Attachment E-1: Extension Approval of 40 CFR 63 Subpart ZZZZ Compliance Date for Existing Stationary CI RICE located at an Area Source of HAP Emissions

South Florida Water Management District
Pump Station S-9/S-9A

Permit No.: 0112410-006-AV
Facility ID No.: 0112410

SFWMD applied on January 3, 2013 to FDEP for an extension of the compliance date for multiple CI RICE located in Florida in accordance with 40 CFR 63.6 (i). FDEP extension approval letter is attached below.

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
BOB MARTINEZ CENTER
2600 BLAIR STONE ROAD
TALLAHASSEE, FLORIDA 32399-2400

RICK SCOTT
GOVERNOR

JENNIFER CARROLL
LT. GOVERNOR

HERSCHEL T. VINYARD JR.
SECRETARY

Michael Gallagher, Bureau Chief
Field Operations South, Operation, Maintenance and Construction Division
South Florida Water Management District (SFWMD)
P.O. Box 24680
West Palm Beach, Florida 33416-4680

Re: RICE Compliance Extension Request
Multiple Pump Sites

Dear Mr Gallagher:

This letter is in response to your request for an extension to the May 3, 2013, compliance date for the National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines (RICE NESHAP), at 40 Code of Federal Regulations (CFR) Part 63, Subpart ZZZZ. The Florida Department of Environmental Protection (DEP) is approving SFWMD's request to extend the RICE NESHAP compliance date up to May 3, 2014. The basis and conditions for the one-year extension are described below.

SFWMD has requested up to a one-year extension to the May 3, 2013, RICE NESHAP compliance date for the 84 existing compression ignition reciprocating internal combustion engine driven generators located at various sites, as shown in Table 1. Each of the engines is located at an area source of HAP and was constructed prior to June 12, 2006; thereby, making them subject to the RICE NESHAP at 40 CFR Part 63, Subpart ZZZZ, as existing sources. This request encompasses engines located at multiple sites operating under the authority of either a Title V air operation permit, a non-Title V air operation permit, an Air General Permit, or a categorical exemption from the permitting requirements. The list of affected engines and facilities is attached as Table 1.

Due to the number of engines and budget constraints, SFWMD entered into three separate contracts for the design, purchase and installation of the necessary diesel oxidation catalyst (DOC) units. The contracts also include the design, purchase and installation of access platforms for some of the engines due the elevation of the DOC units. The Requests for Bids were issued in January 2012 (one contract) and April 2012 (two contracts). The contracts were awarded in April 2012 (one contract) and July 2012 (two contracts). In accordance with the SFWMD 's procurement policies and procedures, each contract was awarded to the lowest bidder. In each case the same contractor submitted the lowest bid. Being that a single contractor was the lowest bidder on all three contracts, the SFWMD explained the resources needed and time constraints associated with the contractual obligations prior to execution of the contracts. Per the contract specifications, each contract was required to be completed prior to the May 3, 2013 compliance date.

Since issuance of the contracts the SFWMD has experienced a variety of performance based issues that have resulted in the contractor currently being behind schedule. This is the contractor's first time doing business with the SFWMD, and is not familiar with the procedures required to successfully fulfill the contract requirements. There are a total of 25 pump station sites located in six counties. This has presented the contractor with logistical issues in adequately scheduling his resources to address the multiple sites. In addition, the contractor has not provided submittals (shop drawings) in a timely manner, which has resulted in some rework. The SFWMD has also issued Notices of Non-compliance related with welding inspections, piping material, electrical related to violations of the National Electric Code and other work items.

Due to the issues listed above, the SFWMD is concerned that the contractor may not have the DOC units installed and operational by the May 3, 2013 compliance date. Pursuant to 40 CFR 63.6(i), the District is requesting a time extension of six months to the May 3, 2013 compliance date.

The compliance extension provisions at 40 CFR Section 63.6(i)(4)(i)(A), which are adopted and incorporated by reference in Rule 62-204.800(11)(d), Florida Administrative Code (F.A.C.), state that the Permitting Authority may grant an extension allowing an affected source up to one additional year to comply with the standard, if such additional period is necessary for the installation of controls. The compliance extension provisions at 40 CFR Section 63.6(i)(6)(i)(A) and (B) also state that a compliance extension request must include the following information:

(A) A description of the controls to be installed to comply with the standard;
(B) A compliance schedule, including the date by which each step toward compliance will be reached. At a minimum, the list of dates shall include:
  (1) The date by which on-site construction, installation of emission control equipment, or a process change is planned to be initiated; and
  (2) The date by which on-site construction, installation of emission control equipment, or a process change is to be completed; and
  (3) The date by which final compliance is to be achieved.

Upon review of SFWMD's request and supporting information, we conclude that the compliance extension request provisions at 40 CFR Section 63.6(i)(6)(i)(A) and (B) have been met. Based on the above reasons and justifications, DEP grants SFWMD up to a one-year compliance extension from the RICE NESHAP regulations for each of the engines included in your request, listed in Table 1. The compliance extension is granted to provide SFWMD additional time to complete the installation of emission controls and to complete the initial compliance testing required by either 40 CFR 63.6610, 63.6611 or 63.6612, as applicable.

This compliance extension is granted subject to the following conditions:

1. The affected sources covered by this extension are limited to the engines described in Table 1, attached.
2. Installation of the necessary controls shall be completed and the initial compliance testing shall be performed as soon as practicable.
3. A notice containing the results showing successful completion of the initial performance test shall be submitted to the appropriate DEP District or Local Program compliance office within 14 days of completing the test.
4. SFWMD must comply with all applicable requirements of the RICE NESHAP regulations as of the date of successful completion of the initial compliance test for each engine or by May 3, 2014, whichever comes first.
5. Pursuant to Rule 62-213.410(2), F.A.C., this letter shall be attached to the Title V permit for each facility that operates pursuant to a Title V permit.
6. A copy of this letter shall be kept on-site at each non-Title V permitted facility and shall be made available for review upon request.
7. SFWMD shall work with the appropriate Permitting Authority to ensure that all requirements from 40 CFR 63, Subpart ZZZZ, applicable to non-emergency engines are clearly identified and incorporated into the Title V permit for each facility during the next revision or renewal of that facility's Title V permit.
8. Pursuant to Rule 62-213.410(2)(b), F.A.C., the permit shield described in Rule 62-213.460, F.A.C., shall not apply to these operating changes.

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

A person whose substantial interests are affected by the proposed decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Department's Office of General Counsel, MS #35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000. Petitions filed by the applicant or any of the parties listed below must be filed within 14 days of receipt of this notice. Petitions filed by any other person must be filed within 14 days of receipt of this proposed action. A petitioner must mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency

determination; (c) A statement of how and when each petitioner received notice of the agency action or proposed action; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and, (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts upon which the permitting authority's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

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

Any party to this order has the right to seek judicial review of it under Section 120.68, F.S., by the filing of a Notice of Appeal, under Rule 9.110 of the Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida, 32399-3000; and, by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within thirty days from the date this notice is filed with the Clerk of the permitting authority.

Should you have questions concerning this one-year extension, please contact Jon Holtom, P.E., at (850) 717-9079, or by email at: jon.holtom@dep.state.fl.us.

Executed in Tallahassee, Florida.

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

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this authorization, or a link to this document available electronically on a publicly accessible server, was sent by electronic mail with received receipt requested before the close of business on the date shown in the Clerk's stamp to the persons listed below.

Michael Gallagher, SFWMD: migallagher@sfwmd.gov
Jeffrey A. Smith, SFWMD: jesmith@sfwmd.gov
Linda Brien, DEP-SED: linda.brien@dep.state.fl.us
AJ Satyal, DEP-SD: ajaya.satyal@dep.state.fl.us
Cliff Bittle, Broward County EPGMD: cbittle@broward.org
Mallika Muthia, Miami-Dade County RER: muthim@miamidade.gov
Laxmana Tallam, Palm Beach County Health Department: laxmana_tallam@doh.state.fl.us
Ana Oquendo, US EPA Region 4: oquendo.ana@epa.gov
Natasha Hazziez, US EPA Region 4: hazziez.natasha@epa.gov
Barbara Friday, DEP-OPC: barbar.Friday@dep.state.fl.us

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

Table 1 - Compression Ignition RICE Subject to 40 CFR Part 63, Subpart *ZZZZ*.

Pump Station	Engine ID	Engine Description Manufacturer	Engine Description Model	Site-Rated Horsepower	DCI Model No. [1]	ARMS Permit No. [2]
G-310	1	Fairbanks-Morse	38D8-1/8	751	DC64	0990549-008-AC 0990549-009-AV
	2	Fairbanks-Morse	38D8-1/8	1,535	DC65	
	3	Fairbanks-Morse	38D8-1/8	1,535	DC65	
	4	Fairbanks-Morse	38D8-1/8	751	DC64	
G-335	1	Fairbanks-Morse	38D8-1/8	587	DC64	0990550-007-AC 0990050-008-AV
	2	Fairbanks-Morse	38D8-1/8	1,535	DC65	
	3	Fairbanks-Morse	38D8-1/8	1,535	DC65	
	4	Fairbanks-Morse	38D8-1/8	587	DC64	
G-370	1	Fairbanks-Morse	38D8-1/8	1,360	DC65	0990614-005-AC
	2	Fairbanks-Morse	38D8-1/8	1,360	DC65	
	3	Fairbanks-Morse	38D8-1/8	1,360	DC65	
G-372	1	Fairbanks-Morse	38D8-1/8	1,530	DC65	0990615-005-AC
	2	Fairbanks-Morse	38D8-1/8	1,530	DC65	
	3	Fairbanks-Morse	38D8-1/8	1,530	DC65	
	4	Fairbanks-Morse	38D8-1/8	1,530	DC65	
G-404	1	Detroit Diesel	8V-92	440	DC18	0110351-004-AC
	2	Detroit Diesel	8V-92	440	DC18	
	3	Detroit Diesel	8V-92	440	DC18	
G-420	1	Caterpillar	C-15	593	DC18	0251150-002-AG
	2	Caterpillar	C-15	593	DC18	
	3	Caterpillar	C-15	593	DC18	
G-422	1	Cummins	KTA19G2	685	DC18	0251182-002-AG
	2	Cummins	KTA19G2	685	DC18	
S-2	1	Fairbanks-Morse	38D8-1/8	1,120	DC65	0990353-004-AG
	2	Fairbanks-Morse	38D8-1/8	1,120	DC65	
	3	Fairbanks-Morse	38D8-1/8	1,120	DC65	
	4	Fairbanks-Morse	38D8-1/8	1,120	DC65	
S-3	1	Fairbanks-Morse	38D8-1/8	960	DC64	0990617-003-AG
	2	Fairbanks-Morse	38D8-1/8	960	DC64	
	3	Fairbanks-Morse	38D8-1/8	960	DC64	
S-4	1	Fairbanks-Morse	38D8-1/8	1,362	DC65	0430012-004-AG
	2	Fairbanks-Morse	38D8-1/8	1,362	DC65	
	3	Fairbanks-Morse	38D8-1/8	1,362	DC65	
S-5A	1	Fairbanks-Morse	38D8-1/8	1,600	DC68	0990349-007-AC 099-0349-008-AV
	2	Fairbanks-Morse	38D8-1/8	1,600	DC68	
	3	Fairbanks-Morse	38D8-1/8	1,600	DC68	
	4	Fairbanks-Morse	38D8-1/8	1,600	DC68	
	5	Fairbanks-Morse	38D8-1/8	1,600	DC68	
	6	Fairbanks-Morse	38D8-1/8	1,600	DC68	
S-6	1	Caterpillar	3606	1,240	DC64	0990350-005-AC
	2	Caterpillar	3606	1,240	DC64	
	3	Caterpillar	3606	1,240	DC64	
S-7	1	Fairbanks-Morse	38D8-1/8	800	DC64	0990354-007-AC 0990354-008-AV
	2	Fairbanks-Morse	38D8-1/8	800	DC64	
	3	Fairbanks-Morse	38D8-1/8	800	DC64	

Pump Station	Engine ID	Engine Description Manufacturer	Engine Description Model	Site-Rated Horsepower	DCI Model No. [1]	ARMS Permit No. [2]
S-8	1	Fairbanks-Morse	38D8-1/8	800	DC64	0110351-004-AC
	2	Fairbanks-Morse	38D8-1/8	800	DC64	
	3	Fairbanks-Morse	38D8-1/8	800	DC64	
	4	Fairbanks-Morse	38D8-1/8	800	DC64	
S-9	1	Caterpillar	3606	1,824	DC65	0112410-008-AV
	2	Caterpillar	3606	1,824	DC65	
	3	Caterpillar	3606	1,824	DC65	
S-9A	1	Caterpillar	3412C	624	DC16	0112410-008-AV
	2	Caterpillar	3412C	624	DC16	
S-25B	1	Cummins	KTA19G2	685	DC16	N/A
	2	Cummins	KTA19G2	685	DC16	
	3	Cummins	KTA19G2	685	DC16	
S-26B	1	Cummins	KTA19G2	685	DC16	N/A
	2	Cummins	KTA19G2	685	DC16	
	3	Cummins	KTA19G2	685	DC16	
S-135	1	Detroit Diesel	Series 60	440	DC18	0850111-004-AG
	2	Detroit Diesel	Series 60	440	DC18	
	3	Detroit Diesel	Series 60	440	DC18	
	4	Detroit Diesel	Series 60	440	DC18	
S-236	1	Cummins	IND400BC3	400	DC14	N/A
	2	Cummins	IND400BC3	400	DC14	
	3	Cummins	IND400BC3	400	DC14	
S-319	1	Fairbanks-Morse	38D8-1/8	1,210	DC65	0990620-006-AC 0990620-007-AV
	2	Fairbanks-Morse	38D8-1/8	1,210	DC65	
	3	Fairbanks-Morse	38D8-1/8	2,005	DC68	
	4	Fairbanks-Morse	38D8-1/8	2,005	DC68	
	5	Fairbanks-Morse	38D8-1/8	2,005	DC68	
S-332B	1	Cummins	N-14-P	475	DC14	0251141-005-AC
	2	Cummins	N-14-P	475	DC14	
	3	Cummins	N-14-P	475	DC14	
	4	Cummins	N-14-P	475	DC14	
S-362	1	Fairbanks-Morse	38D8-1/8	893	DC64	0990621-007-AC
	2	Fairbanks-Morse	38D8-1/8	893	DC64	
	3	Fairbanks-Morse	38D8-1/8	1,303	DC65	
	4	Fairbanks-Morse	38D8-1/8	1,303	DC65	
	5	Fairbanks-Morse	38D8-1/8	1,303	DC65	
G-139	1	Caterpillar	C-12	341	DC14	N/A
	2	Caterpillar	C-12	341	DC14	
	3	Caterpillar	C-12	341	DC14	

1. The diesel oxidation catalyst units are manufactured by DCI International, Inc.
2. AC = Air Construction Permit at non-Title V facility,
   AG = Air General Permit,
   AV = Title V Air Operation Permit,
   N/A = Non-permitted facility.