

NOTICE OF FINAL PERMIT

In the Matter of an
Application for Permit by:

Progress Energy Florida
100 Central Avenue CN 77
St. Petersburg, Florida 33701

Air Permit No. 0170004-017-AC
Crystal River Power Plant
BART Project
Citrus County

Authorized Representative:

Mr. Bernie Cumbie, Plant Manager

Enclosed is final permit No. 0170004-017-AC. This air construction permit is being issued to satisfy the requirements of Best Available Retrofit Technology (BART) in Rule 62-296.340, Florida Administrative Code (F.A.C.) for the eligible units at the facility identified above. For the existing Crystal River Power Plant, the BART-eligible units are coal-fired Units 1 and 2. The Department of Environmental Protection (Department) reviewed the application and establishes BART emissions standards for particulate matter. The existing facility is located in Citrus County on Power Line Road, West of U.S. Highway 19, in Crystal River, Florida. This permit is issued pursuant to Chapter 403, Florida Statutes.

Any party to this order has the right to seek judicial review of it under Section 120.68 of the Florida Statutes by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department of Environmental Protection in the Office of General Counsel (Mail Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000) and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The notice must be filed within 30 days after this order is filed with the clerk of the Department.

Executed in Tallahassee, Florida.

Trina Vielhauer, Chief
Bureau of Air Regulation

TLV/jh

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Notice of Final Permit (including the Final Permit and Final Determination), 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. Bernie Cumbie, Plant Manager, Progress Energy Florida (bernie.cumbie@pgnmail.com)
- Mr. Dave Kellermeyer, Northern Star Generation (dave.kellermeyer@northernstargen.com)
- Mr. Scott Osbourn, P.E., Golder Associates (sosbourn@golder.com)
- Mr. Mike Halpin, P.E., DEP-PPS (mike.halpin@dep.state.fl.us)
- Ms. Cindy Zhang-Torres, DEP-SWD (cindy.zhang-torres@dep.state.fl.us)
- Ms. Katy Forney, EPA Region 4 (forney.kathleen@epa.gov)
- Ms. Ana Oquendo, EPA Region 4 (oquendo.ana@epa.gov)
- Mr. Dee Morse, NPS (dee_morse@nps.gov)
- Ms. Barbara Friday, DEP BAR: barbara.friday@dep.state.fl.us (for posting with U.S. EPA, Region 4)
- Ms. Victoria Gibson, DEP BAR: victoria.gibson@dep.state.fl.us (for reading file)

Clerk Stamp

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

(Clerk) 2/26/09
(Date)

FINAL DETERMINATION

PERMITTEE

Progress Energy Florida
100 Central Avenue CN 77
St. Petersburg, Florida 33701

PERMITTING AUTHORITY

Florida Department of Environmental Protection (Department)
Division of Air Resource Management
Bureau of Air Regulation, Title V Section
2600 Blair Stone Road, MS #5505
Tallahassee, Florida 32399-2400

PROJECT

Air Permit No. 0170004-017-AC
Crystal River Power Plant BART Determination

The purpose of this air construction permit is to satisfy the requirements of Best Available Retrofit Technology (BART) in Rule 62-296.340, Florida Administrative Code (F.A.C.) for the eligible units at the facility identified above. For the existing Crystal River Power Plant, the BART-eligible units are coal-fired Units 1 and 2. The Department of Environmental Protection (Department) reviewed the application and establishes BART emissions standards for particulate matter. The existing facility is located in Citrus County on Power Line Road, West of U.S. Highway 19, in Crystal River, Florida. This permit is issued pursuant to Chapter 403, Florida Statutes.

NOTICE AND PUBLICATION

The Department distributed an Intent to Issue Permit package on December 19, 2008. The applicant published the Public Notice of Intent to Issue in the Citrus County Chronicle on January 14, 2009. The Department received the proof of publication on January 27, 2009. The Department granted an extension of time to file a petition for an administrative hearing on February 13th. The extension of time request was withdrawn on February 24th.

COMMENTS

No comments on the Draft Permit were received from the public, the Department's SW District Office, the EPA Region 4 Office or the National Park Service; however, on January 27, 2009, the Department received comments from the applicant. The following summarizes the comments and the Department's response. Revised language added to the permit is indicated by a double underline format.

1. The applicant commented that the excess emissions provisions listed in condition 7 do not recognize the fact that Boilers 1 and 2 meet the definition of existing units contained in Rule 62-210.700(2), F.A.C. and has requested that condition 7 be revised accordingly. This provision is already contained within the Title V permit and it was not intended for this permit to alter that provision. However, at the applicant's request for clarity, condition 7 is revised as follows:
 7. Excess Emissions Allowed. Unless otherwise specified by permit, excess emissions resulting from startup, shutdown or malfunction of any emissions unit shall be permitted providing (1) best operational practices to minimize emissions are adhered to and (2) the duration of excess emissions shall be minimized but in no case exceed two hours in any 24-hour period unless specifically authorized by the Department for longer duration.

Excess emissions from existing fossil fuel steam generators resulting from startup or shutdown shall be permitted provided that best operational practices to minimize emissions are adhered to and the duration

FINAL DETERMINATION

of excess emissions shall be minimized.

[Rules 62-210.700(1) & (2), F.A.C.]

CONCLUSION

The final action of the Department is to issue the permit with the minor revisions, corrections, and clarifications as described above.



Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

PERMITTEE

Progress Energy Florida (PEF)
100 Central Avenue CN 77
St. Petersburg, Florida 33701

Air Permit No. 0170004-017-AC
Expiration Date: 07/01/2014
Crystal River Power Plant
BART Project

Authorized Representative:
Bernie Cumbie, Plant Manager

PLANT AND LOCATION

Progress Energy Florida operates the Crystal River Power Plant, which is located on Power Line Road, West of U.S. Highway 19, Crystal River, Citrus County, Florida. The UTM coordinates are Zone 17, 334.3 km East and 3204.5 km North. The facility is an existing coal-fired power plant, which is identified by Standard Industrial Classification code No. 4911.

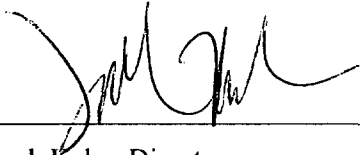
STATEMENT OF BASIS

This air pollution construction permit is issued under the provisions of Chapter 403 of the Florida Statutes (F.S.), and Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297 of the Florida Administrative Code (F.A.C.). Specifically, this project is subject to Rule 62-296.340, F.A.C., which requires a determination of the Best Available Retrofit Technology (BART) for each BART-eligible source as defined in 40 CFR 51.301. The state rule implements the federal provisions of Appendix Y in 40 CFR Part 51, "Guidelines for BART Determinations Under the Regional Haze Rule". The affected visibility-impairing pollutants include only particulate matter (PM) for electric utilities subject to CAIR. Pursuant to Rule 62-296.340, F.A.C., the permittee shall install or modify the air pollution control equipment to achieve the specified BART standards.

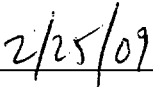
EFFECTIVE DATE

Unless otherwise specified by this permit, the BART-eligible sources shall demonstrate compliance with the conditions of this permit no later than December 31, 2013. [Rule 62-296.340(3)(b)2, F.A.C.]

Executed in Tallahassee, Florida



Joseph Kahn, Director
Division of Air Resource Management



(Date)

JK/tlv/jh

SECTION 1. GENERAL INFORMATION

FACILITY DESCRIPTION

Progress Energy Florida, operates an existing coal-fired power plant, which consists of four coal-fired fossil fuel steam generating (FFSG) units and associated equipment.

FACILITY REGULATORY CLASSIFICATIONS

- The facility is a major source of hazardous air pollutants (HAP).
- The facility operates units subject to the acid rain provisions of the Clean Air Act.
- The facility is a Title V major source of air pollution in accordance with Chapter 213, F.A.C.
- The facility is a major stationary source pursuant to Rule 62-212.400, F.A.C. for the Prevention of Significant Deterioration (PSD) of Air Quality.
- The facility operates BART-eligible units subject to Rule 62-296.340 (BART), F.A.C.

BART-ELIGIBLE EMISSIONS UNITS

This permitting action affects the following BART-eligible emissions units at the plant.

EU No.	Emission Unit Description
-001	Fossil Fuel Steam Generator Unit 1
-002	Fossil Fuel Steam Generator Unit 2

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Section 1. General Information

Section 2. Administrative Requirements

Section 3. Emissions Units Specific Conditions

Section 4. Appendices

Appendix A. Citation Formats

Appendix B. General Conditions

Appendix C. Standard Testing Requirements

SECTION 2. ADMINISTRATIVE REQUIREMENTS

1. Permitting Authority. The Permitting Authority for this project is the Bureau of Air Regulation in the Division of Air Resource Management of the Florida Department of Environmental Protection. The mailing address for the Bureau of Air Regulation is 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400.
2. Compliance Authority. All documents related to compliance activities such as reports, tests, and notifications shall be submitted to the Department of Environmental Protection's Southwest District Office. The mailing address and phone number of the Southwest District Office is: 13051 North Telecom Parkway, Temple Terrace, FL 33637-0926, telephone: 813/632-7600, fax: 813/632-7668.
3. Appendices. The following Appendices are attached as an enforceable part of this permit: Appendix A (Citation Formats), Appendix B (General Conditions), and Appendix C (Standard Testing Requirements).
4. Applicable Regulations, Forms and Application Procedures. Unless otherwise specified in this permit, the construction and operation of the subject emissions units shall be in accordance with the capacities and specifications stated in the application. The facility is subject to the applicable provisions of: Chapter 403, Florida Statutes (F.S.); Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-296, and 62-297, Florida Administrative Code (F.A.C.); and the applicable parts and subparts of Title 40, Code of Federal Regulations (CFR). Issuance of this permit does not relieve the permittee from compliance with any applicable federal, state, or local permitting or regulations.
5. Title V Permit. This permit authorizes specific modifications and/or new construction on the affected emissions units as well as initial operation to determine compliance with conditions of this permit. A Title V operation permit is required for regular operation of the permitted emissions unit. The permittee shall apply for a Title V operation permit **on or before December 31, 2013**. To apply for a Title V operation permit, the applicant shall submit the appropriate application form, compliance test results, and such additional information as the Department may by law require. The application shall be submitted to the Bureau of Air Regulation with copies to the Compliance Authority. [Rules 62-4.030, 62-4.050, 62-4.220, and Chapter 62-213, F.A.C.]
6. Records Retention. All measurements, records, and other data required by this permit shall be documented in a permanent, legible format and retained for at least 5 years following the date on which such measurements, records, or data are recorded. Records shall be made available to the Department upon request. [Rule 62-213.440(1)(b)2, F.A.C.]
7. Annual Operating Report. The permittee shall submit an annual report that summarizes the actual operating rates and emissions from this facility. Annual operating reports shall be submitted to the Compliance Authority by March 1st of each year. [Rule 62-210.370(3), F.A.C.]

SECTION 3. EMISSIONS UNIT SPECIFIC CONDITIONS

C. Emissions Units 1 and 2(EU-001 & -002)

This subsection addresses the following affected emissions unit.

ID No.	Emissions Unit Description
-001 and -002	<p><i>Description:</i> -001: 3,750 MMBtu/hr pulverized coal, dry bottom, tangentially-fired boiler. -002: 4,795 MMBtu/hr pulverized coal, dry bottom, tangentially-fired boiler.</p> <p><i>Fuels:</i> The fuels allowed to be burned in these units are: bituminous coal; a bituminous coal and bituminous coal briquette mixture, on-specification used oil, and distillate fuel oil for startup. These units may also burn up to 2%, by weight, of oily fly ash generated by Unit 1 at the Bartow Power Plant.</p> <p><i>Controls:</i> Emissions of particulate matter are controlled from each unit with a high efficiency electrostatic precipitator, manufactured by Buell Manufacturing Company, Inc.</p> <p><i>Monitors:</i> Continuous opacity monitor systems (COMS) are used to measure opacity in conformance with 40 CFR Part 75.</p> <p><i>Unit 1 Stack Parameters:</i> Exhaust gas exits at 291° F and 1,407,923 acfm through a 15-foot diameter stack that is 499 feet tall.</p> <p><i>Unit 2 Stack Parameters:</i> Exhaust gas exits at 300° F and 1,931,324 acfm through a 16-foot diameter stack that is 502 feet tall.</p>

Pursuant to Rule 62-296.340 (BART), F.A.C., the following standards represent the Best Available Retrofit Technology. These standards apply to each BART-eligible unit and are in addition to, and supplement, all other applicable standards.

CONTROL EQUIPMENT

1. Particulate Controls. To control emissions of particulate matter (PM), the permittee shall continue to operate and maintain the existing electrostatic precipitators (ESP) for Units 1 and 2 to meet the BART standards specified in this permit. This permit authorizes any upgrades to the ESP for Unit 2 necessary to meet the BART emissions limits, below. [Rule 62-296.340 (BART), F.A.C.]
2. Circumvention. The permittee shall not 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.]

BART EMISSIONS STANDARDS

3. Particulate Matter Emissions Standard – Steady State Operations. As determined by EPA Method 5 or 17, particulate matter emissions from Units 1 and 2 combined shall not exceed 0.04 lb/MMBtu, on a weighted average basis of the total heat input. Compliance shall be demonstrated based on the average of the 3 required 1-hour test runs. [Rule 62-296.340 (BART), F.A.C.]
4. Particulate Matter Emissions Standard – Soot Blowing and Load Change Operations. As determined by EPA Method 5 or 17, particulate matter emissions from Units 1 and 2 combined shall not exceed 0.12 lb/MMBtu, on a weighted average basis of the total heat input, not to exceed 3 hours in any 24-hour period. Compliance shall be demonstrated based on the average of the 3 required 1-hour test runs. [Rule 62-296.340 (BART), F.A.C.]
5. Opacity Standard – Steady-State Operations. As determined by data collected from the existing COMS or EPA Method 9, visible emissions during steady-state operations from: Unit 1 shall not exceed 30% opacity

SECTION 3. EMISSIONS UNIT SPECIFIC CONDITIONS

C. Emissions Units 1 and 2(EU-001 & -002)

based on a 6-minute average except for one 6-minute average per hour not to exceed 35% opacity; Unit 2 shall not exceed 15% opacity based on a 6-minute average except for one 6-minute average per hour not to exceed 20% opacity. [Rule 62-296.340 (BART), F.A.C.]

6. Opacity Standard – Soot-Blowing and Load Change Operations. As determined by data collected from the existing COMS or EPA Method 9, visible emissions resulting from soot-blowing and load change operations shall be permitted providing (1) best operational practices to minimize emissions are adhered to and (2) the duration of excess emissions shall be minimized. In no case shall the duration of such emissions exceed 3 hours in any 24-hour period and visible emissions from: Unit 1 shall not exceed 40% opacity based on a 6-minute average; Unit 2 shall not exceed 25% opacity based on a 6-minute average. A load change occurs when the operational capacity of a unit is in the 10 percent to 100 percent capacity range, other than startup or shutdown, which exceeds 10 percent of the unit's rated capacity and which occurs at a rate of 0.5 percent per minute or more. [Rule 62-296.340 (BART), F.A.C.]

EXCESS EMISSIONS

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

Excess emissions from existing fossil fuel steam generators resulting from startup or shutdown shall be permitted provided that best operational practices to minimize emissions are adhered to and the duration of excess emissions shall be minimized.

[Rules 62-210.700(1) & (2), F.A.C.]

8. Excess Emissions Prohibited. Excess emissions caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure that may reasonably be prevented during startup, shutdown or malfunction shall be prohibited. [Rule 62-210.700(4), F.A.C.]
9. Excess Emissions Notification. In case of excess emissions resulting from malfunctions, the permittee shall notify the Compliance Authority in accordance with Rule 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.]

MONITORING REQUIREMENTS

10. Control Equipment Monitoring. The ESPs used for the control of particulate matter emissions from these units are subject to the Compliance Assurance Monitoring (CAM) provisions contained in 40 CFR 64. The CAM parameter ranges to be monitored (total ESP power and continuous VE) shall be re-established during the initial testing required in Condition 13 and shall be submitted with the Title V operation permit revision application required by Section 2, Condition 5. Adherence to an approved CAM plan will satisfy the BART control equipment monitoring requirement. [Rules 62-296.340 (BART) and 62-4.070(3), F.A.C.; and 40 CFR 64]

{Permitting Note: Because these units are subject to CAM, sufficient testing shall be conducted prior to submitting an application for a Title V permit revision to support the chosen CAM excursion indicators and ranges.}

EMISSIONS PERFORMANCE TESTING

11. Test Methods. The following reference methods (or more recent versions) shall be used to conduct any

SECTION 3. EMISSIONS UNIT SPECIFIC CONDITIONS

C. Emissions Units 1 and 2(EU-001 & -002)

required emissions tests.

Method	Description of Method and Comments
1 - 4	Traverse Points, Velocity and Flow Rate, Gas Analysis, and Moisture Content
5 or 17	Determination of PM Emissions from Stationary Sources
9	Visual Determination of Opacity from Stationary Sources

EPA Methods 1, 2, 3, 4, and 19 shall be used as necessary to support the other test methods. The above methods are described in 40 CFR 60, Appendix A, which is adopted by reference in Rule 62-204.800, F.A.C. No other methods shall be used without prior written approval from the Permitting Authority. [Rules 62-204.800 and 62-297.100, F.A.C.; and 40 CFR 60, Appendix A]

12. **Standard Testing Requirements.** All required emissions tests shall be conducted in accordance with the requirements specified in Appendix C (Standard Testing Requirements) of this permit. [Rules 62-204.800 and 62-297.100, F.A.C.; and 40 CFR 60, Appendix A]
13. **Compliance Tests.** During each federal fiscal year (October 1st to September 30th), the permittee shall conduct tests on Units 1 and 2 to demonstrate compliance with the BART standards for particulate matter and opacity. Initial compliance tests shall be conducted during federal fiscal year 2012/2013 (following the upgrades to the Unit 2 ESP) and a test report demonstrating compliance shall be submitted before October 1, 2013. [Rules 62-204.800, 62-296.340(3)(b)2 and 62-297.310(7)(a)4, F.A.C.; and 40 CFR 60, Appendix A, Method 9]

NOTIFICATIONS, RECORDS AND REPORTS

14. **Plant Operation - Problems.** If temporarily unable to comply with any of the conditions of the permit due to breakdown of equipment or destruction by fire, wind or other cause, the permittee shall notify each Compliance Authority as soon as possible, but at least within one working day, excluding weekends and holidays. The notification shall include: pertinent information as to the cause of the problem; steps being taken to correct the problem and prevent future 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 the conditions of this permit or the regulations. [Rule 62-4.130, F.A.C.]
15. **BART Permit Application for SO₂ and NO_x.** In the event that CAIR is vacated by the Federal courts, the Department reserves the right to require the submission of a BART application for SO₂ and NO_x within 60 days of notification by the Department. [Rule 62-296.340, F.A.C.]
16. **Shut Down of Units 1 and 2.** Units 1 and 2 shall cease to be operated as coal-fired units by December 31, 2020. This date assumes timely licensing, construction and commencement of commercial operation of PEF's proposed new nuclear units (Levy County Units 1 and 2). The shutdown (or repowering) of Units 1 and 2 coal-fired units is contingent upon completion of the first fuel cycle for Levy County Unit 2. PEF shall timely advise the Department of any developments that would delay the shutdown (or repowering) of Units 1 and 2 beyond the completion of the first fuel cycle for Levy County Unit 2. [Rule 62-296.340 (BART), F.A.C. and Applicant Request]

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SECTION 4. APPENDIX A

CITATION FORMATS

The following examples illustrate the format used in the permit to identify applicable permitting actions and regulations.

REFERENCES TO PREVIOUS PERMITTING ACTIONS

Old Permit Numbers

Example: Permit No. AC50-123456 or Air Permit No. AO50-123456

Where: “AC” identifies the permit as an Air Construction Permit

“AO” identifies the permit as an Air Operation Permit

“123456” identifies the specific permit project number

New Permit Numbers

Example: Permit Nos. 099-2222-001-AC, 099-2222-001-AO, or 099-2222-001-AV

Where: “099” represents the specific county ID number in which the project is located

“2222” represents the specific facility ID number

“001” identifies the specific permit project

“AC” identifies the permit as an air construction permit

“AO” identifies the permit as a minor source air operation permit

“AV” identifies the permit as a Title V Major Source Air Operation Permit

PSD Permit Numbers

Example: Permit No. PSD-FL-317

Where: “PSD” means issued pursuant to the Prevention of Significant Deterioration of Air Quality

“FL” means that the permit was issued by the State of Florida

“317” identifies the specific permit project

RULE CITATION FORMATS

Florida Administrative Code (F.A.C.)

Example: [Rule 62-213.205, F.A.C.]

Means: Title 62, Chapter 213, Rule 205 of the Florida Administrative Code

Code of Federal Regulations (CFR)

Example: [40 CFR 60.7]

Means: Title 40, Part 60, Section 7

SECTION 4. APPENDIX B
GENERAL CONDITIONS

The permittee shall comply with the following general conditions from Rule 62-4.160, F.A.C.

1. The terms, conditions, requirements, limitations, and restrictions set forth in this permit are "Permit Conditions" and are binding and enforceable pursuant to Sections 403.161, 403.727, or 403.859 through 403.861, Florida Statutes. 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), Florida Statutes, the issuance of this permit does not convey and 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 or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the 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 Florida Statutes 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 or 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 a reasonable time, access to the premises, where the permitted activity is located or conducted to:
 - a. Have access to and copy and records that must be kept under the 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 reasonably 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 non-compliance; and
 - b. The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance.

SECTION 4. APPENDIX B
GENERAL CONDITIONS

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 Florida Statutes or Department rules, except where such use is prescribed by Sections 403.73 and 403.111, Florida Statutes. 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 Florida Statutes after a reasonable time for compliance, provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.
11. This permit is transferable only upon Department approval in accordance with Florida Administrative Code Rules 62-4.120 and 62-730.300, 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.
13. This permit also constitutes:
 - a. Determination of Best Available Control Technology (Not Applicable);
 - b. Determination of Prevention of Significant Deterioration (Not Applicable); and
 - c. Compliance with New Source Performance Standards (Not Applicable).
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 or this permit. These materials shall be retained at least three 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 that 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.

SECTION 4. APPENDIX C
STANDARD CEMS REQUIREMENTS

Unless otherwise specified by permit, all emissions units that require testing are subject to the following conditions as applicable.

1. **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 two complete runs as proof of compliance, provided that the arithmetic mean of the two complete runs is at least 20% below the allowable emission limiting standard. [Rule 62-297.310(1), F.A.C.]
2. **Operating Rate During Testing:** Unless otherwise stated in the applicable emission limiting standard rule, testing of emissions shall be conducted with the emissions unit operating at permitted capacity as defined below. If it is impracticable to test at permitted capacity, an emissions unit may be tested at less than the maximum permitted capacity; in this case, subsequent emissions unit operation is limited to 110 percent of the test rate until a new test is conducted. Once the unit is so limited, operation at higher capacities is allowed for no more than 15 consecutive days for the purpose of additional compliance testing to regain the authority to operate at the permitted capacity.
 - a. *Combustion Turbines.* (Reserved)
 - b. *All Other Sources.* Permitted capacity is defined as 90 to 100 percent of the maximum operation rate allowed by the permit.
[Rule 62-297.310(2), F.A.C.]
3. **Calculation of Emission Rate:** For each emissions performance test, 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.]
4. **Applicable Test Procedures:**
 - a. *Required Sampling Time.*
 - 1) Unless otherwise specified in the applicable rule, the required sampling time for each test run shall be no less than one hour and no greater than four hours, and the sampling time at each sampling point shall be of equal intervals of at least two minutes.
 - 2) **Opacity Compliance Tests.** When either EPA Method 9 or DEP Method 9 is specified as the applicable opacity test method, the required minimum period of observation for a compliance test shall be sixty (60) minutes for emissions units which emit or have the potential to emit 100 tons per year or more of particulate matter, and thirty (30) minutes for emissions units which have potential emissions less than 100 tons per year of particulate matter and are not subject to a multiple-valued opacity standard. The opacity test observation period shall include the period during which the highest opacity emissions can reasonably be expected to occur. Exceptions to these requirements are as follows:
 - a) For batch, cyclical processes, or other operations which are normally completed within less than the minimum observation period and do not recur within that time, the period of observation

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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.
- 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.

TABLE 297.310-1 CALIBRATION SCHEDULE			
Item	Minimum 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	5° F
Thermocouple	Annually	ASTM Hg in glass ref. thermometer, NBS calibrated reference and potentiometer	5° 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; maximum deviation between readings, 0.004"
Dry Gas Meter and Orifice Meter	1. Full Scale: When received, when 5% change observed, annually	Spirometer or calibrated wet test or dry gas test meter	2%
	2. One Point: Semiannually		
	3. Check after each test series	Comparison check	5%

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

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5. 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.]

6. Required Stack Sampling Facilities: Sampling facilities include sampling ports, work platforms, access to work platforms, electrical power, and sampling equipment support. 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.

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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.*

- 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 × 3 inch × 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.

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7. **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.**
- 1) The owner or operator of a new or modified emissions unit that is subject to an emission limiting standard shall conduct a compliance test that demonstrates compliance with the applicable emission limiting standard prior to obtaining an operation permit for such emissions unit.
 - 2) For excess emission limitations for particulate matter specified in Rule 62-210.700, F.A.C., a compliance test shall be conducted annually while the emissions unit is operating under soot blowing conditions in each federal fiscal year during which soot blowing is part of normal emissions unit operation, except that such test shall not be required in any federal fiscal year in which a fossil fuel steam generator does not burn liquid and/or solid fuel for more than 400 hours other than during startup.
 - 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 sub-subparagraph 62-210.300(2)(a)3.b., c., or d., F.A.C., the Department shall not require submission of emission compliance test results for any emissions unit that, during the year prior to renewal:
 - a) Did not operate; or
 - b) In the case of a fuel burning emissions unit, burned liquid and/or solid fuel for a total of no more than 400 hours,
 - 4) During each federal fiscal year (October 1 – September 30), unless otherwise specified by rule, order, or permit, the owner or operator of each emissions unit shall have a formal compliance test conducted for:
 - a) Visible emissions, if there is an applicable standard;
 - b) Each of the following pollutants, if there is an applicable standard, and if the emissions unit emits or has the potential to emit: 5 tons per year or more of lead or lead compounds measured as elemental lead; 30 tons per year or more of acrylonitrile; or 100 tons per year or more of any other regulated air pollutant; and
 - c) Each NESHAP pollutant, if there is an applicable emission standard.
 - 5) An annual compliance test for particulate matter emissions shall not be required for any fuel burning emissions unit that, in a federal fiscal year, does not burn liquid and/or solid fuel, other than during startup, for a total of more than 400 hours.
 - 6) For fossil fuel steam generators on a semi-annual particulate matter emission compliance testing schedule, a compliance test shall not be required for any six-month period in which liquid and/or solid fuel is not burned for more than 200 hours other than during startup.
 - 7) For emissions units electing to conduct particulate matter emission compliance testing quarterly pursuant to paragraph 62-296.405(2)(a), F.A.C., a compliance test shall not be required for any quarter in which liquid and/or solid fuel is not burned for more than 100 hours other than during startup.
 - 8) Any combustion turbine that does not operate for more than 400 hours per year shall conduct a

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visible emissions compliance test once per each five-year period, coinciding with the term of its air operation permit.

- 9) The owner or operator shall notify the Department, at least 15 days prior to the date on which each formal compliance test is to begin, of the date, time, and place of each such test, and the test contact person who will be responsible for coordinating and having such test conducted for the owner or operator.
 - 10) An annual compliance test conducted for visible emissions shall not be required for units exempted from air permitting pursuant to subsection 62-210.300(3), F.A.C.; units determined to be insignificant pursuant to subparagraph 62-213.300(2)(a)1., F.A.C., or paragraph 62-213.430(6)(b), F.A.C.; or units permitted under the General Permit provisions in paragraph 62-210.300(4)(a) or Rule 62-213.300, F.A.C., unless the general permit specifically requires such testing.
- 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 shall 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.

8. 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.

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- 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.]

9. Stack: The terms stack and duct are used interchangeably in this rule. [Rule 62-297.310(9), F.A.C.]