met:

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

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

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

(2) The frequency of reporting of excess emissions and monitoring systems performance (and summary) reports may be reduced only after the owner or operator notifies the Administrator in writing of his or her intention to make such a change and the Administrator does not object to the intended change. In deciding whether to approve a

reduced frequency of reporting, the Administrator may review information concerning the source's entire previous performance history during the required recordkeeping period prior to the intended change, including performance test results, monitoring data, and evaluations of an owner or operator's conformance with operation and maintenance requirements. Such information may be used by the Administrator to make a judgment about the source's potential for noncompliance in the future. If the Administrator disapproves the owner or operator's request to reduce the frequency of reporting, the Administrator will notify the owner or operator in writing within 45 days after receiving notice of the owner or operator's intention. The notification from the Administrator to the owner or operator will specify the grounds on which the disapproval is based. In the absence of a notice of disapproval within 45 days, approval is automatically granted.

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

[40 CFR 60.7(e)]

B.46. The permittee shall maintain a file of all measurements, including continuous monitoring systems, monitoring device, and performance testing measurements; all continuous monitoring system performance evaluations; all continuous monitoring system or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; all other information required by this part recorded in a permanent form suitable for inspection. The file shall be retained for at least two years following the date of such measurements, maintenance, reports, and records.

[40 CFR 60.7(f)]

B.47. This emissions unit is also subject to conditions contained in **Subsection C. Common Conditions.**

Subsection C. Common Conditions.

E.U.

<u>ID No.</u>	<u>Brief Description</u>
-003	Peaking Combustion Turbine Unit No. 1
-005	Peaking Combustion Turbine Unit No. 2
-007	Peaking Combustion Turbine Unit No. 3
-009	Peaking Combustion Turbine Unit No. 4
-011	Peaking Combustion Turbine Unit No. 5
-013	Peaking Combustion Turbine Unit No. 6
-015	Combustion Turbine Unit No. 7
-016	Combustion Turbine Unit No. 8
-017	Combustion Turbine Unit No. 9
-018	Combustion Turbine Unit No. 10

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

Excess Emissions

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

C.2. Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown or malfunction shall be prohibited.
[Rule 62-210.700(4), F.A.C.]

Test Methods and Procedures

C.3. Testing of emissions shall be conducted with the source operating at permitted capacity. Permitted capacity is defined as 95 - 100 percent of the manufacturer's rated heat input achievable for the average ambient (or conditioned) air temperature during the test. If it is impracticable to test at capacity, then sources may be tested at less than capacity. In such cases, the entire heat input vs. inlet temperature curve will be adjusted by the increment equal to the difference between the design heat input value and 105 percent of the value reached during the test. Data, curves, and calculations necessary to demonstrate the heat input rate correction at both design and test conditions shall be submitted to the Department with the compliance test report.
[Rule 62-297.310(2), F.A.C. and AC64-191015(B)]

Recordkeeping and Reporting Requirements

C.4. In case of excess emissions resulting from malfunctions, Florida Power Corporation shall notify the Department's Central District Office in accordance with 62-4.130, F.A.C. A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Department.

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

C.5. The owner or operator shall notify the Central District Office of the Department, in writing, at least 15 days prior to the date on which each test, and the test contact person who will be responsible for coordinating and having such test conducted for the owner or operator.

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

C.6. Test Reports.

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

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

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

1. The type, location, and designation of the emissions unit tested.
2. The facility at which the emissions unit is located.
3. The owner or operator of the emissions unit.
4. The normal type and amount of fuels used and materials processed, and the types and amounts of fuels used and material processed during each test run.
5. The means, raw data and computations used to determine the amount of fuels used and materials processed, if necessary to determine compliance with an applicable emission limiting standard.
6. The type of air pollution control devices installed on the emissions unit, their general condition, their normal operating parameters (pressure drops, total operating current and GPM scrubber water), and their operating parameters during each test run.
7. A sketch of the duct within 8 stack diameters upstream and 2 stack diameters downstream of the sampling ports, including the distance to any upstream and downstream bends or other flow disturbances.
8. The date, starting time and duration of each sampling run.
9. The test procedures used, including any alternative procedures authorized pursuant to Rule 62-297.620, F.A.C. Where optional procedures are

authorized in this chapter, indicate which option was used.

10. The number of points sampled and configuration and location of the sampling plane.
11. For each sampling point for each run, the dry gas meter reading, velocity head, pressure drop across the stack, temperatures, average meter temperatures and sample time per point.
12. The type, manufacturer and configuration of the sampling equipment used.
13. Data related to the required calibration of the test equipment.
14. Data on the identification, processing and weights of all filters used.
15. Data on the types and amounts of any chemical solutions used.
16. Data on the amount of pollutant collected from each sampling probe, the filters, and the impingers, are reported separately for the compliance test.
17. The names of individuals who furnished the process variable data, conducted the test, analyzed the samples and prepared the report.
18. All measured and calculated data required to be determined by each applicable test procedure for each run.
19. The detailed calculations for one run that relate the collected data to the calculated emission rate.
20. The applicable emission standard, and the resulting maximum allowable emission rate for the emissions unit, plus the test result in the same form and unit of measure.
21. A certification that, to the knowledge of the owner or his authorized agent, all data submitted are true and correct. When a compliance test is conducted for the Department or its agent, the person who conducts the test shall provide the certification with respect to the test procedures used. The owner or his authorized agent shall certify that all data required and provided to the person conducting the test are true and correct to his knowledge.

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

C.7. Recordkeeping for periodic monitoring. The owner or operator is required to maintain monthly logs of all 12-month rolling averages.

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

Section IV. This section is the Acid Rain Part.

Operated by: Florida Power Corporation
ORIS code: 6046

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

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

<u>E.U. ID No.</u>	<u>Brief Description</u>
-015	Combustion Turbine Unit No. 7
-016	Combustion Turbine Unit No. 8
-017	Combustion Turbine Unit No. 9
-018	Combustion Turbine Unit No. 10

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

- a. DEP Form No. 62-210.900(1)(a), dated 07/01/95;
 [Chapter 62-213, F.A.C. and Rule 62-214.320, F.A.C.]

A.2. Sulfur dioxide (SO₂) allowance allocations requirements for each Acid Rain unit is as follows:

<u>E.U. ID No.</u>	<u>EPA ID</u>	<u>Year</u>	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>
-015	01	SO ₂ allowances, under Table 2 or 3 of 40 CFR Part 73	699*	699*	699*	699*	699*
-016	02	SO ₂ allowances, under Table 2 or 3 of 40 CFR Part 73	699*	699*	699*	699*	699*
-017	03	SO ₂ allowances, under Table 2 or 3 of 40 CFR Part 73	699*	699*	699*	699*	699*
-018	04	SO ₂ allowances, under Table 2 or 3 of 40 CFR Part 73	699*	699*	699*	699*	699*

*The number of allowances held by an Acid Rain source in a unit account may differ from the number allocated by the USEPA under Table 2 or 3 of 40 CFR 73.

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

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

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

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

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

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

[Rule 62-213.413, F.A.C.]

A.5. Comments, notes, and justifications: None

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

Florida Power Corporation
DeBary Facility

FINAL Permit No.: 1270028-001-AV
Facility ID No.: 1270028

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

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

1. Comfort heating < 1 MMBtu/hr
2. Sand blaster
3. Non-industrial vacuum cleaning
4. Refrigeration equipment
5. Degreasing units using heavier-than-air vapors exclusively, except any such unit using or emitting any substance classified as a hazardous air pollutant.
6. Sanders < 5 sq.ft.
7. Lab equipment used for chemical or physical analyses
8. Brazing, soldering or welding equipment
9. Emergency generators
10. General purpose engines
11. Fire and safety equipment
12. Surface coating
13. Space heating equipment (non-boilers)
14. Petroleum lubrication systems
15. Vehicle refueling operations and associated fuel storage
16. One 13,309,800 (nominal) gallon storage tank for new No. 2 fuel oil
17. One 2,185,218 (nominal) gallon storage tank for new No. 2 fuel oil
18. One 180 (nominal) gallon storage tank for diesel equipment
19. One 300 (nominal) gallon storage tank for unleaded gasoline
20. Ten 546 (nominal) gallon storage tanks for waste oil
21. One 2700 (nominal) gallon surge tank for lube oil
22. One 500 (nominal) gallon storage tank for diesel
23. One 500 (nominal) gallon storage surge tank
24. One overboard tank
25. Truck unloading
26. Non-halogenated solvent storage and cleaning operations, provided the solvents contain none of the hazardous air pollutants listed at Rule 62-210.200, F.A.C.
27. Diesel Generator (Detroit Diesel Allison-PTA-1SD-50)
28. Diesel/Caterpillar 3500/2500 hp/ 1879 kw

Appendix H-1, Permit History/ID Number Changes

Florida Power Corporation
Debary Facility

FINAL Permit No.: 1270028-001-AV

Permit History (for tracking purposes):

E.U.

<u>ID No</u>	<u>Description</u>	<u>Permit No.</u>	<u>Issue Date</u>	<u>Expiration Date</u>	<u>Extended Date^{1,2}</u>	<u>Revised Date(s)</u>
-001	Boiler #1	AO64-201681	11/25/91	10/25/96	removed*	
-002	Boiler #2	AO64-201681	11/25/91	10/25/96	removed*	
-003 – -014	Gas Turbine #'s 1-6	AO64-207447	8/6/92	7/30/97		
-015	Simple Cycle Combustion Turbine	AO64-233544	10/26/93	10/19/98		
-016	Simple Cycle Combustion Turbine	AO64-233544	10/26/93	10/19/98		
-017	Simple Cycle Combustion Turbine	AO64-233544	10/26/93	10/19/98		
-018	Simple Cycle Combustion Turbine	AC64-191015	10/18/91	6/30/93	11/1/96	9/21/94
-019	Simple Cycle Combustion Turbine	AC64-191015	10/18/91	6/30/93	11/1/96	8/30/93, 8/11/93 7/30/93, 7/7/93

ID Number Changes (for tracking purposes):

From: Facility ID No.: 30ORL640028

To: Facility ID No.: 1270028

Notes:

*Boilers #1 and #2 were removed in 1997

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

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

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

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

Florida Power Corporation
DeBary Facility

FINAL Permit No.: 1270028-001-AV
Facility ID No.: 1270028

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

E.U. ID No. Brief Description

-001 Peaking Combustion Turbine (PCT) Units 1, 2, 3, 4, 5 and 6

Pollutant Name	Fuel(s)	Hours/Year	Allowable Emissions			Equivalent Emissions*		Regulatory Citation	See permit condition(s)
			Standard(s)	lbs./hour	TPY	lbs./hour	TPY		
SO2	No. 2 fuel oil	8760	0.5% sulfur by weight						III.A.4
SO2	No. 6 fuel oil	8760	0.7% sulfur by weight						III.A.5
VE	No. 2 or No. 6 fuel oil	8760	20% opacity						III.A.6

Notes:

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

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

Florida Power Corporation
DeBary Facility

FINAL Permit No.: 1270028-001-AV
Facility ID No.: 1270028

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

E.U. ID No. Brief Description

-002 Combustion Turbine (CT) Units 7, 8, 9 and 10

Pollutant Name	Fuel(s)	Hours/Year**	Allowable Emissions			Equivalent Emissions*		Regulatory Citation	See permit condition(s)
			Standard(s)	lbs./hour	TPY (4 CTs)	lbs./hour	TPY		
NOx	No. 2 fuel oil gas	3390 (equivalent)	42 ppmvd @ 15% O ₂	182/unit	1,234				III.B.7.
		3390 (equivalent)	25 ppmvd @ 15% O ₂	107/unit	726				
SO ₂	No. 2 fuel oil gas	3390 (equivalent)	0.3% avg. sulfur by weight	555/unit	1,925				III.B.8.
		3390 (equivalent)	0.8% sulfur by weight						III.B.9.
VE	No. 2 fuel oil and gas	3390 (equivalent)	20% opacity below full load and 10% opacity at full load						III.B.14.
PM/PM ₁₀	No. 2 fuel oil and gas	3390 (equivalent)	0.015 lb/MMBtu	15.0/unit	102				III.B.10.
VOC	No. 2 fuel oil and gas	3390 (equivalent)		5.0/unit	34				III.B.11.
CO	No. 2 fuel oil and gas	3390 (equivalent)		54/unit	365				III.B.12.
H ₂ SO ₄ Mist	No. 2 fuel oil and gas	3390 (equivalent)	0.3% sulfur by weight	69/unit	469				III.B.13.

Notes:

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

** At 38.7 capacity factor, each turbine may operate up to an equivalent of 3,390 hours and 13,560 hours for any combination.

electronic file name: 12700281.xls

Table 2-1, Summary of Compliance Requirements

Florida Power Corporation
DeBary Facility

FINAL Permit No.: 1270028-001-AV
Facility ID No.: 1270028

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

E.U. ID No. Brief Description
-001 Peaking Combustion Turbine (PCT) Units 1, 2, 3, 4, 5 and 6

Pollutant Name or Parameter	Fuel(s)	Compliance Method	Testing Time Frequency	Frequency Base Date *	Min. Compliance Test Duration	CMS**	See permit condition(s)
VE	No. 2 or No. 6 fuel oil	EPA Method 9	Annually	1-Apr			III.A.10., 11 and 12

Notes:
* The frequency base date is established for planning purposes only; see Rule 62-297.310, F.A.C.
**CMS [=] continuous monitoring system

electronic file name: 12700282.xls

Table 2-1, Summary of Compliance Requirements

Florida Power Corporation
DeBary Facility

FINAL Permit No.: 1270028-001-AV
Facility ID No.: 1270028

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

E.U. ID No. **Brief Description**
-002 Combustion Turbine (CT) Units 7, 8, 9 and 10

Pollutant Name or Parameter	Fuel(s)	Compliance Method	Testing Time Frequency	Frequency Base Date *	Min. Compliance Test Duration	Compliance	
						CMS**	See permit condition(s)
NOx	No. 2 fuel and gas	EPA Method 20	annually	1-Apr	1 hour		III.B.16.
SO2	No. 2 fuel and gas	EPA Method 6 or tests methods in ASTM D 2880-94	see custom fuel monitoring plan				III.B.17, 38 and 39
PM/PM10	No. 2 fuel and gas	EPA Method 5	annually	1-Apr	1 hour		III.B.18. and 19.
VOC	No. 2 fuel and gas	EPA Method 25A	annually	1-Apr	1 hour		III.B.20.
CO	No. 2 fuel and gas	EPA Method 10	annually	1-Apr	1 hour		III.B.21.
VE	No. 2 fuel and gas	EPA Method 9	annually	1-Apr	1 hour		III.B.22.
H2SO4	No. 2 fuel and gas	EPA Method 8 or tests methods in ASTM D 2880-94	annually	1-Apr	1 hour		III.B.23.
Water/fuel fuel consumption						yes	III.B.41.
						yes	III.B.41.

Notes:
* The frequency base date is established for planning purposes only; see Rule 62-297.310, F.A.C.
**CMS [=] continuous monitoring system

electronic file name: 12700282.xls

APPENDIX TV-1, TITLE V CONDITIONS (version dated 12/02/97)

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

{Permitting note: APPENDIX TV-1, TITLE V CONDITIONS, is distributed to the permittee only. Other persons requesting copies of these conditions shall be provided one copy when requested or otherwise appropriate.}

Chapter 62-4, F.A.C.

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

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

2. Not federally enforceable. Procedure to Obtain Permits: Application.

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

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

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

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

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

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

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

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

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

(7) Modifications to existing permits proposed by the permittee which require substantial changes in the existing permit or require substantial evaluation by the Department of potential impacts of the proposed modifications shall require the same fee as a new application.

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

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

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

4. Modification of Permit Conditions.

(1) For good cause and after notice and an administrative hearing, if requested, the Department may require the permittee to conform to new or additional conditions. The Department shall allow the permittee a reasonable time to conform to the new or additional conditions and on application of the permittee the Department may grant additional time. For the purpose of this section, good cause shall include, but not be limited to, any of the following:

- (a) A showing that an improvement in effluent or emission quality or quantity can be accomplished because of technological advances without unreasonable hardship.
- (b) A showing that a higher degree of treatment is necessary to effect the intent and purpose of Chapter 403, F.S.
- (c) A showing of any change in the environment or surrounding conditions that requires a modification to conform to applicable air or water quality standards.
- (e) Adoption or revision of Florida Statutes, rules, or standards which require the modification of a permit condition for compliance.

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

(3) A permittee may request that a permit be extended as a modification of the permit. Such a request must be submitted to the Department in writing before the expiration of the permit. Upon timely submittal of a request for extension, unless the permit automatically expires by statute or rule, the permit will remain in effect until final agency action is taken on the request. For construction permits, an extension shall be granted if the applicant can demonstrate reasonable assurances that, upon completion, the extended permit will comply with the standards and conditions required by applicable regulation. For all other permits, an extension shall be granted if the applicant can demonstrate reasonable assurances that the extended permit will comply with the standards and conditions applicable to the original permit. A permit for which the permit application fee was prorated in accordance with Rule 62-4.050(4)(1), F.A.C., shall not be extended. In no event shall a permit be extended or remain in effect longer than the time limits established by statute or rule.

[Rule 62-4.030, F.A.C.]

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

[Rule 62-4.090(1), F.A.C.]

6. Suspension and Revocation.

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

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

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

- (a) Submitted false or inaccurate information in application or operational reports.
- (b) Has violated law, Department orders, rules or permit conditions.
- (c) Has failed to submit operational reports or other information required by Department rules.
- (d) Has refused lawful inspection under Section 403.091, F.S.

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

7. Not federally enforceable. Financial Responsibility. The Department may require an applicant to submit proof of financial responsibility and may require the applicant to post an appropriate bond to guarantee compliance with the law and Department rules.

[Rule 62-4.110, F.A.C.]

8. Transfer of Permits.

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

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

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

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

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

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

9. Plant Operation-Problems. If the permittee is temporarily unable to comply with any of the conditions of the permit due to breakdown of equipment or destruction by hazard of fire, wind or by other cause, the permittee shall immediately notify the Department. Notification shall include pertinent information as to the cause of the problem, and what steps are being taken to correct the problem and to prevent its recurrence, and where applicable, the owner's intent toward reconstruction of destroyed facilities. Such notification does not release the permittee from any liability for failure to comply with Department rules.

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

10. For purposes of notification to the Department pursuant to Rule 62-4.130, F.A.C., Plant Operation-Problems, "immediately" shall mean the same day, if during a workday (i.e., 8:00 a.m. - 5:00 p.m.), or the first business day after the incident, excluding weekends and holidays.

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

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

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

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

(1) The terms, conditions, requirements, limitations and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, F.S. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.

(2) This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.

(3) As provided in subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in this permit.

- (4) This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
- (5) This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of F.S. and Department rules, unless specifically authorized by an order from the Department.
- (6) The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
- (7) The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, access to the premises where the permitted activity is located or conducted to:
- (a) Have access to and copy any records that must be kept under conditions of the permit;
 - (b) Inspect the facility, equipment, practices, or operations regulated or required under this permit; and,
 - (c) Sample or monitor any substances or parameters at any location reasonable necessary to assure compliance with this permit or Department rules. Reasonable time may depend on the nature of the concern being investigated.
- (8) If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:
- (a) A description of and cause of noncompliance; and,
 - (b) The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.
- (9) In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the F.S. or Department rules, except where such use is prescribed by Sections 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.
- (10) The permittee agrees to comply with changes in Department rules and F.S. after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by F.S. or Department rules.
- (11) This permit is transferable only upon Department approval in accordance with Rule 62-4.120, F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.
- (12) This permit or a copy thereof shall be kept at the work site of the permitted activity.
- (14) The permittee shall comply with the following:
- (a) Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
 - (b) The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least five (5) years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.
 - (c) Records of monitoring information shall include:
 - 1. the date, exact place, and time of sampling or measurements;
 - 2. the person responsible for performing the sampling or measurements;
 - 3. the dates analyses were performed;
 - 4. the person responsible for performing the analyses;
 - 5. the analytical techniques or methods used; and,
 - 6. the results of such analyses.
- (15) When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.
- [Rules 62-4.160 and 62-213.440(1)(b), F.A.C.]

APPENDIX TV-1, TITLE V CONDITIONS (version dated 12/02/97) (continued)

13. Construction Permits.

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

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

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

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

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

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

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

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

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

Chapter 62-103. F.A.C.

15. Public Notice, Public Participation, and Proposed Agency Action. The permittee shall comply with all of the requirements for public notice, public participation, and proposed agency action pursuant to Rule 62-103.150 and Rule 62-210.350, F.A.C.

[Rules 62-103.150, 62-210.350 and 62-213.430(1)(b), F.A.C.]

16. Administrative Hearing. The permittee shall comply with all of the requirements for a petition for administrative hearing or waiver of right to administrative proceeding pursuant to Rule 61-103.155, F.A.C.

[Rule 62-103.155, F.A.C.]

Chapter 62-204. F.A.C.

17. Asbestos. This permit does not authorize any demolition or renovation of the facility or its parts or components which involves asbestos removal. This permit does not constitute a waiver of any of the requirements of Chapter 62-257, F.A.C., and 40 CFR Part 61, Subpart M, National Emission Standard for Asbestos, adopted and incorporated by reference in Rule 62-204.800, F.A.C. Compliance with Chapter 62-257, F.A.C., and 40 CFR 61, Subpart M, Section 61.145, is required for any asbestos demolition or renovation at the source.

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

Chapter 62-210. F.A.C.

18. Permits Required. The owner or operator of any emissions unit which emits or can reasonably be expected to emit any air pollutant shall obtain an appropriate permit from the Department prior to beginning construction, modification, or initial or continued operation of the emissions unit unless exempted pursuant to Department rule or statute. All emissions limitations, controls, and other requirements imposed by such permits shall be at least as stringent as any applicable limitations and requirements contained in or enforceable under the State Implementation Plan (SIP) or that are otherwise federally enforceable. Except as provided at Rule 62-213.460, F.A.C., issuance of a permit does not relieve the owner or operator of an emissions unit from complying with any applicable requirements, any emission limiting standards or other requirements of the air pollution rules of the Department or any other such requirements under federal, state, or local law.

(1) Air Construction Permits. An air construction permit shall be obtained by the owner or operator of any proposed new or modified facility or emissions unit prior to the beginning of construction or modification, in accordance with all applicable provisions of Chapters 62-210, 62-212 and 62-4, F.A.C. The construction permit shall be issued for a period of time sufficient to allow construction or modification of the facility or emissions unit and operation while the new or modified facility or emissions unit is conducting tests or otherwise demonstrating initial compliance with the conditions of the construction permit.

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

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

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

d. The operation permit for an electric utility generating unit on cold standby or long-term reserve shutdown shall be renewed for a five-year period, and additional five-year periods, even if the unit is not maintained in operational condition, provided the conditions given in Rules 62-210.300(2)(a)3.b.(i) through (iii), F.A.C., are met.

4. In the case of an emissions unit permitted pursuant to Rules 62-210.300(2)(a)3.b., c., and d., F.A.C., include reasonable notification and compliance testing requirements for reactivation of such emissions unit and provide that the owner or operator demonstrate to the Department prior to reactivation that such reactivation would not constitute reconstruction pursuant to Rule 62-204.800(7), F.A.C.

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

19. Not federally enforceable. Notification of Startup. The owner or operator of any emissions unit or facility which has a valid air operation permit and which has been shut down more than one (1) year, shall notify the Department in writing of the intent to start up such emissions unit or facility, a minimum of sixty (60) days prior to the intended startup date.

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

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

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

20. Emissions Unit Reclassification.

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

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

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

21. Public Notice and Comment.

(1) Public Notice of Proposed Agency Action.

(a) Notwithstanding any discretionary public notice requirements contained in Rule 62-103.150(2)(a), F.A.C., a notice of proposed agency action on permit application, where the proposed agency action is to issue the permit, shall be published by any applicant for:

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

(b) The notice required by Rule 62-210.350(1)(a), F.A.C., shall be published in accordance with all otherwise applicable provisions of Rule 62-103.150, F.A.C.

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

(a) Before taking final agency action on a construction permit application for any proposed new or modified facility or emissions unit subject to the preconstruction review requirements of Rule 62-212.400 or 62-212.500, F.A.C., the Department shall comply with all applicable provisions of Rule 62-103.150, F.A.C., and provide an opportunity for public comment which shall include as a minimum the following:

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

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3. A notice, by advertisement in a newspaper of general circulation in the county affected, specifying the nature and location of the proposed facility or emissions unit, whether BACT or LAER has been determined, the degree of PSD increment consumption expected, if applicable, and the location of the information specified in paragraph 1. above; and notifying the public of the opportunity for submitting comments and requesting a public hearing.
- (b) The notice provided for in Rule 62-210.350(2)(a)3., F.A.C., shall be prepared by the Department and published by the applicant in accordance with all applicable provisions of Rule 62-103.150, F.A.C., except that the applicant shall cause the notice to be published no later than thirty (30) days prior to final agency action.
- (c) A copy of the notice provided for in Rule 62-210.350(2)(a)3., F.A.C., shall also be sent by the Department to the Regional Office of the U. S. Environmental Protection Agency and to all other state and local officials or agencies having cognizance over the location of such new or modified facility or emissions unit, including local air pollution control agencies, chief executives of city or county government, regional land use planning agencies, and any other state, Federal Land Manager, or Indian Governing Body whose lands may be affected by emissions from the new or modified facility or emissions unit.
- (d) A copy of the notice provided for in Rule 62-210.350(2)(a)3., F.A.C., shall be displayed in the appropriate district, branch and local program offices.
- (e) An opportunity for public hearing shall be provided in accordance with Chapter 120, F.S., and Rule 62-103.150, F.A.C.
- (f) Any public comments received shall be made available for public inspection in the location where the information specified in Rule 62-210.350(2)(a)1., F.A.C., is available and shall be considered by the Department in making a final determination to approve or deny the permit.
- (g) The final determination shall be made available for public inspection at the same location where the information specified in Rule 62-210.350(2)(a)1., F.A.C., was made available.
- (h) For a proposed new or modified emissions unit which would be located within 100 kilometers of any Federal Class I area or whose emissions may affect any Federal Class I area, and which would be subject to the preconstruction review requirements of Rule 62-212.400, F.A.C., or Rule 62-212.500, F.A.C.:
1. The Department shall mail or transmit to the Administrator a copy of the initial application for an air construction permit and notice of every action related to the consideration of the permit application.
 2. The Department shall mail or transmit to the Federal Land Manager of each affected Class I area a copy of any written notice of intent to apply for an air construction permit; the initial application for an air construction permit, including all required analyses and demonstrations; any subsequently submitted information related to the application; the preliminary determination and notice of proposed agency action on the permit application; and any petition for an administrative hearing regarding the application or the Department's proposed action. Each such document shall be mailed or transmitted to the Federal Land Manager within fourteen (14) days after its receipt by the Department.
- (3) Additional Public Notice Requirements for Facilities Subject to Operation Permits for Title V Sources.
- (a) Before taking final agency action to issue a new, renewed, or revised air operation permit subject to Chapter 62-213, F.A.C., the Department shall comply with all applicable provisions of Rule 62-103.150, F.A.C., and provide an opportunity for public comment which shall include as a minimum the following:
1. A complete file available for public inspection in at least one location in the district affected which includes the information submitted by the owner or operator, exclusive of confidential records under Section 403.111, F.S.; and,
 2. A 30-day period for submittal of public comments.
- (b) The notice provided for in Rule 62-210.350(3)(a), F.A.C., shall be prepared by the Department and published by the applicant in accordance with all applicable provisions of Rule 62-103.150, F.A.C., except that the applicant shall cause the notice to be published no later than thirty (30) days prior to final agency action.
- (c) The notice shall identify:
1. The facility;
 2. The name and address of the office at which processing of the permit occurs;
 3. The activity or activities involved in the permit action;
 4. The emissions change involved in any permit revision;
 5. The name, address, and telephone number of a Department representative from whom interested persons may obtain additional information, including copies of the permit draft, the application, and all relevant supporting materials, including any permit application, compliance plan, permit, monitoring report, and compliance statement required pursuant to Chapter 62-213, F.A.C. (except for information entitled to confidential treatment pursuant to Section 403.111, F.S.), and all other materials available to the Department that are relevant to the permit decision;
 6. A brief description of the comment procedures required by Rules 62-103.150 and 62-210.350(3), F.A.C.;
 7. The time and place of any hearing that may be held, including a statement of procedure to request a hearing (unless a hearing has already been scheduled); and,

8. The procedures by which persons may petition the Administrator to object to the issuance of the proposed permit after expiration of the Administrator's 45-day review period.

[Rule 62-210.350, F.A.C.]

22. Administrative Permit Corrections.

(1) A facility owner shall notify the Department by letter of minor corrections to information contained in a permit. Such notifications shall include:

- (a) Typographical errors noted in the permit;
- (b) Name, address or phone number change from that in the permit;
- (c) Any other similar minor administrative change at the source; and,
- (d) A change requiring more frequent monitoring or reporting by the permittee.
- (e) Changes listed at 40 CFR 72.83(a)(1), (2), (6), (9) and (10), hereby adopted and incorporated by reference, to Title V sources subject to emissions limitations or reductions pursuant to 42 USC ss. 7651-7651o;
- (f) Changes listed at 40 CFR 72.83(a)(11), hereby adopted and incorporated by reference, to Title V sources subject to emissions limitations or reductions pursuant to 42 USC ss. 7651-7651o, provided the notification is accompanied by a copy of any EPA determination concerning the similarity of the change to those listed at Rule 17-210.360(1)(e).

(2) Upon receipt of such notifications the Department shall within 60 days correct the permit and provide a corrected copy to the owner.

(3) For facilities subject to Chapter 62-213, F.A.C., a copy shall be provided to EPA and any approved local air program in the county where the facility or any part of the facility is located.

(4) The Department shall incorporate requirements resulting from issuance of new or revised construction permits into existing operation permits issued pursuant to Chapter 62-213, F.A.C., if the construction permit revisions incorporate requirements of federally enforceable preconstruction review and if the applicant requests at the time of application that all of the requirements of Rule 62-213.430(1), F.A.C., be complied with in conjunction with the processing of the construction permit application.

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

23. Reports.

(3) Annual Operating Report for Air Pollutant Emitting Facility.

- (a) The Annual Operating Report for Air Pollutant Emitting Facility (DEP Form No. 62-210.900(5)) shall be completed each year.
- (c) The annual operating report shall be submitted to the appropriate Department District or Department approved local air pollution control program office by March 1 of the following year unless otherwise indicated by permit condition or Department request.

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

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

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

25. Forms and Instructions. The forms used by the Department in the stationary source control program are adopted and incorporated by reference in this section. The forms are listed by rule number, which is also the form number, with the subject, title and effective date. Copies of forms may be obtained by writing to the Department of Environmental Protection, Division of Air Resources Management, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

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

- (a) Acid Rain Part (Phase II), Form and Instructions.
 1. Repowering Extension Plan, Form and Instructions.
 2. New Unit Exemption, Form and Instructions.
 3. Retired Unit Exemption, Form and Instructions.

(b) Reserved.

(5) Annual Operating Report (AOR) for Air Pollutant Emitting Facility, Form and Instructions.

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

APPENDIX TV-1, TITLE V CONDITIONS (version dated 12/02/97) (continued)

Chapter 62-213, F.A.C.

26. Annual Emissions Fee. Each Title V source permitted to operate in Florida must pay between January 15 and March 1 of each year, upon written notice from the Department, an annual emissions fee in accordance with Rule 62-213.205, F.A.C., and the appropriate form and associated instructions.

[Rules 62-213.205 and 62-213.900(1), F.A.C.]

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

[Rule 62-213.205(1)(g), F.A.C.]

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

[Rule 62-213.205(1)(j), F.A.C.]

29. Annual Emissions Fee. DEP Form 62-213.900(1), F.A.C., "Major Air Pollution Source Annual Emissions Fee Form", must be completed by the permittee and submitted with the annual emissions fee.

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

30. Air Operation Permit Fees. After December 31, 1992, no permit application processing fee, renewal fee, modification fee or amendment fee is required for an operation permit for a Title V source.

[Rule 62-213.205(5), F.A.C.]

31. Permits and Permit Revisions Required. All Title V sources are subject to the permit requirements of Chapter 62-213, F.A.C.

[Rule 62-213.400, F.A.C.]

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

[Rule 62-213.400(1), F.A.C.]

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

(1) Permitted sources may change among those alternative methods of operation allowed by the source's permit as provided by the terms of the permit;

(2) Permitted sources may implement the terms or conditions of a new or revised construction permit if;

(a) The application for construction permit complied with the requirements of Rule 62-213.420(3) and (4), F.A.C.;

(b) The terms or conditions were subject to federally enforceable preconstruction review pursuant to Chapter 62-212, F.A.C.; and,

(c) The new or revised construction permit was issued after the Department and the applicant complied with all the requirements of Rule 62-213.430(1), F.A.C.;

(3) A permitted source may implement operating changes after the source submits any forms required by any applicable requirement and provides the Department and EPA with at least 7 days written notice prior to implementation. The source and the Department shall attach each notice to the relevant permit;

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

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

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

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

34. Immediate Implementation Pending Revision Process.

(1) Those permitted Title V sources making any change that constitutes a modification pursuant to paragraph (a) of the definition of modification at Rule 62-210.200, F.A.C., but which would not constitute a modification pursuant to paragraph (b) of the same definition, may implement such change prior to final issuance of a permit revision in accordance with Rule 62-213.412, F.A.C., provided the change:

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

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

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

(4) Pending final action on the operation permit revision application, the source shall implement the changes in accordance with the terms and conditions of the source's new or revised construction permit.

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

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

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

35. Permit Applications.

(1) Duty to Apply. For each Title V source, the owner or operator shall submit a timely and complete permit application in compliance with the requirements of Rules 62-213.420, 62-4.050(1) & (2), and 62-210.900, F.A.C.

(a) Timely Application.

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

(b) Complete Application.

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

2. For those applicants submitting initial permit applications pursuant to Rule 62-213.420(1)(a)1., F.A.C., a complete application shall be an application that substantially addresses all the information required by the application form number 62-210.900(1), and such applications shall be deemed complete within sixty days of receipt of a signed and certified application unless the Department notifies the applicant of incompleteness within that time. For all other applicants, the applications shall be deemed complete sixty days after receipt, unless the Department, within sixty days after receipt of a signed application for permit, permit revision or permit renewal, requests additional documentation or information needed to process the application. An applicant making timely and complete application for permit, or timely application for permit renewal as described by Rule 62-4.090(1), F.A.C., shall continue to operate the source

under the authority and provisions of any existing valid permit or Florida Electrical Power Plant Siting Certification, provided the applicant complies with all the provisions of Rules 62-213.420(1)(b)3. and 4. F.A.C. Failure of the Department to request additional information within sixty days of receipt of a properly signed application shall not impair the Department's ability to request additional information pursuant to Rules 62-213.420(1)(b)3. and 4., F.A.C.

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

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

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

36. Confidential Information. Whenever an applicant submits information under a claim of confidentiality pursuant to Section 403.111, F.S., the applicant shall also submit a copy of all such information and claim directly to EPA.

[Rule 62-213.420(2), F.A.C.]

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

[Rule 62-213.420(3), F.A.C.]

38. Certification by Responsible Official (RO). In addition to the professional engineering certification required for applications by Rule 62-4.050(3), F.A.C., any application form, report, compliance statement, compliance plan and compliance schedule submitted pursuant to Chapter 62-213, F.A.C., shall contain a certification signed by a responsible official that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

[Rule 62-213.420(4), F.A.C.]

39. a. Permit Renewal and Expiration. Permits being renewed are subject to the same requirements that apply to permit issuance at the time of application for renewal. Permit renewal applications shall contain that information identified in Rules 62-210.900(1) and 62-213.420(3), F.A.C. Unless a Title V source submits a timely application for permit renewal in accordance with the requirements of Rule 62-4.090(1), F.A.C., the existing permit shall expire and the source's right to operate shall terminate.

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

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

o 40 CFR 70.7(f): Reopening for Cause.

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

- (i) Additional applicable requirements under the Act become applicable to a major Part 70 source with a remaining permit term of 3 or more years. Such a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 40 CFR 70.4(b)(10)(i) or (ii).
- (ii) Additional requirements (including excess emissions requirements) become applicable to an affected source under the acid rain program. Upon approved by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit.
- (iii) The permitting authority or EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
- (iv) The Administrator or the permitting authority determines that the permit must be revised or revoked to assure compliance with the applicable requirements.

(2) Proceedings to reopen and issue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Such reopening shall be made as expeditiously as practicable.

(3) Reopenings under 40 CFR 70.7(f)(1) shall not be initiated before a notice of such intent is provided to the Part 70 source by the permitting authority at least 30 days in advance of the date that the permit is to be reopened, except that the permitting authority may provide a shorter time period in the case of an emergency.

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

40. Insignificant Emissions Units or Pollutant-Emitting Activities.

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

(b) An emissions unit or activity shall be considered insignificant if:

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

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

41. Permit Duration. Operation permits for Title V sources may not be extended as provided in Rule 62-4.080(3), F.A.C., if such extension will result in a permit term greater than five (5) years.

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

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

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

APPENDIX TV-1, TITLE V CONDITIONS (version dated 12/02/97) (continued)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

51. Confidentiality Claims. Any permittee may claim confidentiality of any data or other information by complying with Rule 62-213.420(2), F.A.C.

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

52. Statement of Compliance. The permittee shall submit a statement of compliance with all terms and conditions of the permit. Such statement shall be submitted to the Department and EPA annually, or more frequently if specified by Rule 62-213.440(2), F.A.C., or by any other applicable requirement. The statement of compliance shall include the identity of each term or condition of the permit for which each unit has remained in compliance during the period covered by the statement. The statement shall include identification of all methods used to demonstrate compliance and identification of each term or condition of the permit for which any unit has not remained in compliance during the period covered by the statement. For each term or condition for which the source has not remained in compliance during the period covered by the statement, the statement shall also identify each unit not in compliance and each term and condition with which the unit was not in compliance and state the inclusive dates that the source was not in compliance, the actions taken to achieve compliance and the method used to demonstrate compliance. Such statement shall be accompanied by a certification by a responsible official, in accordance with Rule 62-213.420(4), F.A.C.

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

APPENDIX TV-1, TITLE V CONDITIONS (version dated 12/02/97) (continued)

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

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

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

(1) Major Air Pollution Source Annual Emissions Fee (AEF) Form.

[Rule 62-213.900(1), F.A.C.]

Chapter 62-256, F.A.C.

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

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

Chapter 62-281, F.A.C.

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

- (1) Any facility having any refrigeration equipment normally containing 50 (fifty) pounds of refrigerant, or more, must keep servicing records documenting the date and type of all service and the quantity of any refrigerant added pursuant to 40 CFR 82.166;
- (2) No person repairing or servicing a motor vehicle may perform any service on a motor vehicle air conditioner (MVAC) involving the refrigerant for such air conditioner unless the person has been properly trained and certified as provided at 40 CFR 82.34 and 40 CFR 82.40, and properly uses equipment approved pursuant to 40 CFR 82.36 and 40 CFR 82.38, and complies with 40 CFR 82.42;
- (3) No person may sell or distribute, or offer for sale or distribution, any substance listed as a Class I or Class II substance at 40 CFR 82, Subpart A, Appendices A and B, except in compliance with Rule 62-281.100, F.A.C., and 40 CFR 82.34(b), 40 CFR 82.42, and/or 40 CFR 82.166;
- (4) No person maintaining, servicing, repairing, or disposing of appliances may knowingly vent or otherwise release into the atmosphere any Class I or Class II substance used as a refrigerant in such equipment and no other person may open appliances (except MVACs as defined at 40 CFR 82.152) for service, maintenance or repair unless the person has been properly trained and certified pursuant to 40 CFR 82.161 and unless the person uses equipment certified for that type of appliance pursuant to 40 CFR 82.158 and unless the person observes the practices set forth at 40 CFR 82.156 and 40 CFR 82.166;
- (5) No person may dispose of appliances (except small appliances, as defined at 40 CFR 82.152) without using equipment certified for that type of appliance pursuant to 40 CFR 82.158 and without observing the practices set forth at 40 CFR 82.156 and 40 CFR 82.166;
- (6) No person may recover refrigerant from small appliances, MVACs and MVAC-like appliances (as defined at 40 CFR 82.152), except in compliance with the requirements of 40 CFR 82, Subpart F.

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

Chapter 62-296. F.A.C.

57. Not federally enforceable until SIP approved. Industrial, Commercial, and Municipal Open Burning Prohibited. Open burning in connection with industrial, commercial, or municipal operations is prohibited, except when:

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

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

58. Unconfined Emissions of Particulate Matter.

(4)(c)1. No person shall cause, let, permit, suffer or allow the emissions of unconfined particulate matter from any emissions unit 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.

3. Reasonable precautions may include, but shall not be limited to the following:

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

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

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

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

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

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

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

(c) Sampling Ports.

1. All sampling ports shall have a minimum inside diameter of 3 inches.
2. The ports shall be capable of being sealed when not in use.
3. The sampling ports shall be located in the stack at least 2 stack diameters or equivalent diameters downstream and at least 0.5 stack diameter or equivalent diameter upstream from any fan, bend, constriction or other flow disturbance.
4. For emissions units for which a complete application to construct has been filed prior to December 1, 1980, at least two sampling ports, 90 degrees apart, shall be installed at each sampling location on all circular stacks that have an outside diameter of 15 feet or less. For stacks with a larger diameter, four sampling ports, each 90 degrees apart, shall be installed. For emissions units for which a complete application to construct is filed on or after December 1, 1980, at least two sampling ports, 90 degrees apart, shall be installed at each sampling location on all circular stacks that have an outside diameter of 10 feet or less. For stacks with larger diameters, four sampling ports, each 90 degrees apart, shall be installed. On horizontal circular ducts, the ports shall be located so that the probe can enter the stack vertically, horizontally or at a 45 degree angle.

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

(d) Work Platforms.

1. Minimum size of the working platform shall be 24 square feet in area. Platforms shall be at least 3 feet wide.
2. On circular stacks with 2 sampling ports, the platform shall extend at least 110 degrees around the stack.
3. On circular stacks with more than two sampling ports, the work platform shall extend 360 degrees around the stack.
4. All platforms shall be equipped with an adequate safety rail (ropes are not acceptable), toeboard, and hinged floor-opening cover if ladder access is used to reach the platform. The safety rail directly in line with the sampling ports shall be removable so that no obstruction exists in an area 14 inches below each sample port and 6 inches on either side of the sampling port.

(e) Access to Work Platform.

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

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

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

(f) Electrical Power.

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

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

(g) Sampling Equipment Support.

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

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

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

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

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

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

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

TABLE 297.310-1
CALIBRATION SCHEDULE

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

FIGURE 1--SUMMARY REPORT--GASEOUS AND OPACITY EXCESS EMISSION AND MONITORING SYSTEM PERFORMANCE (version dated 7/96)

[Note: This form is referenced in 40 CFR 60.7, Subpart A-General Provisions]

Pollutant (Circle One): SO₂ NO_x TRS H₂S CO Opacity

Reporting period dates: From _____ to _____

Company: _____

Emission Limitation: _____

Address: _____

Monitor Manufacturer: _____

Model No.: _____

Date of Latest CMS Certification or Audit: _____

Process Unit(s) Description: _____

Total source operating time in reporting period ¹: _____

Emission data summary ¹	CMS performance summary ¹
1. Duration of excess emissions in reporting period due to:	1. CMS downtime in reporting period due to:
a. Startup/shutdown	a. Monitor equipment malfunctions
b. Control equipment problems	b. Non-Monitor equipment malfunctions
c. Process problems	c. Quality assurance calibration
d. Other known causes	d. Other known causes
e. Unknown causes	e. Unknown causes
2. Total duration of excess emissions	2. Total CMS Downtime
3. Total duration of excess emissions x (100) / [Total source operating time] % ²	3. [Total CMS Downtime] x (100) / [Total source operating time] % ²

¹ For opacity, record all times in minutes. For gases, record all times in hours.

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

Note: On a separate page, describe any changes since last quarter in CMS, process or controls.

I certify that the information contained in this report is true, accurate, and complete.

Name: _____

Signature: _____ Date: _____

Title: _____

Phase II Permit Application

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

This submission is: New Revised

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

FPC DeBary Facility, FL, 6046

STEP 2
Enter the boiler ID# from NADB for each affected unit, and indicate whether a repowering plan is being submitted for the unit by entering "yes" or "no" at column c. For new units, enter the requested information in columns d and e

Compliance Plan					
a	b		c	d	e
Boiler ID#	Unit Will Hold Allowances in Accordance with 40 CFR 72.9(c)(1)	Repowering Plan	New Units	Commence Operation Date	New Units Monitor Certification Deadline
7	Yes	No		11/92	1/1/96 for NOx
8	Yes	No		11/92	1/1/96 for NOx
9	Yes	No		11/92	1/1/96 for NOx
10	Yes	No		11/92	1/1/96 for NOx
	Yes				
7, 8, 9, 10	Yes	No	See Above		1/1/95 for SO2
	Yes				
	Yes				
	Yes				
	Yes				
	Yes				
	Yes				

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

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

Plant Name (from Step 1)
FPC DeBary Facility

STEP 4
Read the standard requirements and certification, enter the name of the designated representative, and sign and date

Standard Requirements

Permit Requirements.

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

Monitoring Requirements.

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

Sulfur Dioxide Requirements.

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

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

Excess Emissions Requirements.

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

Recordkeeping and Reporting Requirements.

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

Plant Name (from Step 1)
FPC DeBary Facility

Recordkeeping and Reporting Requirements (cont.)

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

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

Liability.

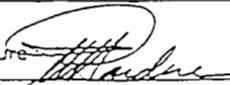
- (1) Any person who knowingly violates any requirement or prohibition of the Acid Rain Program, a complete Acid Rain part application, an Acid Rain part, or a written exemption under 40 CFR 72.7 or 72.8, including any requirement for the payment of any penalty owed to the United States, shall be subject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

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

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

Certification

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

Name <i>W. Jeffrey Pardue, C.E.P., Director, Environmental Services Dept.</i>	
Signature 	Date <i>12/14/95</i>

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

AIRS
FINDS