



**FLORIDA DEPARTMENT OF  
ENVIRONMENTAL PROTECTION**

BOB MARTINEZ CENTER  
2600 BLAIR STONE ROAD  
TALLAHASSEE, FLORIDA 32399-2400

RICK SCOTT  
GOVERNOR

CARLOS LOPEZ-CANTERA  
LT. GOVERNOR

JONATHAN P. STEVERSON  
INTERIM SECRETARY

**NOTICE OF ADMINISTRATIVELY CORRECTED PERMIT**

In the Matter of a Request for Administrative Correction:

Brian V. Powers, Station Manager  
Duke Energy Florida, Inc. (DEF)  
299 First Avenue, North, Mail Code CN77  
St. Petersburg, Florida 33701

Project No. 0170004-050-AV  
Administrative Correction to Permit No. 0170004-049-AV  
Crystal River Power Plant  
Citrus County

Enclosed are Administratively Corrected Conditions to the Title V Air Operation Permit No. 0170004-049-AV, for the operation of the Crystal River Power Plant located in Citrus County, at 15760 West Power Line Street, Crystal River, Florida. This correction is issued pursuant to Rule 62-210.360, Florida Administrative Code (F.A.C.), and Chapter 403, Florida Statutes (F.S.). This change is made at the applicant's request dated June 25, 2015, to correct the Acid Rain Part in the permit. This corrective action does not alter the effective dates of the existing permit.

The Department of Environmental Protection (Department) will consider the above-noted action final unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, 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 permitting 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) by the Agency Clerk in the Department's Office of General Counsel, 3900 Commonwealth Boulevard, MS #35, Tallahassee, Florida 32399-3000, [Agency.Clerk@dep.state.fl.us](mailto:Agency.Clerk@dep.state.fl.us), before the deadline. Petitions filed by the permit applicant or any of the parties listed below must be filed within 14 (fourteen) days of receipt of this notice. Petitions filed by any other person must be filed within 14 (fourteen) 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 (in a proceeding initiated by another party) 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 Permitting Authority'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 when and how each petitioner received notice of the agency action or proposed decision; (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, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action including an explanation of how the alleged facts relate to the specific rules or statutes; and, (g) A statement of the relief sought by the petitioner, stating precisely the action the 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 permitting authority's final action may be different from the position taken by it in this notice.

## NOTICE OF ADMINISTRATIVELY CORRECTED PERMIT

---

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 (permit) 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.

Executed in Tallahassee, Florida

*For:*

Jeffery F. Koerner, Deputy Director  
Division of Air Resource Management

### CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Notice of Administratively Corrected Permit (including the corrected pages) or a link to these documents available electronically on a publicly accessible server, was sent by electronic mail with received receipt requested to the persons listed below:

Mr. Brian V. Powers, DEF: [Brian.Powers@duke-energy.com](mailto:Brian.Powers@duke-energy.com)  
Mr. Jamie Hunter, DEF: [Jamie.Hunter@duke-energy.com](mailto:Jamie.Hunter@duke-energy.com)  
Mr. Michael Ballenger, P.E., Trinity Consultants: [mballinger@trinityconsultants.com](mailto:mballinger@trinityconsultants.com)  
Ms. Kelley M. Boatwright, DEP Southwest: [kelley.m.boatwright@dep.state.fl.us](mailto:kelley.m.boatwright@dep.state.fl.us)  
Ms. Natasha Hazziez, EPA Region 4: [hazziez.natasha@epa.gov](mailto:hazziez.natasha@epa.gov)  
Ms. Ana Oquendo, EPA Region 4: [oquendo.ana@epa.gov](mailto:oquendo.ana@epa.gov)  
Ms. Lynn Searce, DEP OPC: [lynn.searce@dep.state.fl.us](mailto:lynn.searce@dep.state.fl.us)  
Ms. Alisa Coe, Earth Justice: [acoe@earthjustice.org](mailto:acoe@earthjustice.org)

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.

**NOTICE OF ADMINISTRATIVELY CORRECTED PERMIT**

Pursuant to the applicant’s request, conditions /requirements contained in permit No. 0170004-049-AV have been corrected as indicated below with the following pages replacing the corresponding pages in the previously issued Title V permit that addressed the Acid Rain Part. Specifically, the Phase II NO<sub>x</sub> Averaging Plan is updated and is effective for calendar year 2015 through calendar year 2019.

Specific Condition **A.2.** of the Acid Rain Part is replaced with the following table:

**A.2.** Nitrogen oxide (NO<sub>x</sub>) requirements for each Acid Rain Phase II unit are as follows:

<b>E.U. ID #</b>	<b>EPA ID</b>	<b>NO<sub>x</sub> Limit</b>
<b>001</b>	<b>1</b>	<p>Pursuant to 40 CFR 76.11, the Florida Department of Environmental Protection approves five (5) NO<sub>x</sub> emissions averaging plans for this unit. Each plan is effective for one calendar year for the years 2015, 2016, 2017, 2018 and 2019. Under each plan, this unit’s NO<sub>x</sub> emissions shall not exceed the annual average alternative contemporaneous emission limitation of <b>0.54 lb/MMBtu</b>. In addition, this unit shall not have an annual heat input <b>greater than 38,544,000 MMBtu</b>.</p> <p>Also, see Additional Requirements a. and b., below.</p>
<b>002</b>	<b>2</b>	<p>Pursuant to 40 CFR 76.11, the Florida Department of Environmental Protection approves five (5) NO<sub>x</sub> emissions averaging plans for this unit. Each plan is effective for one calendar year for the years 2015, 2016, 2017, 2018 and 2019. Under each plan, this unit’s NO<sub>x</sub> emissions shall not exceed the annual average alternative contemporaneous emission limitation of <b>0.54 lb/MMBtu</b>. In addition, this unit shall not have an annual heat input <b>greater than 42,004,200 MMBtu</b>.</p> <p>Also, see Additional Requirements a. and b., below.</p>
<b>003</b>	<b>5</b>	<p>Pursuant to 40 CFR 76.11, the Florida Department of Environmental Protection approves five (5) NO<sub>x</sub> emissions averaging plans for this unit. Each plan is effective for one calendar year for the years 2015, 2016, 2017, 2018 and 2019. Under each plan, this unit’s NO<sub>x</sub> emissions shall not exceed the annual average alternative contemporaneous emission limitation of <b>0.15 lb/MMBtu</b>. In addition, this unit shall not have an annual heat input <b>greater than 21,751,080 MMBtu</b>.</p> <p>Also, see Additional Requirements a. and b., below.</p>
<b>004</b>	<b>4</b>	<p>Pursuant to 40 CFR 76.11, the Florida Department of Environmental Protection approves five (5) NO<sub>x</sub> emissions averaging plans for this unit. Each plan is effective for one calendar year for the years 2015, 2016, 2017, 2018 and 2019. Under each plan, this unit’s NO<sub>x</sub> emissions shall not exceed the annual average alternative contemporaneous emission limitation of <b>0.15 lb/MMBtu</b>. In addition, this unit shall not have an annual heat input <b>greater than 17,739,000 MMBtu</b>.</p> <p>Also, see Additional Requirements a. and b., below.</p>

Additional Requirements

- a. Under the plan (NO<sub>x</sub> Phase II averaging plan), the actual Btu-weighted annual average NO<sub>x</sub> emission rate for the units in the plan shall be less than or equal to the Btu-weighted annual average NO<sub>x</sub> emission rate for the same units had they each been operated, during the same period of time, in compliance with the applicable emission limitations under 40 CFR 76.5, 76.6, or 76.7, except that for any early election units, the applicable

## NOTICE OF ADMINISTRATIVELY CORRECTED PERMIT

---

emission limitations shall be under 40 CFR 76.7. If the designated representative demonstrates that the requirement of the prior sentence (as set forth in 40 CFR 76.11(d)(1)(ii)(A)) is met for a year under the plan, then this unit shall be deemed to be in compliance for that year with its alternative contemporaneous annual emission limitation and annual heat input limit.

- b. In addition to the described NO<sub>x</sub> compliance plan, this unit shall comply with all other applicable requirements of 40 CFR part 76, including the duty to reapply for a NO<sub>x</sub> compliance plan and requirements covering excess emissions.

**NOTICE OF ADMINISTRATIVELY CORRECTED PERMIT**

Page 1

**Florida Department of Environmental Protection**

**Phase II NO<sub>x</sub> Compliance Plan**

For more information, see instructions and refer to 40 CFR 76.9

This submission is:      New     Revised     Renewal       Page 1 of 3

<b>STEP 1</b> Indicate plant name, state, and ORIS code from NADB, if applicable.	Plant Name Crystal River	FL State	ORIS Code 0628
<b>STEP 2</b>	Identify each affected Group 1 and Group 2 boiler using the boiler ID# from NADB, if applicable. Indicate boiler type: "CB" for cell burner, "CY" for cyclone, "DBW" for dry bottom wall-fired, "T" for tangentially fired, "V" for vertically fired, and "WB" for wet bottom. Indicate the compliance option selected for each unit.		

ID#	ID#	ID#	ID#	ID#	ID#
1	2	4	5		
Type	Type	Type	Type	Type	Type
T	T	DBW	DBW		

(a) Standard annual average emission limitation of 0.50 lb/mmBtu (for <u>Phase I</u> dry bottom wall-fired boilers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) Standard annual average emission limitation of 0.45 lb/mmBtu (for <u>Phase I</u> tangentially fired boilers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c) EPA-approved early election plan under 40 CFR 76.8 through 12/31/07 (also indicate above emission limit specified in plan)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(d) Standard annual average emission limitation of 0.46 lb/mmBtu (for <u>Phase II</u> dry bottom wall-fired boilers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(e) Standard annual average emission limitation of 0.40 lb/mmBtu (for <u>Phase II</u> tangentially fired boilers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(f) Standard annual average emission limitation of 0.68 lb/mmBtu (for cell burner boilers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(g) Standard annual average emission limitation of 0.86 lb/mmBtu (for cyclone boilers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(h) Standard annual average emission limitation of 0.80 lb/mmBtu (for vertically fired boilers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(i) Standard annual average emission limitation of 0.84 lb/mmBtu (for wet bottom boilers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(j) NO <sub>x</sub> Averaging Plan (include NO <sub>x</sub> Averaging form)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(k) Common stack pursuant to 40 CFR 75.17(a)(2)(i)(A) (check the standard emission limitation box above for most stringent limitation applicable to any unit utilizing stack)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DEP Form No. 62-210.900(1)(a)3. - Form Effective:03/11/2010

Crystal River Plant Name (from Step 1)
---

STEP 2, cont'd.

ID#	ID#	ID#	ID#	ID#	ID#
1	2	4	5		
Type T	Type T	Type DBW	Type DBW	Type	Type

(l) Common stack pursuant to 40 CFR 75.17(a)(2)(i)(B) with NO<sub>x</sub> Averaging (check the NO<sub>x</sub> Averaging Plan box and include NO<sub>x</sub> Averaging Form)

<input type="checkbox"/>					
--------------------------	--------------------------	--------------------------	--------------------------	--------------------------	--------------------------

(m) EPA-approved common stack apportionment method pursuant to 40 CFR 75.17 (a)(2)(i)(C), (a)(2)(iii)(B), or (b)(2)

<input type="checkbox"/>					
--------------------------	--------------------------	--------------------------	--------------------------	--------------------------	--------------------------

(n) AEL (Include Phase II AEL Demonstration Period, Final AEL Petition, or AEL Renewal form as appropriate)

<input type="checkbox"/>					
--------------------------	--------------------------	--------------------------	--------------------------	--------------------------	--------------------------

(o) Petition for AEL demonstration period or final AEL under review by U.S. EPA or demonstration period ongoing

<input type="checkbox"/>					
--------------------------	--------------------------	--------------------------	--------------------------	--------------------------	--------------------------

(p) Repowering extension plan approved or under review

<input type="checkbox"/>					
--------------------------	--------------------------	--------------------------	--------------------------	--------------------------	--------------------------

STEP 3

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

**Standard Requirements**

General. This source is subject to the standard requirements in 40 CFR 72.9 (consistent with 40 CFR 75.8(e)(1)(i)). These requirements are listed in this source's Acid Rain Part of its Title V permit.

**Special Provisions for Early Election Units**

Nitrogen Oxides. A unit that is governed by an approved early election plan shall be subject to an emissions limitation for NO<sub>x</sub>, as provided under 40 CFR 76.8(a)(2) except as provided under 40 CFR 76.8(e)(3)(ii).

Liability. The owners and operators of a unit governed by an approved early election plan shall be liable for any violation of the plan or 40 CFR 76.8 at that unit. The owners and operators shall be liable, beginning January 1, 2000, for fulfilling the obligations specified in 40 CFR Part 77.

Termination. An approved early election plan shall be in effect only until the earlier of January 1, 2008 or January 1 of the calendar year for which a termination of the plan takes effect. If the designated representative of the unit under an approved early election plan fails to demonstrate compliance with the applicable emissions limitation under 40 CFR 76.5 for any year during the period beginning January 1 of the first year the early election takes effect and ending December 31, 2007, the permitting authority will terminate the plan. The termination will take effect beginning January 1 of the year after the year for which there is a failure to demonstrate compliance, and the designated representative may not submit a new early election plan. The designated representative of the unit under an approved early election plan may terminate the plan any year prior to 2008 but may not submit a new early election plan. In order to terminate the plan, the designated representative must submit a notice under 40 CFR 72.40(d) by January 1 of the year for which the termination is to take effect. If an early election plan is terminated any year prior to 2000, the unit shall meet, beginning January 1, 2000, the applicable emissions limitation for NO<sub>x</sub>, for Phase II units with Group 1 boilers under 40 CFR 76.7. If an early election plan is terminated on or after 2000, the unit shall meet, beginning on the effective date of the termination, the applicable emissions limitation for NO<sub>x</sub>, for Phase II units with Group 1 boilers under 40 CFR 76.7.

STEP 3, cont'd.

Certification

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

Name <u>JEFFREY K. SWARTZ</u> <del>Jeffrey Swartz</del>	
Signature <u>JK Swartz</u>	Date <u>6/22/15</u>
Contact Information	
Email Address: <u>JEFFREY.S.WARTZ</u> <del>Jeffrey.Swartz@Duke-Energy.com</del>	
Phone:	<u>352 501-6602</u>

# Florida Department of Environmental Protection

## Phase II NO<sub>x</sub> Averaging Plan

For more information, refer to 40 CFR 76.11

This submission is:  New  Revised

### STEP 1

Identify the units participating in this averaging plan by plant name, state, and boiler ID# from NADB. In column (a), fill in each unit's applicable emission limitation from 40 CFR 76.5, 76.6, or 76.7. In column (b), assign an alternative contemporaneous annual emissions limitation in lb/mmBtu to each unit. In column (c), assign an annual heat input limitation in mmBtu to each unit. Continue to page 3 if necessary.

Plant Name	State	ID#	(a) Emission Limitation	(b) Alt. Contemp. Emission Limitation	(c) Annual Heat Input Limit
Crystal River	FL	1	0.40	0.54	38,544,000
Crystal River	FL	2	0.40	0.54	42,004,200
Crystal River	FL	4	0.46	0.15	17,739,000
Crystal River	FL	5	0.46	0.15	21,751,080

### STEP 2

Use the formula to enter the Btu-weighted annual emission rate averaged over the units if they are operated in accordance with the proposed averaging plan and the Btu-weighted annual average emission rate for the same units if they are operated in compliance with 40 CFR 76.5, 76.6, or 76.7. The former must be less than or equal to the latter.

Btu-weighted annual emission rate averaged over the units if they are operated in accordance with the proposed averaging plan

Btu-weighted annual average emission rate for same units operated in compliance with 40 CFR 76.5, 76.6 or 76.7

0.412

≤

0.420

$$\frac{\sum_{i=1}^n (R_{Li} \times HI_i)}{\sum_{i=1}^n HI_i} \leq \frac{\sum_{i=1}^n [R_{ti} \times HI_i]}{\sum_{i=1}^n HI_i}$$

Where,

- R<sub>Li</sub> = Alternative contemporaneous annual emissions limitation for unit i, in lb/mmBtu, as specified in column (b) of Step 1;
- R<sub>ti</sub> = Applicable emission limitation for unit i, in lb/mmBtu, as specified in column (a) of Step 1;
- HI<sub>i</sub> = Annual heat input for unit i, in mmBtu, as specified in column (c) of Step 1;
- n = Number of units in the averaging plan.

Crystal River

Plant Name (from Step 1)

STEP 3

Mark one of the two options and enter dates.

This plan is effective for calendar year 2015 through calendar year 2019 unless notification to terminate the plan is given.

Treat this plan as  identical plans, each effective for one calendar year for the following calendar years: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_ and \_\_\_\_\_ unless notification to terminate one or more of these plans is given.

STEP 4

Read the special provisions and certification, enter the name of the designated representative, and sign and date.

Special Provisions

Emission Limitations

Each affected unit in an approved averaging plan is in compliance with the Acid Rain emission limitation for NO<sub>x</sub> under the plan only if the following requirements are met:

- (i) For each unit, the unit's actual annual average emission rate for the calendar year, in lb/mmBtu, is less than or equal to its alternative contemporaneous annual emission limitation in the averaging plan, and
  - (a) For each unit with an alternative contemporaneous emission limitation less stringent than the applicable emission limitation in 40 CFR 76.5, 76.6, or 76.7, the actual annual heat input for the calendar year does not exceed the annual heat input limit in the averaging plan.
  - (b) For each unit with an alternative contemporaneous emission limitation more stringent than the applicable emission limitation in 40 CFR 76.5, 76.6, or 76.7, the actual annual heat input for the calendar year is not less than the annual heat input limit in the averaging plan, or
- (ii) If one or more of the units does not meet the requirements of (i), the designated representative shall demonstrate, in accordance with 40 CFR 76.11(d)(1)(ii)(A) and (B), that the actual Btu-weighted annual average emission rate for the units in the plan is less than or equal to the Btu-weighted annual average rate for the same units had they each been operated, during the same period of time, in compliance with the applicable emission limitations in 40 CFR 76.5, 76.6, or 76.7.
- (iii) If there is a successful group showing of compliance under 40 CFR 76.11(d)(1)(ii)(A) and (B) for a calendar year, then all units in the averaging plan shall be deemed to be in compliance for that year with their alternative contemporaneous emission limitations and annual heat input limits under (i).

Liability

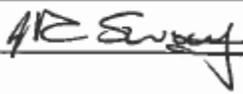
The owners and operators of a unit governed by an approved averaging plan shall be liable for any violation of the plan or this section at that unit or any other unit in the plan, including liability for fulfilling the obligations specified in part 77 of this chapter and sections 113 and 411 of the Act.

Termination

The designated representative may submit a notification to terminate an approved averaging plan, in accordance with 40 CFR 72.40(d), no later than October 1 of the calendar year for which the plan is to be terminated.

Certification

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

Name	<del>Jeffery Swartz</del> JEFFREY R. SWARTZ	
Signature		Date
		6/22/15