ATTACHMENT A: MAPS

To be attached after certification pursuant to Section A. Condition I.D.-F.

ATTACHMENT B: MITIGATION PLANS

To be attached after certification pursuant to Section A. Condition XXX.C.2.

ATTACHMENT C: SOVEREIGN SUBMERGED LEASE

Florida Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

July 27, 2010

RECEIVED
By DEP Siting Coordination Office via Email at 1:58 pm, Nov 05, 2010

Florida Power & Light Company
Attn: Ms. Kristen Chase
700 Universe Blvd.
Juno Beach, FL 33408

Easement No. 41209
BOT File No. 500234456
Grantee: Florida Power & Light Company

Dear Ms. Chase:

Enclosed is a fully executed easement for **your client's** records.

The easement agreement requires the Grantee to have the fully executed easement (all pages) recorded within 14 days after receipt of this letter. The easement is to be recorded in the official records of the county within which the easement site is located. Please provide within 10 days following recordation, a copy of the recorded easements to this office at the letterhead address (to Mail Station No. 125).

If you have any questions, please feel free to contact me at (850) 245-2720. Any future correspondence or inquiries should be directed to this office at the letterhead address above (Mail Station No. 125) or at (850) 245-2720.

Thank you for your assistance and cooperation in this matter.

Sincerely,

Kathy C Griffin

Kathy C. Griffin
Government Operations Consultant I
Bureau of Public Land Administration
Division of State Lands
/kcg
Enclosures
cc: File
DEP, SE District Office

This Instrument Prepared By:
Taurean J. Lewis
Recurring Revenue Section
Bureau of Public Land Administration
3900 Commonwealth Boulevard
Mail Station No. 125
Tallahassee, Florida 32399

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND
OF THE STATE OF FLORIDA

SOVEREIGNTY SUBMERGED LANDS EASEMENT

NO. 41209
BOT FILE NO. 500234456
PA NO. 50-0045750-006

THIS EASEMENT is hereby granted by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, hereinafter referred to as the Grantor.

WITNESSETH: That for the faithful and timely performance of and compliance with the terms and conditions stated herein, the Grantor does hereby grant to Florida Power & Light Company, a Florida corporation, hereinafter referred to as the Grantee, a nonexclusive easement on, under and across the sovereignty lands, if any, contained in the following legal description:

A parcel of sovereignty submerged land in Section 33, Township 42 South, Range 43 East, in the Intracoastal Waterway, Palm Beach County, as is more particularly described and shown on Attachment A, dated December 21, 2009.

TO HAVE THE USE OF the hereinabove described premises for a period of 50 years from March 9, 2010, the effective date of this easement. The terms and conditions on and for which this easement is granted are as follows:

1. USE OF PROPERTY: The above described parcel of land shall be used solely for an existing subaqueous water discharge pipeline. All of the foregoing subject to the remaining conditions of this easement.

2. EASEMENT CONSIDERATION: In the event the Grantor amends its rules related to fees and the amended rules provide the Grantee will be charged a fee or an increased fee for this activity, the Grantee agrees to pay all charges required by such amended rules within 90 days of the date the amended rules become effective or by a date provided by an invoice from the Department, whichever is later. All fees charged under this provision shall be prospective in nature; i.e. they shall begin to accrue on the date that the amended rules become effective.

3. WARRANTY OF TITLE/GUARANTEE OF SUITABILITY OF USE OF LAND: Grantor neither warrants title to the lands described herein nor guarantees the suitability of any of the lands for any particular use.

4. RIGHTS GRANTED: The rights hereby granted shall be subject to any and all prior rights of the United States and any and all prior grants by the Grantor in and to the submerged lands situated within the limits of this easement.

5. DAMAGE TO EASEMENT PROPERTY AND INTERFERENCE WITH PUBLIC AND PRIVATE RIGHTS: Grantee shall not damage the easement lands or unduly interfere with public or private rights therein.

6. GRANTOR'S RIGHT TO GRANT COMPATIBLE USES OF THE EASEMENT PROPERTY: This easement is nonexclusive, and the Grantor, or its duly authorized agent, shall retain the right to enter the property or to engage in management activities not inconsistent with the use herein provided for and shall retain the right to grant compatible uses of the property to third parties during the term of this easement.

7. RIGHT TO INSPECT: Grantor, or its duly authorized agent, shall have the right at any time to inspect the works and operations of the Grantee in any matter pertaining to this easement.

8. INDEMNIFICATION/INVESTIGATION OF ALL CLAIMS: The Grantee shall investigate all claims of every nature at its expense, and shall indemnify, defend and save and hold harmless the Grantor and the State of Florida from all claims, actions, lawsuits and demands arising out of this easement, which do not arise out of or result from the negligent acts of omissions of Grantor.

9. VENUE: Grantee waives venue as to any litigation arising from matters relating to this easement and any such litigation between Grantor and Grantee shall be initiated and maintained only in Leon County, Florida.

10. ASSIGNMENT OF EASEMENT: This easement shall not be assigned or otherwise transferred without prior written consent of the Grantor or its duly authorized agent and which consent shall not be unreasonably withheld. Any assignment or other transfer without prior written consent of the Grantor shall be null and void and without legal effect.

11. TERMINATION: The Grantee, by acceptance of this easement, binds itself, its successors and assigns, to abide by the provisions and conditions herein set forth, and said provisions and conditions shall be deemed covenants of the Grantee, its successors and assigns. In the event the Grantee fails or refuses to comply with the provisions and conditions herein set forth or in the event the Grantee violates any of the provisions and conditions herein, this easement may be terminated by the Grantor upon 30 days written notice to Grantee. If terminated, all of the above-described parcel of land shall revert to the Grantor. All costs, including attorneys' fees, incurred by the Grantor to enforce the provisions of this easement shall be paid by the Grantee. All notices required to be given to Grantee by this easement or applicable law or administrative rules shall be sufficient if sent by U.S. Mail to the following address:

FLORIDA POWER & LIGHT COMPANY
c/o Director of Corporate Real Estate
700 Universe Blvd.
P.O. Box 14000
Juno Beach, Florida 33408

The Grantee agrees to notify the Grantor by certified mail of any changes to this address at least ten (10) days before the change is effective.

12. TAXES AND ASSESSMENTS: The Grantee shall assume all responsibility for liabilities that accrue to the subject property or to the improvements thereon, including any and all drainage or special assessments or taxes of every kind and description which are now or may be hereafter lawfully assessed and levied against the subject property during the effective period of this easement which result from the grant of this easement or the activities of Grantee hereunder.

13. REMOVAL OF STRUCTURES/ADMINISTRATIVE FINES: If the Grantee does not remove said structures and equipment occupying and erected upon the premises after expiration or cancellation of this easement, such structures and equipment will be deemed forfeited to the Grantor, and the Grantor may authorize removal and may sell such forfeited structures and equipment after ten (10) days written notice by certified mail addressed to the Grantee at the address specified in Item 11 or at such address on record as provided to the Grantor by the Grantee. However, such remedy shall be in addition to all other remedies available to Grantor under applicable laws, rules and regulations including the right to compel removal of all structures and the right to impose administrative fines.

14. ENFORCEMENT OF PROVISIONS: No failure, or successive failures, on the part of the Grantor to enforce any provision, nor any waiver or successive waivers on its part of any provision herein, shall operate as a discharge thereof or render the same inoperative or impair the right of the Grantor to enforce the same upon any renewal thereof or in the event of subsequent breach or breaches.

15. RECORDATION OF EASEMENT: The Grantee, at its own expense, shall record this fully executed easement in its entirety in the public records of the county within which the easement site is located within fourteen (14) days after receipt, and shall provide to the Grantor within ten (10) days following the recordation a copy of the recorded easement in its entirety which contains the O.R. Book and pages at which the easement is recorded.

16. AMENDMENT/MODIFICATIONS: This easement is the entire and only agreement between the parties. Its provisions are not severable. Any amendment or modification to this easement must be in writing and must be accepted, acknowledged and executed by the Grantee and Grantor.

17. ACOE AUTHORIZATION: Prior to commencement of construction and/or activities authorized herein, the Grantee shall obtain the U.S. Army Corps of Engineers (COE) permit if it is required by the COE. Any modifications to the construction and/or activities authorized herein that may be required by the COE shall require consideration by and the prior written approval of the Grantor prior to the commencement of construction and/or any activities on sovereign, submerged lands.

18. ADDITIONAL STRUCTURES OR ACTIVITIES/EMERGENCY STRUCTURAL REPAIRS: No additional structures shall be erected and/or activities undertaken, including but not limited to, dredging, relocation/realignment or major repairs or renovations made to authorized structures, on, in or over sovereignty, submerged lands without the prior written consent from the Grantor, with the exception of emergency repairs. Unless specifically authorized in writing by the Grantor, such activities or structures shall be considered unauthorized and a violation of Chapter 253, Florida Statutes, and shall subject the Grantee to administrative fines under Chapter 18-14, Florida Administrative Code. If emergency repairs are required to be undertaken in the interests of public health, safety or welfare, the Grantee shall notify the Grantor of such repairs as quickly as is practicable; provided, however, that such emergency activities shall not exceed the activities authorized by this easement.

19. UPLAND RIPARIAN PROPERTY INTEREST: During the term of this easement, Grantee must have satisfactory evidence of sufficient upland interest as defined in subsection 18-21.003(60), Florida Administrative Code, to the extent required by paragraph 18-21.004(3)(b), Florida Administrative Code, in order to conduct the activity described in this easement. If at any time during the term of this easement, Grantee fails to comply with this requirement, use of sovereignty, submerged lands described in this easement shall immediately cease and this easement shall terminate and title to this easement shall revert to and vest in the Grantor immediately and automatically.

WITNESSES: BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA

D.L. McKenzie
Original Signature

D.L. MCKENZIE
Print/Type Name of Witness

Kathy C Griffin
Original Signature

Kathy C Griffin
Print/Type Name of Witness

(SEAL)

BY: Jeffery M. Gentry

Jeffery M. Gentry, Operations and Management Consultant Manager, Bureau of Public Land Administration, Division Division of State Lands, State of Florida Department of Environmental Protection, as agent for and on behalf of the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida

"GRANTOR"

STATE OF FLORIDA
COUNTY OF LEON

The foregoing instrument was acknowledged before me this 27th day of July, 2010 by Jeffery M. Gentry, Operations and Management Consultant Manager, Bureau of Public Land Administration, Division of State Lands, State of Florida Department of Environmental Protection, as agent for and on behalf of the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida. He is personally known to me.

APPROVED AS TO FORM AND LEGALITY:

DEP Attorney

D.L. McKenzie
Notary Public, State of Florida

Printed, Typed or Stamped Name

My Commission Expires:

D. L. McKenzie
Commission # DD 876897
Expires May 16, 2013
Bonded Thru Troy Fain Insurance 800-385-7019

Commission/Serial No.

WITNESSES:

Florida Power & Light Company,
a Florida corporation (SEAL)

Michelle M. Kahmann
Original Signature

Michelle M. Kahmann
Typed/Printed Name of Witness

Kristen Chase
Original Signature

Kristen Chase
Typed/Printed Name of Witness

BY: ______
Original Signature of Executing Authority

Dina L. Guenther
Typed/Printed Name of Executing Authority

Director Corporate Real Estate
Title of Executing Authority

"GRANTEE"

STATE OF FL

COUNTY OF Palm Beach

The foregoing instrument was acknowledged before me this 20th day of July, 2010, by Dina L. Guenther as Director Corporate Real Estate of Florida Power & Light Company, a Florida corporation, for and on behalf of the corporation. She is personally known to me or who has produced ______ as identification.

My Commission Expires:

Commission/Serial No.

Notary Public State of Florida
Michelle M Kahmann
My Commission DD693940
Expires 09/18/2011

Michelle M. Kahmann
Notary Public, State of FL

Michelle M. Kahmann
Printed, Typed or Stamped Name

Section: 33 Township: 42 South Range: 43 East

Facility Address: Adjacent to Riviera Beach Energy Center

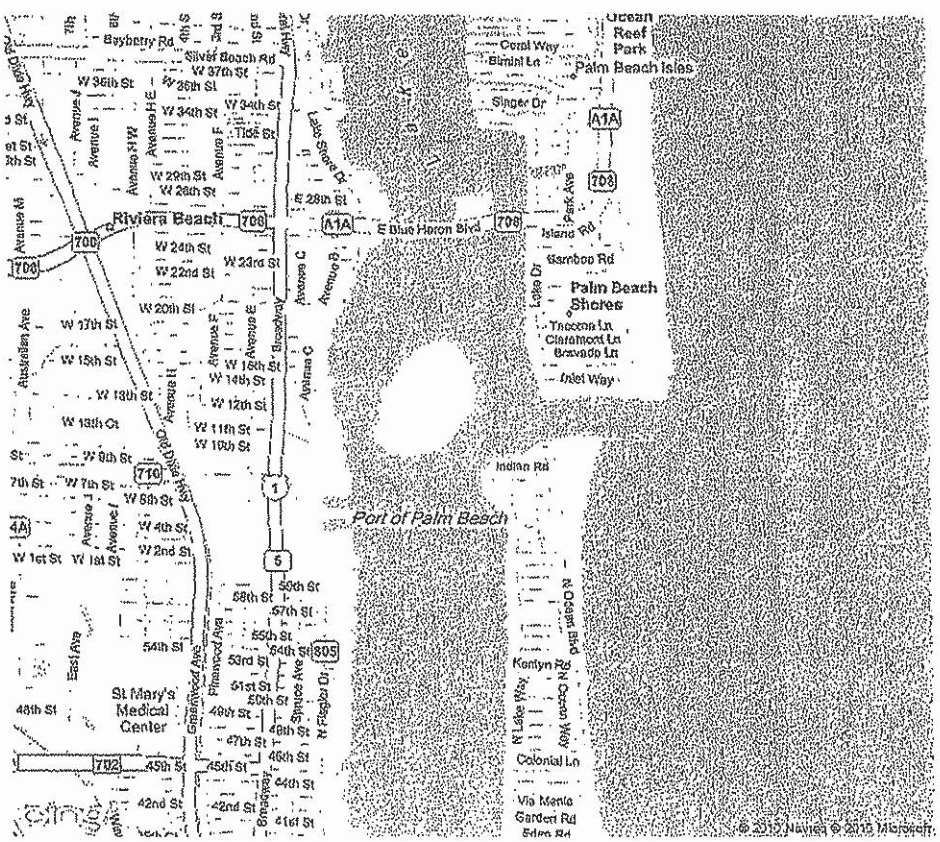
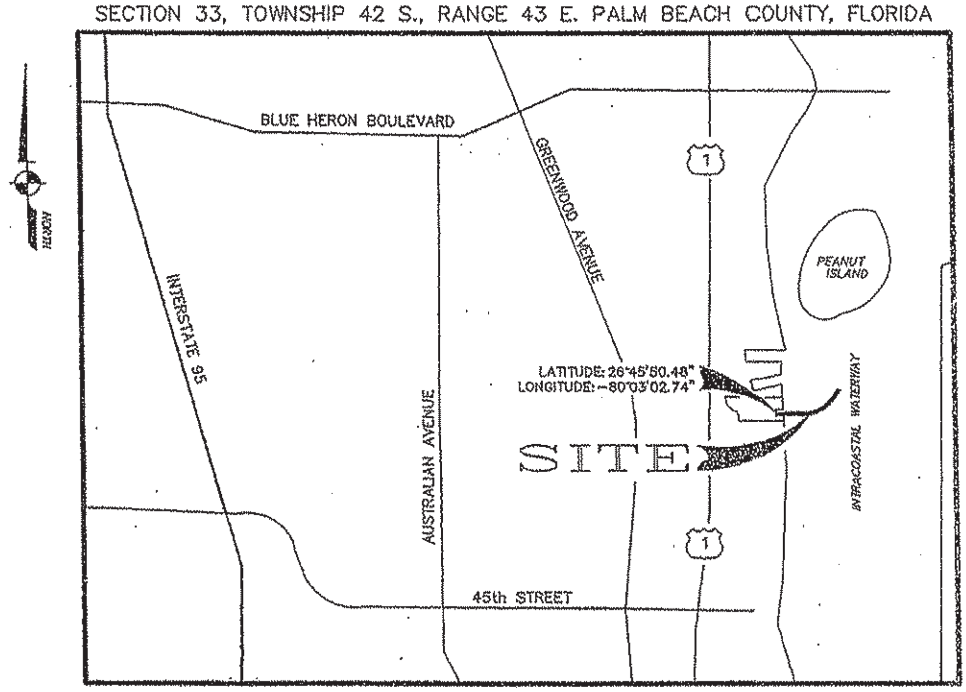


EXHIBIT "A"
SUBMERGED LAND EASEMENT
RIVIERA POWER PLANT
DISCHARGE PIPES

RECEIVED
JAN 11 2010
DEPT of ENV PROTECTION
WEST PALM BEACH

SECTION 33, TOWNSHIP 42 S., RANGE 43 E. PALM BEACH COUNTY, FLORIDA



LOCATION SKETCH
(NOT TO SCALE)

REVISIONS	AVIROM & ASSOCIATES, INC.	JOB NO.	8461-5
	SURVEYING & MAPPING	SCALE	1" = 100'
	50 S.W. 2ND AVENUE, SUITE 102	DATE	12/21/09
	BOCA RATON, FLORIDA 33432	BY	A.M.R.
	TEL. (561) 392-2594, FAX (561) 394-7125	CK'D.	M.D.A.
	www.AVIROM-SURVEY.com	F.B. -	PG. -
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EXHIBIT "A"
SUBMERGED LAND EASEMENT
RIVIERA POWER PLANT
DISCHARGE PIPES

LAND DESCRIPTION:

A portion of submerged lands lying within the Intracoastal Waterway, in Section 33, Township 42 South, Range 43 East, Palm Beach County, Florida being more particularly described as follows:

COMMENCING at the Northeast corner of Lot 1, of KNOWLES COURT ADDITION according to the plat thereof, as recorded in Plat Book 9, Page 82 of the Public Records of Palm Beach County, Florida; thence S 88°49'47" E, 645.29 feet to the Mean High Water Line of the Intracoastal Waterway and the Easterly wet-face of an existing concrete sea wall; thence N 01°06'49" E, along said Mean High Water Line and the Easterly wet-face of an existing concrete sea wall 111.88 feet; thence N 27°46'13" E, along said Mean High Water Line and the Easterly wet-face of an existing concrete sea wall 53.60 feet to the POINT OF BEGINNING of a Submerged Land Easement, having a Northing of 884446.308 and Easting of 966056.201; (the next 14 courses being along said Mean High Water Line and the wet-face of an existing concrete sea wall) (L1A)thence continue N 27°46'13" E, 2.93 feet; (L1B) thence N 01°21'03" E, 21.25 feet; (L2) thence N 88°28'04" W, 41.17 feet; (L3) N 89°16'13" W, 24.59 feet; (L4) thence S 89°49'52" W, 26.47 feet; (L5) thence N 87°45'13" W, 48.51 feet; (L6) thence N 00°35'29" W, 14.36 feet; (L7) thence N 89°12'30" W, 16.15 feet; (L8) thence N 00°01'45" E, 23.34 feet; (L9) thence S 88°49'19" E, 16.27 feet; (L10) thence N 02°39'38" E, 3.58 feet; (L11) thence N 00°37'18" E, 32.22 feet; (L17) thence N 00°00'38" E, 1.97 feet; thence along a line being 50 feet northwesterly of and parallel with the centerline of an existing sub-aqueous pipeline for the following 4 courses; S 88°49'47" E, 164.20 feet; thence N 83°26'33" E, 1127.08 feet to a point of curvature of a tangent curve concave to the Northwest; thence Northeasterly along the arc of said curve, having a radius of 724.80 feet and a central angle of 67°57'12", a distance of 859.62 feet; thence N 15°29'22" E, 146.12 feet; thence S 74°30'38" E, 100.00 feet; thence along a line being 50 feet Southeasterly of and parallel with the centerline of an existing sub-aqueous pipeline for the following 4 courses; thence S 15°29'22" W, 146.12 feet to a point of curvature of a tangent curve concave to the Northwest; thence Southwesterly along the arc of said curve, having a radius of 824.80 feet and a central angle of 67°57'12", a distance of 978.22 feet; thence S 83°26'33" W, 1133.84 feet; thence N 88°49'47" W, 20.85 feet to the POINT OF BEGINNING.

The above described easement is situate in Palm Beach County, Florida and containing 232,982 square feet, 5.349 acres, of submerged land, more or less.

CERTIFICATION:

I HEREBY CERTIFY that the attached Sketch and Description of the hereon described property is true and correct to the best of my knowledge and belief as prepared under my direction. I FURTHER CERTIFY that this Sketch and Description meets the Minimum Technical Standards set forth in Chapter 61G17-6, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Date: 12/21/09

ALAN M. REYNOLDS, P.S.M.
Florida Registration No. 6346
AVIROM & ASSOCIATES, INC.
L.B. No. 3300

REVISIONS	AVIROM & ASSOCIATES, INC. SURVEYING & MAPPING	JOB NO.	8461-5
	50 S.W. 2ND AVENUE, SUITE 102	SCALE	1" = 100'
	BOCA RATON, FLORIDA 33432	DATE	12/21/09
	TEL. (561) 392-2594, FAX (561) 394-7125	BY	A.M.R.
	www.AVIROM-SURVEY.com	CK'D.	M.D.A.
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EXHIBIT "A"
SUBMERGED LAND EASEMENT
RIVIERA POWER PLANT
DISCHARGE PIPES

SURVEYOR'S REPORT:

1. *Not valid without the signature and original raised seal of a Florida licensed Surveyor and Mapper.*
2. *The land description shown hereon was prepared by the Surveyor.*
3. *No Title Opinion or Abstract to the subject property has been provided. It is possible that there are Deeds, Easements, or other instruments (recorded or unrecorded) which may affect the subject property. No search of the Public Records has been made by the Surveyor.*
4. *The undersigned surveyor has no knowledge as to wether any of the hereon property is filled formerly submerged lands.*
5. *This is not a Mean High Water Line Survey.*
6. *Bearings and Coordinates shown hereon are referenced to Grid North, based on the 1990 adjustment of the North American Datum of 1983 (NAD 83/90) of the Florida State Plane Coordinate System (Traverse Mercator Projection), East Zone, with the south line of Section 33 having a bearing of N 88°49'47" W.*
7. *Elevations shown hereon are based on the North American Vertical Datum of 1988.*
8. *Benchmark Description: National Geodetic Survey Bench Mark R 402 (PID AD8029) Elevation =17.96 feet(NAVD 88) and P 232 Reset(PID AD5785), Elevation=13.29(NAVD 88).*
9. *Mean High Water Line information was compiled from published datum provided by the Land Boundary Information System web site (www.labins.org). Mean High Water is based upon extending published datum from Mean High Water data point #36, Palm Beach County, Quad name Riviera Beach. Mean High Water Line = 0.16' (N.A.V.D. 88); Range = 2.61'; Mean Low Water Line = −2.45.*
10. *Abbreviation Legend: P.B.C.= Palm Beach County; P.B.= Plat Book; PG.= Page; O.R.B.= Official Records Book; P.B.C.R.= Palm Beach County Records; A/C= Air Conditioning; CONC.= Concrete; L= Length; W/= With; Δ= Delta Angle; M.H.W.L.= Mean High Water Line; PRM= Permanent Reference Monument; R= Radius; F.P.L.= Florida Power & Light Company; G.P.S.= Global Positioning System; L.B.= Licensed Business; N.G.V.D.=National Geodetic Vertical Datum; P.S.M.= Professional Surveyor and Mapper; N.A.V.D.= North American Vertical Datum.*
11. *Data shown hereon are based on a Real-Time Kinematic (RTK) G.P.S. survey which is certified to 2 Centimeter local accuracy, relative to the nearest National Geodetic Survey (NGS) Geodetic Station as surveyed in the field on June 24, 2008.*
    Station Observed: "R 402" (PID – AD8029) Palm Beach County.

    Equipment

    GPS Receiver: Trimble R8 5800 RTK
    Software: Trimble Geomatics Office, Version Number 1.63
    Method: Wide Area Continuously Operating GPS Station Network.
12. *Location of Sub-Aqueous pipeline was recreated from plans provided by Florida Power & Light and created by Ebasco Services Incorporated New York. Plan number "904-G-164033", with a last revision date of 8/22/62. The pipeline was not physically located by Avirom & Associates.*

REVISIONS	AVIROM & ASSOCIATES, INC. SURVEYING & MAPPING	JOB NO.	8461-5
	50 S.W. 2ND AVENUE, SUITE 102	SCALE	1" = 100'
	BOCA RATON, FLORIDA 33432	DATE	12/21/09
	TEL: (561) 392-2594, FAX (561) 394-7125	BY	A.M.R.
	www.AVIROM-SURVEY.com	CK'D.	M.D.A.
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AVIROM & ASSOCIATES ESTABLISHED 1981

EXHIBIT "A"
SUBMERGED LAND EASEMENT
RIVIERA POWER PLANT
DISCHARGE PIPES

STATE PLANE COORDINATES

LETTER	NORTHING	EASTING	DESCRIPTION
A	884300.201	965383.901	P.O.C.
B	884446.308	966056.201	P.O.B.
C	884549.353	965908.180	M.H.W.L.
D	884585.456	966415.583	ESMT @ I.C.W.W.
E	885315.317	967943.145	EASEMENT
F	884485.629	966422.817	ESMT @ I.C.W.W.

(SEE NOTE # 6 & # 11 ON SHEET 3 OF 8)

LINE TABLE

LINE	DIRECTION	DISTANCE
L1	N86°21'42"W	9.71'
L1A	N27°46'13"E	2.93'
L1B	N01°21'03"E	21.25'
L2	N88°28'04"W	41.17'
L3	N89°16'13"W	24.59'
L4	S89°49'52"W	26.47'
L5	N87°45'13"W	48.51'
L6	N00°35'29"W	14.36'
L7	N89°12'30"W	16.15'
L8	N00°01'45"E	23.34'
L9	S88°49'19"E	16.27'
L10	N02°39'38"E	3.58'
L11	N00°37'18"E	32.22'
L12	N00°00'38"E	22.98'
L13	N45°42'11"E	7.30'
L14	S88°50'59"E	61.60'
L15	S89°09'59"E	44.57'
L16	S88°46'05"E	39.17'
L17	N00°00'38"E	1.97'
L18	N88°49'47"W	20.85'

NOT A FIELD SURVEY

MEAN HIGH WATER = 0.16' (N.A.V.D.88)
RANGE = 2.61'
MEAN LOW WATER = −2.45' (N.A.V.D.88)
(SEE NOTES 7, 8 & 9 ON SHEET 3 OF 8)

NOTE:
THE APPROXIMATE MEAN HIGH WATER LINE IS NOT INTENDED TO BE THE LEGAL BOUNDARY BETWEEN PRIVATE AND STATE OWNERSHIP.

REVISIONS

AVIROM & ASSOCIATES, INC.
SURVEYING & MAPPING
50 S.W. 2ND AVENUE, SUITE 102
BOCA RATON, FLORIDA 33432
TEL. (561) 392-2594, FAX (561) 394-7125
www.AVIROM-SURVEY.com
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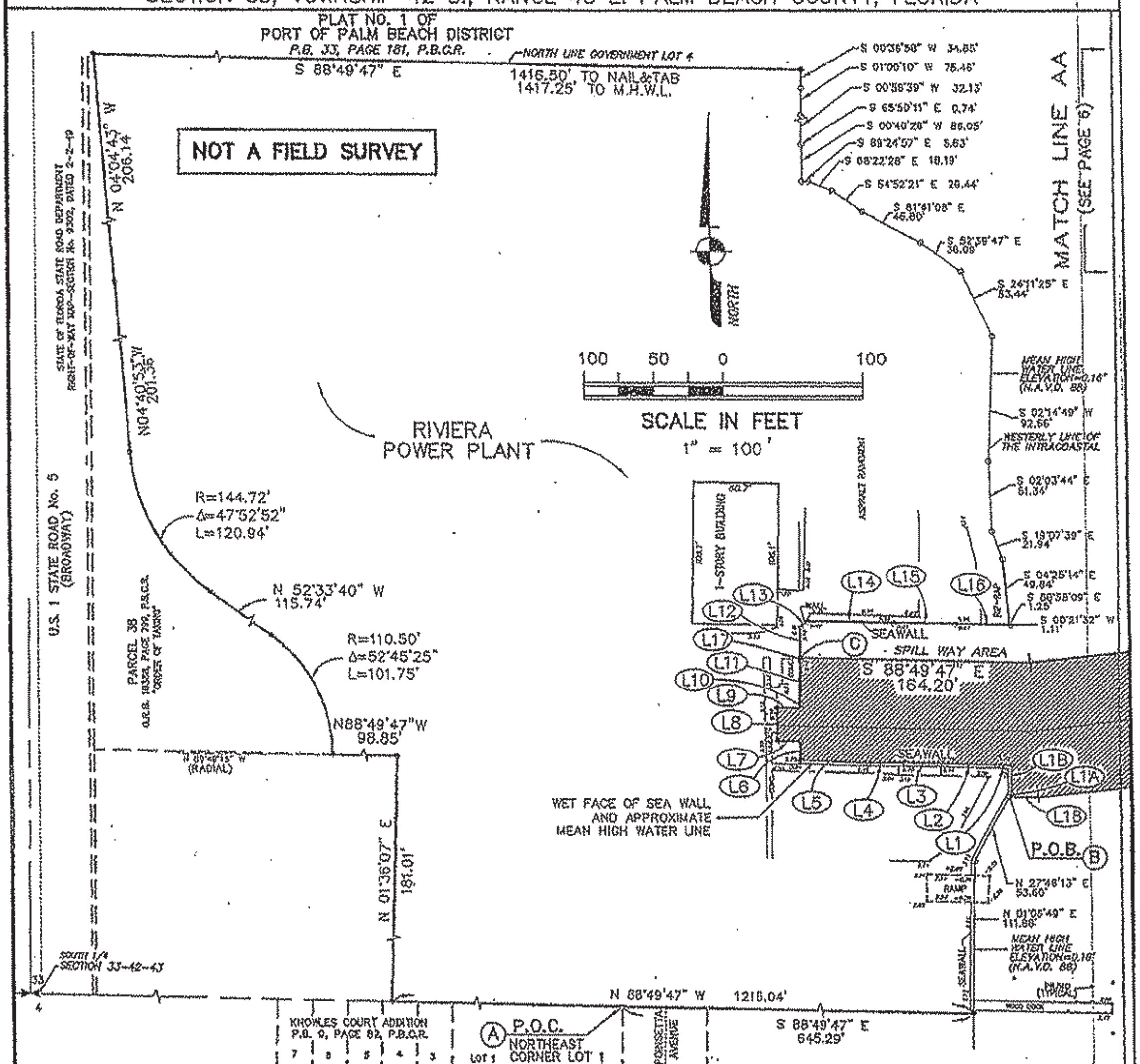
JOB NO.	8461-5
SCALE	1" = 100'
DATE	12/21/09
BY	A.M.R.
CK'D.	M.D.A.
F.B. -	PG. -
SHEET	4 OF 8

EXHIBIT "A"
SUBMERGED LAND EASEMENT
RIVIERA POWER PLANT
DISCHARGE PIPES

SECTION 33, TOWNSHIP 42 S., RANGE 43 E. PALM BEACH COUNTY, FLORIDA



REVISIONS	AVIROM & ASSOCIATES, INC. SURVEYING & MAPPING	JOB NO.	8461-5
	50 S.W. 2ND AVENUE, SUITE 102	SCALE	1" = 100'
	BOCA RATON, FLORIDA 33432	DATE	12/21/09
	TEL. (561) 392-2594, FAX (561) 394-7125	BY	A.M.R.
	www.AVIROM-SURVEY.com	CK'D.	M.D.A.
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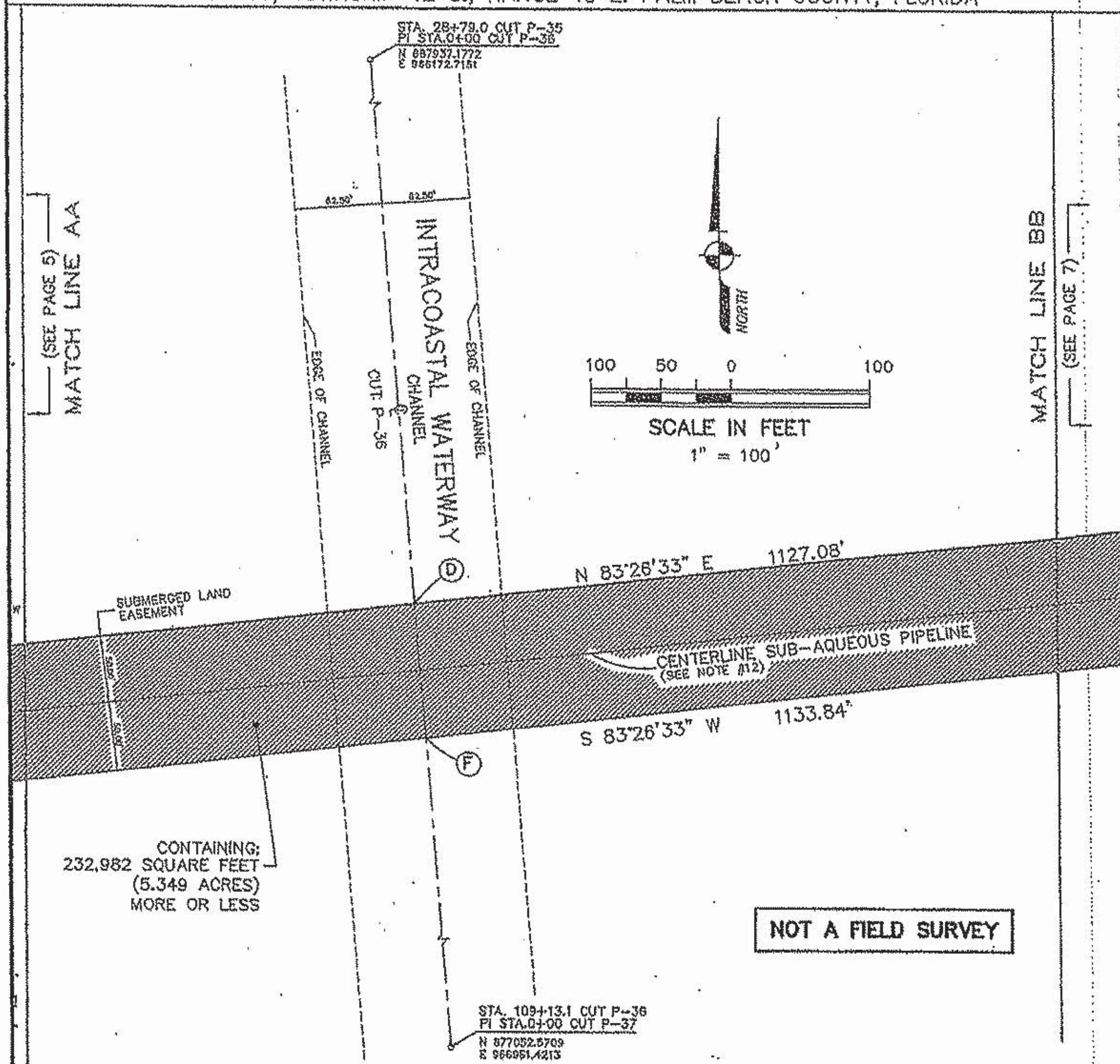
		SHEET	5 OF 8

EXHIBIT "A"
SUBMERGED LAND EASEMENT
RIVIERA POWER PLANT
DISCHARGE PIPES

SECTION 33, TOWNSHIP 42 S., RANGE 43 E. PALM BEACH COUNTY, FLORIDA



REVISIONS

AVIROM & ASSOCIATES, INC.
SURVEYING & MAPPING
50 S.W. 2ND AVENUE, SUITE 102
BOCA RATON, FLORIDA 33432
TEL. (561) 392-2594, FAX (561) 394-7125
www.AVIROM-SURVEY.com

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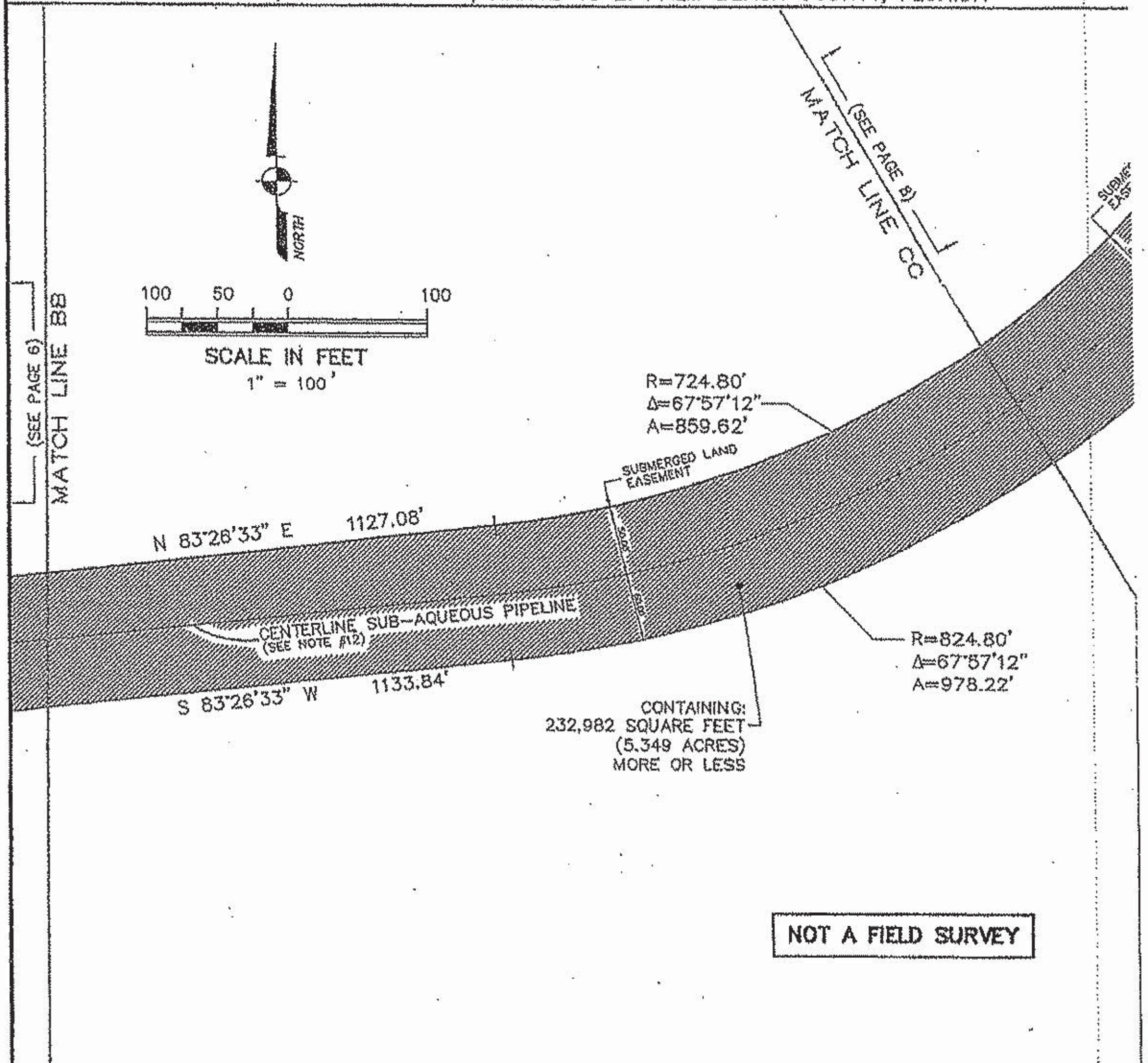
JOB NO.	8461-5
SCALE	1" = 100'
DATE	12/21/09
BY	A.M.R.
CK'D.	M.D.A.
F.B. -	PG. -
SHEET	6 OF 8

EXHIBIT "A"
SUBMERGED LAND EASEMENT
RIVIERA POWER PLANT
DISCHARGE PIPES

SECTION 33, TOWNSHIP 42 S., RANGE 43 E. PALM BEACH COUNTY, FLORIDA



REVISIONS	AVIROM & ASSOCIATES, INC. SURVEYING & MAPPING		
	50 S.W. 2ND AVENUE, SUITE 102	JOB NO.	8461-5
	BOCA RATON, FLORIDA 33432	SCALE	1" = 100'
	TEL. (561) 392-2594, FAX (561) 394-7125	DATE	12/21/09
	www.AVIROM-SURVEY.com	BY	A.M.R.
		CK'D.	M.D.A.
		F.B. -	PG. -
		SHEET	7 OF 8

AVIROM & ASSOCIATES ESTABLISHED 1981

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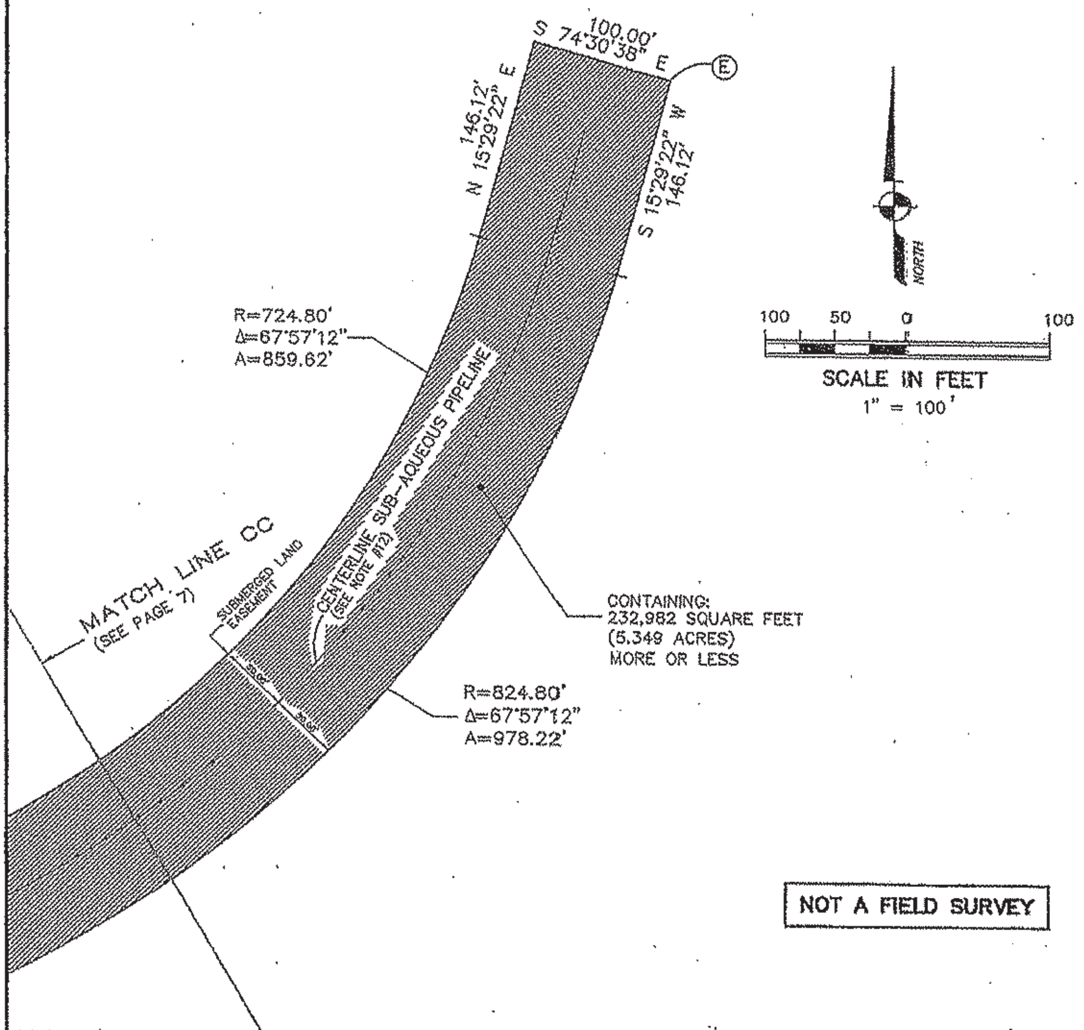
EXHIBIT "A"
SUBMERGED LAND EASEMENT
RIVIERA POWER PLANT
DISCHARGE PIPES

SECTION 33, TOWNSHIP 42 S., RANGE 43 E. PALM BEACH COUNTY, FLORIDA



NOT A FIELD SURVEY

REVISIONS	AVIROM & ASSOCIATES, INC. SURVEYING & MAPPING 50 S.W. 2ND AVENUE, SUITE 102 BOCA RATON, FLORIDA 33432 TEL. (561) 392-2594, FAX (561) 394-7125 www.AVIROM-SURVEY.com	JOB NO.	8461-5
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		BY	A.M.R.
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		F.B. -	PG. -
		SHEET	8 OF 8

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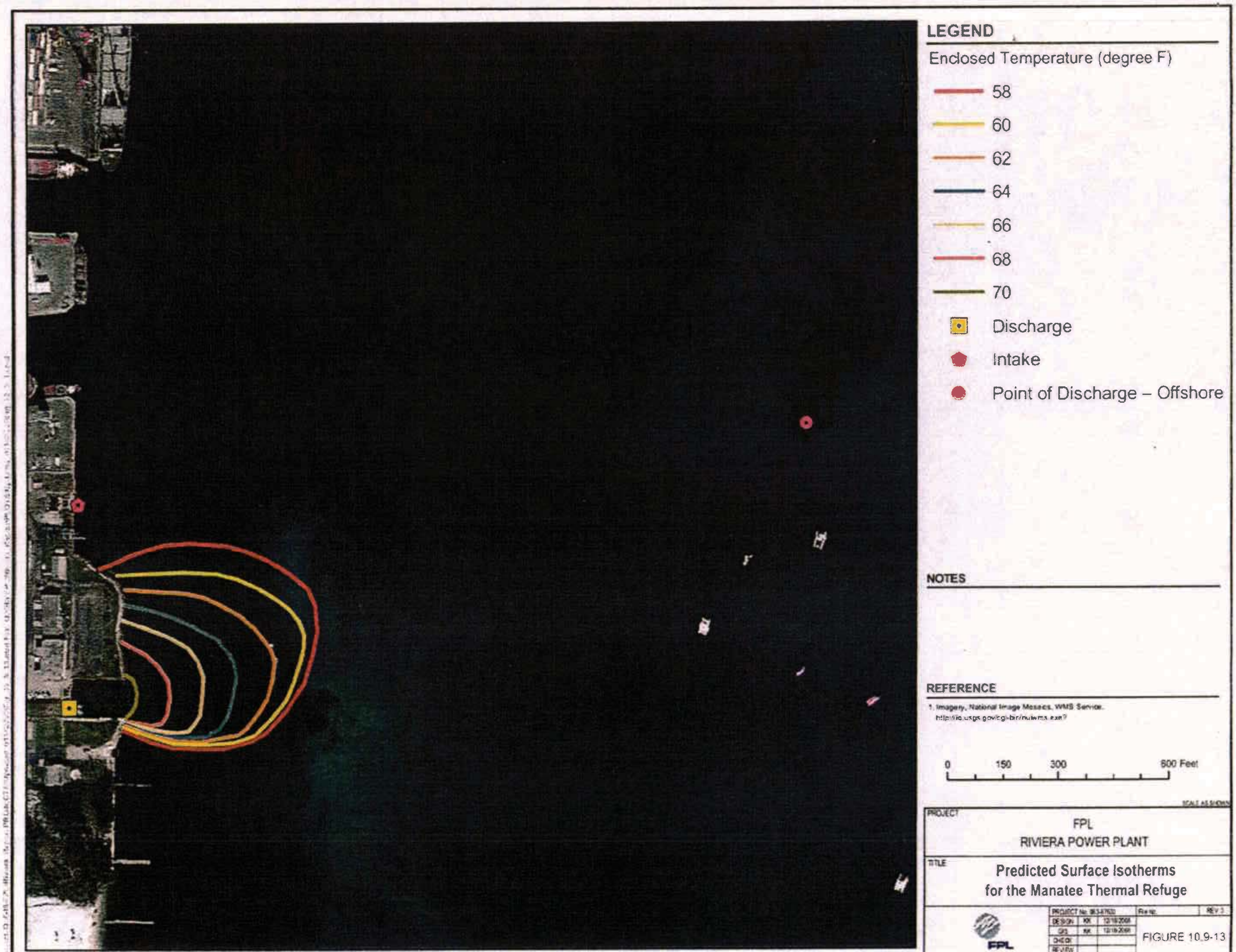
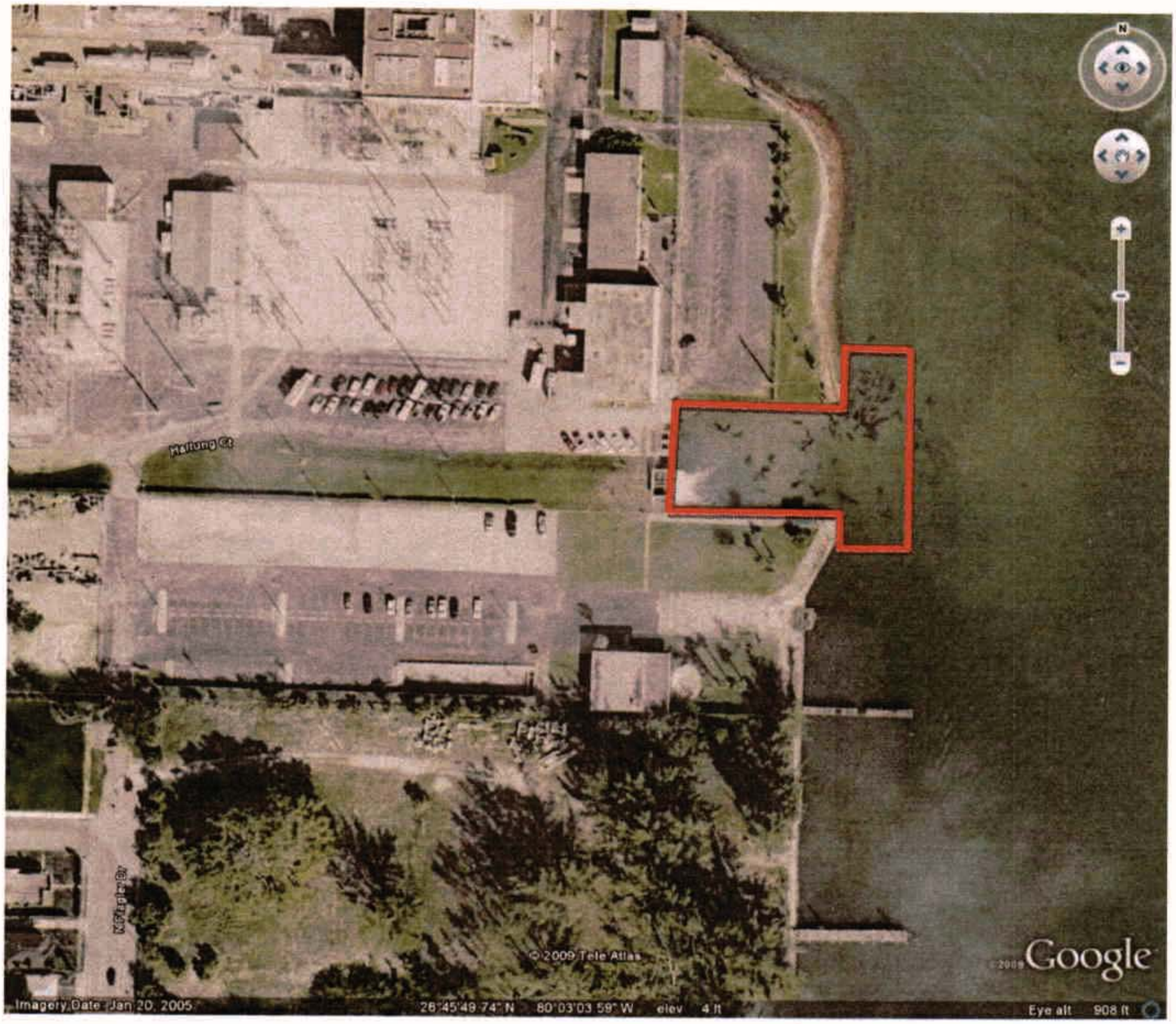
ATTACHMENT D: PLANT THERMAL DISCHARGE

To be attached pursuant to Section B. Condition IV.A.1.e.

MAP 1


LEGEND
Enclosed Temperature (degree F)
58
60
62
64
66
68
70
Discharge
Intake
Point of Discharge – Offshore
NOTES
REFERENCE
1. Imagery, National Image Mosaics, WMS Service.
0
150
300
600 Feet
PROJECT
FPL
RIVIERA POWER PLANT
TITLE
Predicted Surface Isotherms
for the Manatee Thermal Refuge
FPL
FIGURE 10.9-13

MAP 2



N
Hallung Ct
© 2009 Tele Atlas
©2009 Google
Imagery Date: Jan 20, 2005
26°45'49.74" N 80°03'03.59" W elev 4 ft
Eye alt 908 ft

ATTACHMENT E: PORT OF PALM BEACH EASEMENT

(Underground Water Intake)

To be attached pursuant to Section B. Condition IX.A.1.

ATTACHMENT F: PORT OF PALM BEACH EASEMENT

(Underground Fuel Pipelines, etc.)

To be attached pursuant to Section B. Condition IX.A.2.

APPENDIX I: Air Construction Permit 0990042-006-AC

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF FINAL PERMIT

In the Matter of an
Application for Permit by:

Mr. Randall R. LaBauve, Vice President	DEP File No. 0990042-006-AC
Florida Power and Light Company (FPL)	FPL Riviera Beach Energy Center
700 Universe Boulevard	Conversion Project
Juno Beach, Florida 33408	Palm Beach County

Enclosed is the final air construction permit, which authorizes construction/installation of a nominal 1,250 megawatts (MW) natural gas-fueled combined cycle unit and requires the shut down and dismantlement of the two 300 MW residual oil and gas-fueled units at the FPL Riviera Plant located at 200-300 Broadway, Riviera Beach in Palm Beach County. This permit is issued pursuant to Chapter 403, Florida Statutes (F.S.).

Any party to this order has the right to seek judicial review of it under Section 120.68, F.S. 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 (Department) 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 L Vielhauer

Trina Vielhauer, Chief
Bureau of Air Regulation

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Notice of Final Permit (including the Final Permit 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 before the close of business on 6/10/09 to the persons listed below.

Randall R. LaBauve: randall_labauve@fpl.com
Chair, Palm Beach Board of County Commissioners: agreene@co.palm-beach.fl.us
Mayor, Riviera Beach through the City Clerk: cclerk@rivierabch.com
Mayor, Palm Beach: jmcdonald@townofpalmbeach.com
Mayor, West Palm Beach: lfrankel@wpb.org
Mayor, Mangonia Park through the Town Clerk: salbury@townofmangoniapark.com
Mayor, Palm Beach Shores: tmills@pbstownhall.org
Mayor, Lake Park through the Town Clerk: townclerk@lakeparkflorida.gov
Heather Abrams, EPA: abrams.heather@epa.gov
Katy Forney, EPA: forney.kathleen@epa.gov
Dee Morse, U.S. National Park Service: dee_morse@nps.gov
Jack Long, DEP SED: jack.long@dep.state.fl.us
Lennon Anderson, DEP SED: anderson.lennon@dep.state.fl.us
Mike Halpin, DEP Siting: mike.halpin@dep.state.fl.us
Jim Stormer, Palm Beach County Public Health Unit: james_stormer@doh.state.fl.us
Barbara Linkiewicz, FPL: barbara_p_linkiewicz@fpl.com
Scott Osbourn, P.E., Golder: sosbourn@golder.com
Victoria Gibson (read file), DEP BAR: victoria.gibson@dep.state.fl.us

Clerk Stamp

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

(Clerk) 6/10/09 (Date)

Florida Department of Environmental Protection
Bob Martinez Center
2600 Blairstone Road
Tallahassee, Florida 32399-2400

Charlie Crist
Governor
Jeff Kottkamp
Lt. Governor
Michael W. Sole
Secretary

PERMITTEE:

Florida Power and Light Company (FPL)
700 Universe Boulevard
Juno Beach, Florida 33408

Authorized Representative:
Randall R. LaBauve, Vice President

DEP File No. 0990042-006-AC
FPL Riviera Beach Energy Center
Plant Conversion Project
Palm Beach County
SIC No. 4911
Expires: December 31, 2015

PROJECT AND LOCATION

This permit authorizes the construction of one nominal 1,250 megawatts (MW) combined cycle unit and ancillary equipment at the FPL Riviera Beach Energy Center previously known as the Riviera Plant.

Two existing steam generators with a total nominal capacity of 600 MW will be shut down and dismantled as part of this project.

The proposed project will be located at 200-300 Broadway, Riviera Beach in Palm Beach County. The UTM coordinates are Zone 17, 594.249 km East and 2960.632 km North.

STATEMENT OF BASIS

This air construction permit is issued under the provisions of Chapter 403 of the Florida Statutes (F.S.), Chapters 62-4, 62-204, 62-210, 62-212, 62-296 and 62-297 of the Florida Administrative Code (F.A.C.). The permittee is authorized to install the proposed equipment in accordance with the conditions of this permit and as described in the application, approved drawings, plans, and other documents on file with the Department.

CONTENTS

Trina L Vielhauer 6/10/09

Joseph Kahn, Director (Date)
Division of Air Resource Management

FACILITY DESCRIPTION

FPL operates the Riviera Plant (RP), which is an existing power plant (SIC No. 4911). The plant currently consists of two steam generating units designated as Units 3 and 4 that produce 300 MW each of electrical power. Units 3 and 4 use residual fuel oil and natural gas. There are two 298-foot stacks, four fuel oil storage tanks, water intake structures for once-through cooling and other ancillary equipment.

The project is a plant conversion that includes the construction of a nominal 1,250 MW natural gas-fueled combined cycle unit (Unit 5) and requires the permanent shutdown and dismantling of Units 3 and 4. The converted plant will be called the Riviera Beach Energy Center (RBEC). Unit 5 will consist of:

- Three nominal 265 MW combustion turbine-electrical generators (CTG) with evaporative inlet cooling systems;
- Three supplementary-fired heat recovery steam generators (HRSG) with selective catalytic reduction (SCR) reactors;
- Three maximum 460 million Btu per hour, lower heating value (mmBtu/hr, LHV), natural gas-fueled duct burners (DB) located in the three HRSG (one DB/HRSG);
- Three 149-feet exhaust stacks;
- One nominal 6.3 million gallon distillate fuel oil storage tank; and
- One common nominal 500 MW steam-electrical generator (STG).

Unit 5 will use ultralow sulfur distillate (ULSD) fuel oil as backup fuel.

Additional ancillary equipment to be installed includes: a permanent auxiliary boiler; a temporary boiler used during the construction phase; two emergency generators; two process (fuel) heaters; a diesel fire pump; and a gas compression station. The details of the equipment to be installed are listed in the table below.

The project includes and requires the permanent shutdown and dismantling of Units 3 and 4 and the respective stacks as well as four fuel oil storage tanks. When emissions from Unit 5 are considered and offset by reductions from the shut down and dismantlement of Units 3 and 4, there will not be a significant net emission increase in any PSD pollutant.

{Note: Throughout this permit, the electrical generating capacities represent nominal values for the given operating conditions.}

NEW EMISSIONS UNITS

This permit authorizes construction and installation of the following new emissions units.

ID	Emission Unit Description
007	Unit 5A – one nominal 265 MW CTG with supplementary-fired HRSG
008	Unit 5B – one nominal 265 MW CTG with supplementary-fired HRSG
009	Unit 5C – one nominal 265 MW CTG with supplementary-fired HRSG
010	One nominal 85,000 pounds per hour (lb/hr) auxiliary boiler (99.8 mmBtu/hr)
011	Two nominal 10 mmBtu/hr natural gas-fired process heaters (one is a spare)
012	Seven nominal 1,340 horsepower (hp) natural gas compressors
013	Two nominal 2,250 kilowatts (kW) liquid fueled emergency generators
014	One nominal 300-hp emergency diesel fire pump engine and 500 gallon fuel oil storage tank
015	One temporary 110 mmBtu/hr natural gas-fueled boiler to be used only during construction
016	One nominal 6.3 million gallon distillate fuel oil storage tank

REGULATORY CLASSIFICATION

The RP is a "Major Stationary Source" as defined in Rule 62-210.200, Florida Administrative Code (F.A.C.). The RBEC project does not trigger the rules for the Prevention of Significant Deterioration (PSD) pursuant to Rule 62-212.400, F.A.C. and does not require a best available control technology (BACT) determination.

The RBEC will be a Title V or "Major Source" of air pollution in accordance with Chapter 213, F.A.C. because the potential emissions of at least one regulated pollutant exceed 100 tons per year (TPY). Regulated pollutants include pollutants such as carbon monoxide (CO), nitrogen oxides (NO_X), particulate matter ($PM/PM_{10}/PM_{2.5}$), sulfur dioxide (SO_2), volatile organic compounds (VOC) and sulfuric acid mist (SAM).

The RBEC will be subject to several subparts under 40 Code of Federal Regulations (CFR), Part 60 – Standards of Performance for New Stationary Sources (NSPS). Unit 5 is subject to 40 CFR 60, Subpart KKKK – NSPS for Stationary Combustion Turbines that Commence Construction after February 18, 2005. This rule also applies to duct burners (DB) that are incorporated into combined cycle projects.

Two emergency generators will be subject to 40 CFR 60, Subpart IIII – NSPS for Stationary Compression Ignition Internal Combustion Engines.

Natural gas compressors will be subject to 40 CFR 60, Subpart JJJJ – NSPS for Stationary Spark Ignition Internal Combustion Engines.

The temporary natural gas-fueled boiler will be subject to 40 CFR 60, Subpart Db – NSPS for Industrial-Commercial-Institutional Steam Generating Units.

The auxiliary boiler and two process (fuel) heaters will be subject to 40 CFR 60, Subpart Dc – NSPS Requirements for Small Industrial-Commercial-Institutional Steam Generating Units.

The RBEC will be a minor (area source) of hazardous air pollutants (HAP). The RBEC will include emission units that will be subject to certain area source provisions of 40 CFR Part 63 - National Emission Standards for Hazardous Air Pollutants (NESHAP). The specific subpart is 40 CFR 63, Subpart ZZZZ – NESHAP for Stationary Reciprocating Internal Combustion Engines (RICE).

The RBEC will operate units subject to the Title IV Acid Rain provisions of the Clean Air Act (CAA).

The RBEC is subject to the Clean Air Interstate Rule (CAIR) in accordance with the Final Department Rules issued pursuant to CAIR as implemented by the Department in Rule 62-296.470, F.A.C.

The project is subject to certification under the Florida Power Plant Siting Act, 403.501-518, Florida Statutes (F.S.) and Chapter 62-17, F.A.C.

APPENDICES

The following Appendices are attached as part of this permit.

Appendix A: Identification of General Provisions Subpart A from NSPS 40 CFR 60 and Subpart A from NESHAP 40 CFR 63.

Appendix GC: General Conditions.

Appendix Db: NSPS Subpart Db Requirements for Industrial-Commercial-Institutional Steam Generating Units.

Appendix Dc: NSPS Subpart Dc Requirements for Small Industrial Commercial-Institutional Steam Generating Units.

Appendix IIII: NSPS Requirements for Compression Ignition Internal Combustion Engines.

Appendix JJJJ: NSPS Requirements for Stationary Spark Ignition Internal Combustion Engines.

Appendix KKKK: NSPS Requirements for Gas Turbines, 40 CFR 60, Subpart KKKK.

Appendix SC: Standard Conditions.

Appendix XS: Semiannual NSPS Excess Emissions Report.

Appendix ZZZZ: NESHAP Requirements for Stationary Reciprocating Internal Combustion Engines, 40 CFR 63, Subpart ZZZZ.

RELEVANT DOCUMENTS

The documents listed below are not a part of this permit; however, they are specifically related to this permitting action and are on file with the Department.

- Permit application received on February 13, 2009;
- Department request for additional information (RAI) dated March 13, 2009;
- Electronic mail dated April 13, 2009 summarizing resolution of key RAI issue; and
- Draft permit package issued on April 17, 2009.
- Final Determination summarizing FPL comments and responses thereto issued concurrently with this Final permit.

SECTION II. ADMINISTRATIVE REQUIREMENTS

1. Permitting Authority: All documents related to applications for permits to construct, operate or modify an emissions unit shall be submitted to the Permitting Authority, which is the Bureau of Air Regulation of the Florida Department of Environmental Protection (DEP or the Department) at 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. Copies of all such documents shall also be submitted to the Compliance Authority. Telephone: (850)488-0114. Fax: (850)921-9533.
2. Compliance Authority: All documents related to compliance activities such as reports, tests, and notifications shall be submitted to the Southeast District Office. The mailing address and phone number of the Southeast District Office are Department of Environmental Protection, Southeast District Office, 400 North Congress Avenue, Suite 200, West Palm Beach, Florida 33401. Telephone: (561)681-6632. Fax: (561)681-6790.
3. Appendices: The following Appendices are attached as part of this permit: Appendices A, Db, Dc, GC (General Conditions), IIII, JJJJ, KKKK, SC, XS and ZZZZ.
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 all applicable provisions of: Chapter 403, F.S.; and Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-214, 62-296, and 62-297, F.A.C. Issuance of this permit does not relieve the permittee from compliance with any applicable federal, state, or local permitting or regulations.
5. New or Additional Conditions: For good cause shown and after notice and an administrative hearing, if requested, the Department may require the permittee to conform to new or additional conditions. The Department shall allow the permittee a reasonable time to conform to the new or additional conditions, and on application of the permittee, the Department may grant additional time. [Rule 62-4.080, F.A.C.]
6. Modifications: No emissions unit shall be constructed or modified without obtaining an air construction permit from the Department. Such permit shall be obtained prior to beginning construction or modification. [Rules 62-210.300(1) and 62-212.300(1)(a), F.A.C.]
7. Construction and Expiration: The permit expiration date includes sufficient time to complete construction, perform required testing, submit test reports, and submit an application for a Title V operation permit to the Department. For good cause, the permittee may request that this air construction permit be extended. Such a request shall be submitted to the Department's Bureau of Air Regulation at least sixty (60) days prior to the expiration of this permit. [Rules 62-4.070(4), 62-4.080, and 62-210.300(1), F.A.C.]
8. Permanent Shutdown and Dismantlement of Units 3 and 4: Units 3 and 4 shall be permanently shut down and dismantled before December 31, 2012.
[Application and Avoidance of Rule 62-212.400(4) through (12), F.A.C.]
9. Source Obligation: At such time that a particular source or modification becomes a major stationary source or major modification (as these terms were defined at the time the source obtained the enforceable limitation) solely by virtue of a relaxation in any enforceable limitation which was established after August 7, 1980, on the capacity of the source or modification otherwise to emit a pollutant, such as a restriction on hours of operation, then the requirements of subsections 62-212.400(4) through (12), F.A.C., shall apply to the source or modification as though construction had not yet commenced on the source or modification. [Rule 62-212.400(12)(b), F.A.C.]
10. Title IV Permit: At least 24 months before the date on which the new unit begins serving an electrical generator greater than 25 MW, the permittee shall submit an application for a Title IV Acid Rain Permit to the Department's Bureau of Air Regulation in Tallahassee and a copy to the Region 4 Office of the U.S. Environmental Protection Agency (EPA) in Atlanta, Georgia. This permit does not specify the Acid Rain program requirements. These will be included in the Title V air operation permit. [40 CFR 72]

11. 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 at least 90 days prior to expiration of this permit, but no later than 180 days after completing the required work and commencing operation. 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.]

A. UNIT 5 – COMBUSTION TURBINE GENERATORS (EU 007, 008, and 009)

This section of the permit addresses the following emissions units.

Unit 5 and associated equipment
Description: Unit 5 will be comprised of emissions units (EU) 007, 008, and 009. Each EU will consist of: a CTG with automated control, inlet air filtration system and evaporative cooling, a gas-fired HRSG with DB, a HRSG stack, and associated support equipment. The project also includes one STG that will serve the combined cycle unit. **Fuels**: Each CTG fires natural gas as the primary fuel and ULSD fuel oil as a restricted alternate fuel. **Generating Capacity**: Each of the three CTG has a nominal generating capacity of 265 MW. The STG has a nominal generating capacity of 500 MW. The total nominal generating capacity of the "3 on 1" combined cycle unit is approximately 1,250 MW. **Controls**: The efficient combustion of natural gas and restricted firing of ULSD fuel oil minimizes the emissions of CO, PM/PM_{10}, SAM, SO_2 and VOC. Dry Low-NO_X (DLN) combustion technology for gas firing and water injection for oil firing reduce NO_X emissions. A SCR system further reduces NO_X emissions. **Stack Parameters**: Each HRSG has a stack at least 149 feet tall with a nominal diameter of 22 feet. The Department may require the permittee to perform additional air dispersion modeling should the actual specified stack dimensions change. **Continuous Monitors**: Each stack is equipped with continuous emissions monitoring systems (CEMS) to measure and record CO and NO_X emissions as well as flue gas oxygen or carbon dioxide content.

APPLICABLE STANDARDS AND REGULATIONS

1. NSPS Requirements: The CTG shall comply with all applicable requirements of 40 CFR 60, listed below, adopted by reference in Rule 62-204.800(7)(b), F.A.C. The Department determines that compliance with the emissions standards in Condition 10 below also assures compliance with the New Source Performance Standards given in 40 CFR 60, Subpart KKKK. Some separate reporting and monitoring may be required by the individual subparts.

   a. *Subpart A, General Provisions*, including:
      - 40 CFR 60.7, Notification and Record Keeping
      - 40 CFR 60.8, Performance Tests
      - 40 CFR 60.11, Compliance with Standards and Maintenance Requirements
      - 40 CFR 60.12, Circumvention
      - 40 CFR 60.13, Monitoring Requirements
      - 40 CFR 60.19, General Notification and Reporting Requirements

   b. *Subpart KKKK, Standards of Performance for Stationary Gas Turbines*: These provisions include standards for CTG and DB.

EQUIPMENT AND CONTROL TECHNOLOGY

2. Combustion Turbines-Electrical Generators (CTG): The permittee is authorized to install, tune, operate, and maintain three "G" or "H" technology CTG each with a nominal generating capacity of 265 MW. Each CTG shall include an automated control system and have dual-fuel capability. Ancillary equipment includes an inlet air filtration system and an evaporative inlet air-cooling system. The CTG will utilize DLN combustors. [Application and Design]

3. Heat Recovery Steam Generators (HRSG): The permittee is authorized to install, operate, and maintain three new HRSG with separate exhaust stacks. Each HRSG shall be designed to recover exhaust heat energy from one of the three CTG (5A to 5C) and deliver steam to the steam turbine-electrical generator (STG). Each HRSG may be equipped with a gas-fired duct burner (DB) having a maximum heat input rate of 460 mmBtu per hour (LHV).

4. CTG/Supplementary-fired HRSG Emission Controls

   a. *Dry Low NO_X (DLN) Combustion*: The permittee shall operate and maintain the DLN system to control NO_X emissions from each CTG when firing natural gas. Prior to the initial emissions performance tests required for each CTG, the DLN combustors and automated control system shall be tuned to achieve sufficiently low CO and NO_X values to meet the CO and NO_X limits with the additional SCR control technology described below. Thereafter, each turbine shall be maintained and tuned in accordance with the manufacturer's recommendations.

   b. *Wet Injection (WI)*: The permittee shall install, operate, and maintain a WI system (water or steam) to reduce NO_X emissions from each CTG when firing ULSD fuel oil. Prior to the initial emissions performance tests required for each CTG, the WI system shall be tuned to achieve sufficiently low CO and NO_X values to meet the CO and NO_X limits with the additional SCR control technology described below. Thereafter, each turbine shall be maintained and tuned in accordance with the manufacturer's recommendations.

   c. *Selective Catalytic Reduction (SCR) System*: The permittee shall install, tune, operate, and maintain an SCR system to control NO_X emissions from each CTG when firing either natural gas or distillate fuel oil. The SCR system consists of an ammonia (NH_3) injection grid, catalyst, ammonia storage, monitoring and control system, electrical, piping and other ancillary equipment. The SCR system shall be designed, constructed and operated to achieve the permitted levels for NO_X and NH_3 emissions.

   d. *Oxidation Catalyst*: The permittee shall design and build the project to facilitate possible future installation of an oxidation catalyst system to control CO emissions from each CTG/supplementary-fired HRSG.

   e. *Ammonia Storage:* In accordance with 40 CFR 60.130, the storage of ammonia shall comply with all applicable requirements of the Chemical Accident Prevention Provisions in 40 CFR 68.

   [Application and Design; Rule 62-4.070, F.A.C.]

PERFORMANCE RESTRICTIONS

5. Permitted Capacity – Combustion Turbine-Electric Generators (CTG): The maximum heat input rate to each CTG is 2,586 mmBtu per hour when firing natural gas and 2,440 mmBtu per hour when firing distillate fuel oil (based on a compressor inlet air temperature of 59° F, LHV of each fuel, and 100% load). Heat input rates will vary depending upon CTG characteristics, ambient conditions, alternate methods of operation, and evaporative cooling. The permittee shall provide manufacturer's performance curves (or equations) that correct for site conditions to the Permitting and Compliance Authorities within 45 days of completing the initial compliance testing. Operating data may be adjusted for the appropriate site conditions in accordance with the performance curves and/or equations on file with the Department. [Rule 62-210.200(PTE), F.A.C.]

6. Permitted Capacity - HRSG Duct Burners (DB): The total maximum heat input rate to the DB for each HRSG is 460 mmBtu per hour based on the LHV of natural gas. Only natural gas shall be fired in the DB. [Rule 62-210.200(PTE), F.A.C.]

7. Authorized Fuels: The CTG shall fire natural gas as the primary fuel, which shall contain no more than 2.0 grains of sulfur per 100 standard cubic feet (gr S/100 SCF) of natural gas. As a restricted alternate fuel, the CTG may fire ULSD fuel oil containing no more than 0.0015% sulfur by weight. Fuel oil may be fired up to the fuel equivalent of 2,550 hours aggregated over the three CTG during any calendar year.
[Rules 62-210.200(PTE), F.A.C.]

8. Hours of Operation: Subject to the operational restrictions of this permit, the CTG may operate throughout the year (8760 hours per year). Restrictions on individual methods of operation are specified below.
[Rules 62-210.200(Definitions - PTE), F.A.C.]

9. Methods of Operation: Subject to the restrictions and requirements of this permit, the CTG may operate under the following methods of operation.

   a. *Combined Cycle Operation*: Each CTG/HRSG system may operate to produce direct, shaft-driven electrical power and steam-generated electrical power from the steam turbine-electrical generator as a three-on-one combined cycle unit subject to the restrictions of this permit. In accordance with the specifications of the SCR and HRSG manufacturers, the SCR system shall be on line and functioning properly during combined cycle operation or when the HRSG is producing steam.

   b. *Inlet Conditioning*: In accordance with the manufacturer's recommendations and appropriate ambient conditions, the evaporative cooling system may be operated to reduce the compressor inlet air temperature and provide additional direct, shaft-driven electrical power.

   c. *Duct Burner (DB) Firing*: When firing natural gas in a CTG, the respective HRSG may fire natural gas in the DB to raise additional steam for use in the STG or in the operation of CTG components. The total combined heat input rate to the DB (all three HRSG) shall not exceed 3,697,920 mmBtu (LHV) during any consecutive 12 months.

   [Application; Rule 62-210.200(PTE), F.A.C.]

EMISSIONS STANDARDS

10. Emissions Standards: Emissions from each CTG/DB shall not exceed the following standards developed under state implementation plan (SIP) permitting procedures. Compliance with these limits also assures compliance with the emission limitations in 40 CFR 60, Subpart KKKK.

Pollutant	Fuel	Method of Operation	Initial Stacks Tests		CEMS Rolling Average Limit
			ppmvd [a]	lb/hr [b]	ppmvd [a]
CO [d]	Oil	CTG	10.0	61.0	10.0, 30 unit operating days [c,d]
	Gas	CTG & DB	7.6	52.7	7.5, 30 unit operating days [c,d]
		CTG Normal Mode	5.0	29.0	
NO_X [e]	Oil	CTG	8.0	80.0	8.0, 30 unit operating days [c,e]
	Gas	CTG & DB	2.0	22.8	2.0, 30 unit operating days [c,e]
		CTG Normal Mode	2.0	19.3	
VOC [f]	Oil	CTG	6.0	18.9	NA
	Gas	CTG & DB	1.9	7.2	
		CTG Normal Mode	1.5	4.8	
NH_3 [g]	Oil/Gas	CTG, All Modes	5	NA	NA
SAM/SO_2 [h]	Oil/Gas	All Modes	2 gr S/100 SCF of gas, 0.0015% sulfur fuel oil		
PM/PM_{10} [i]			Visible emissions shall not exceed 10% opacity for each 6-minute block average.		

a. Concentration standards are given in terms of parts per million, by volume, dry at 15 percent oxygen and abbreviated as ppmvd.
b. The mass emission rate standards in pounds per hour (lb/hr) are based on a turbine inlet condition of 59° F and may be adjusted to actual test conditions in accordance with the performance curves and/or equations filed with the Department.
c. "Unit operating day" means a 24-hour period between 12 midnight and the following midnight during which any fuel is combusted at any time in the unit. It is not necessary for fuel to be combusted continuously for the entire 24-hour period. [40 CFR 60.4420]
d. Compliance with the continuous 30-unit operating days rolling CO standard shall be demonstrated based on data collected by the required CEMS. The initial EPA Method 10 tests associated with the certification of the CEMS instruments shall also be used to demonstrate initial performance guarantees for natural gas, oil, and DB mode.
e. Continuous compliance with the 30-unit operating days rolling NO_X standards shall be demonstrated based on data collected by the required CEMS and will also insure compliance with the less stringent Subpart KKKK limits of 15 and 42 ppmvd for gas and fuel oil respectively on a 30-unit operating day rolling average basis. The initial EPA Method 7E or Method 20 tests associated with demonstration of compliance with 40 CFR 60, Subpart KKKK or certification of the CEMS instruments shall also be used to demonstrate compliance with the individual standards for natural gas, fuel oil, and duct burner modes during the time of those tests. NO_X mass emission rates are defined as oxides of nitrogen expressed as nitrogen dioxide (NO_2).
f. Compliance with the VOC standards shall be demonstrated by conducting tests in accordance with EPA Method 25A. Optionally, EPA Method 18 may also be performed to deduct emissions of methane and ethane. The emission standards are based on VOC measured as methane. After initial compliance with the VOC standards is demonstrated, annual compliance tests for VOC emissions are not required.
g. Compliance with the NH_3 slip standard shall be demonstrated by conducting tests in accordance with EPA Method CTM-027 or EPA Method 320.
h. The clean fuel sulfur specifications and visible emissions standard effectively limit the potential emissions of SAM and SO_2 from the CTG. Compliance with the fuel sulfur specifications shall be determined by the ASTM methods for determination of fuel sulfur as detailed in the draft permit.
i. The clean fuel sulfur specifications, low CO and NO_X limits, and the visible emissions standard will effectively limit $PM/PM_{10}/PM_{2.5}$ emissions. Compliance with the visible emissions standard shall be demonstrated by conducting tests in accordance with EPA Method 9.

[Application and Avoidance of Rule 62-212.400(4) through (12), F.A.C.; 40 CFR 60, Subpart KKKK]

EXCESS EMISSIONS

{Permitting Note: The following conditions apply only to the SIP-based emissions standards specified in Condition No. 10 of this section. Rule 62-210.700, F.A.C. (Excess Emissions) cannot vary or supersede any federal provision of the NSPS, or Acid Rain programs.}

11. Operating Procedures: The emission standards established by this permit rely on "good operating practices" to reduce emissions. Therefore, all operators and supervisors shall be properly trained to operate and maintain the CTG, DB, HRSG, and pollution control systems in accordance with the guidelines and procedures established by each manufacturer. The training shall include good operating practices as well as methods of minimizing excess emissions. [Rules 62-4.070(3), F.A.C.]

12. Alternate Visible Emissions Standard: Visible emissions due to startups, shutdowns, and malfunctions shall not exceed 10% opacity except for up to ten, 6-minute averaging periods during a calendar day, which shall not exceed 20% opacity. [Applicant Request and Rule 62-4.070(3), F.A.C.]

13. Definitions:

    a. *Startup* is defined as the commencement of operation of any emissions unit which has shut down or ceased operation for a period of time sufficient to cause temperature, pressure, chemical or pollution control device imbalances, which result in excess emissions. [Rule 62-210.200(245), F.A.C.]

    b. *Shutdown* is the cessation of the operation of an emissions unit for any purpose. [Rule 62-210.200(230), F.A.C.]

c. *Malfunction* is defined as any unavoidable mechanical and/or electrical failure of air pollution control equipment or process equipment or of a process resulting in operation in an abnormal or unusual manner. [Rule 62-210.200(159), F.A.C.]

14. 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. All such preventable emissions shall be included in any compliance determinations based on CEMS data. [Rule 62-210.700(4), F.A.C.]

15. Excess Emissions Allowed: As specified in this condition, excess emissions resulting from startup, shutdown, fuel switching and documented malfunctions are allowed provided that operators employ the best operational practices to minimize the amount and duration of emissions during such incidents. For each CTG/HRSG system, NO_X and CO emission data exclusions resulting from startup, shutdown, or documented malfunctions shall not exceed two hours in any 24-hour period except for the specific cases listed below. A "documented malfunction" means a malfunction that is documented within one working day of detection by contacting the Compliance Authority by telephone, facsimile transmittal, or electronic mail.

    a. *STG/HRSG System Cold Startup: For cold startup of the steam turbine system, NO_X and CO emission data exclusions for any CTG/HRSG system shall not exceed eight (8) hours in any 24-hour period. A cold "startup of the steam turbine system" is defined as startup of the 3-on-1 combined cycle system following a shutdown of the steam turbine lasting at least 48 hours.*

    {Permitting Note: During a cold startup of the STG system, each CTG/HRSG system is sequentially brought on line at low load to gradually increase the temperature of the STG and prevent thermal metal fatigue. Note that shutdowns and documented malfunctions are separately regulated in accordance with the requirements of this condition.}

    b. *Shutdown Steam Turbine System: For shutdown of steam turbine system, NO_X and CO emission data exclusions for any CTG/HRSG system shall not exceed three (3) hours in any 24-hour period.*

    c. *CTG/HRSG System Cold Startup: For cold startup of a CTG/HRSG system, NO_X and CO emission data exclusions shall not exceed four (4) hours in any 24-hour period. "Cold startup of a CTG/HRSG system" is defined as a startup after the pressure in the high-pressure (HP) steam drum falls below 450 psig for at least a one-hour period.*

    d. *Fuel Switching: For fuel switching, NO_X and CO emission data exclusions shall not exceed two (2) hours in any 24-hour period.*

16. Ammonia Injection: Ammonia injection shall begin as soon as operation of the CTG/HRSG system achieves the operating parameters specified by the manufacturer. As authorized by Rule 62-210.700(5), F.A.C., the above conditions allow excess emissions only for specifically defined periods of startup, shutdown, fuel switching, and documented malfunction of the CTG.
[Design; Rules 62-4.070(3) and 62-210.700, F.A.C.]

17. DLN Tuning: CEMS data collected during initial or other major DLN tuning sessions may be excluded by the permittee from the CEMS compliance demonstration provided the tuning session is performed in accordance with the manufacturer's specifications. A "major tuning session" may occur after completion of initial construction, a major repair, or other similar circumstances. Prior to performing any major tuning session, where the intent is to exclude data from the CEMS compliance demonstration, the permittee shall provide the Compliance Authority with an advance notice of at least 7 days that details the activity and proposed tuning schedule. The notice may be by telephone, facsimile transmittal, or electronic mail.
[Design; Rule 62-4.070(3), F.A.C.]

EMISSIONS PERFORMANCE TESTING

18. Test Methods: Required tests shall be performed in accordance with the following reference methods.

Method	Description of Method and Comments
CTM-027 or 320	Procedure for Collection and Analysis of Ammonia in Stationary Source. {Notes: This is an EPA conditional test method. The minimum detection limit shall be 1 ppm.} Measurement of Vapor Phase Organic and Inorganic Emissions by Extractive Fourier Transform Infrared (FTIR) Spectroscopy
7E	Determination of Nitrogen Oxide Emissions from Stationary Sources
9	Visual Determination of the Opacity of Emissions from Stationary Sources
10	Determination of Carbon Monoxide Emissions from Stationary Sources {Notes: The method shall be based on a continuous sampling train. The ascarite trap may be omitted or the interference trap of section 10.1 may be used in lieu of the silica gel and ascarite traps.}
18	Measurement of Gaseous Organic Compound Emissions by Gas Chromatography {Note: EPA Method 18 may be used (optional) concurrently with EPA Method 25A to deduct emissions of methane and ethane from the measured VOC emissions.}
20	Determination of Nitrogen Oxides, Sulfur Dioxide and Diluent Emissions from Stationary Gas Turbines
25A	Determination of Volatile Organic Concentrations

No other methods may be used for compliance testing unless prior written approval is received from the administrator of the Department's Emissions Monitoring Section in accordance with an alternate sampling procedure pursuant to 62-297.620, F.A.C.
[Rules 62-204.800 and 62-297.100, F.A.C.; 40 CFR 60, Appendix A]

19. Initial Compliance Determinations: Initial compliance tests shall be conducted within 60 days after achieving the maximum production rate at which the unit will be operated, but not later than 180 days after the initial startup of the unit. Each CTG shall be stack tested to demonstrate initial compliance with the emission standards for CO, NO_X, VOC, visible emissions, and ammonia slip. Each unit shall be tested when firing natural gas, when using the duct burners and when firing distillate fuel oil. Referenced method data collected during the required Relative Accuracy Test Audits (RATAs) may be used to demonstrate compliance with the initial CO and NO_X standards. With appropriate flow measurements (or fuel measurements and approved F-factors), CEMS data may be used to demonstrate compliance with the CO and NO_X mass rate emissions standards. CO and NO_X emissions recorded by the CEMS shall also be reported for each run during tests for visible emissions, VOC and ammonia slip. The Department may require the permittee to conduct additional tests after major replacement or major repair of any air pollution control equipment, such as the SCR catalyst, oxidation catalyst, DLN combustors, etc.
[Rule 62-297.310(7)(a)1, F.A.C. and 40 CFR 60.8].

20. Continuous Compliance: The permittee shall demonstrate continuous compliance with the 30-unit operating days rolling average CO and NO_X emissions standards based on data collected by the certified CEMS. Within 45 days of conducting any RATA on a CEMS, the permittee shall submit a report to the Compliance Authority summarizing results of the RATA. Compliance with the CO emission standards also serves as an indicator of efficient fuel combustion and oxidation catalyst operation, which reduces emissions of particulate matter and volatile organic compounds.
[Rule 62-4.070(3), F.A.C.; 40 CFR 60, Subpart KKKK]

21. Annual Compliance Tests: During each federal fiscal year (October 1st to September 30th), each CTG shall be tested to demonstrate compliance with the emission standards for visible emissions and ammonia slip. Testing to determine the ammonia slip shall be conducted while firing the primary fuel. NO_X emissions recorded by the CEMS shall be reported for each ammonia slip test run. CO emissions recorded by the CEMS shall be reported for the visible emissions observation period.

    {Permitting Note: After initial compliance with the VOC standards is demonstrated, annual compliance tests for VOC emissions are not required. Compliance with the continuously monitored CO standards shall indicate efficient combustion and low VOC emissions. The Department retains the right to require VOC testing if CO limits are exceeded or for the reasons given in Appendix SC, Condition 17, Special Compliance Tests.}

    [Rules 62-4.070(3) and 62-297.310(7)(a)4, F.A.C.]

22. Compliance for SAM, SO_2 and $PM/PM_{10}/PM_{2.5}$: In stack compliance testing is not required for SAM, SO_2 and $PM/PM_{10}/PM_{2.5}$. Compliance with the limits and control requirements for SAM, SO_2 and $PM/PM_{10}/PM_{2.5}$ is based on the recordkeeping required in Specific Condition 28, the visible emissions standard and the CO/NO_X continuous monitoring. [Rule 62-4.070(3), F.A.C.]

CONTINUOUS MONITORING REQUIREMENTS

23. Continuous Emissions Monitoring System(s) (CEMS): The permittee shall install, calibrate, maintain, and operate CEMS to measure and record the emissions of CO and NO_X from the combined cycle CTG in a manner sufficient to demonstrate continuous compliance with the CEMS emission standards of this section. Each monitoring system shall be installed, calibrated, and properly functioning prior to the initial performance tests. Within one working day of discovering emissions in excess of a CO or NO_X standard (and subject to the specified averaging period), the permittee shall notify the Compliance Authority.

    a. *CO Monitors:* The CO monitors shall be certified pursuant to 40 CFR 60, Appendix B, Performance Specification 4 or 4A within 60 calendar days of achieving permitted capacity as defined in Rule 62-297.310(2), F.A.C., but no later than 180 calendar days after initial startup. Quality assurance procedures shall conform to the requirements of 40 CFR 60, Appendix F, and the Data Assessment Report in Section 7 shall be made each calendar quarter, and reported semiannually to the Compliance Authority. The RATA tests required for the CO monitor shall be performed using EPA Method 10 in Appendix A of 40 CFR 60 and shall be based on a continuous sampling train. The CO monitor span values shall be set appropriately considering the allowable methods of operation and corresponding emission standards.

    b. *NO_X Monitors:* Each NO_X monitor shall be certified, operated, and maintained in accordance with the requirements of 40 CFR 75. Record keeping and reporting shall be conducted pursuant to Subparts F and G in 40 CFR 75. The RATA tests required for the NO_X monitor shall be performed using EPA Method 20 or 7E in Appendix A of 40 CFR 60.

    c. *Diluent Monitors:* The oxygen (O_2) or carbon dioxide (CO_2) content of the flue gas shall be monitored at the location where CO and NO_X are monitored to correct the measured emissions rates to 15% oxygen. If a CO_2 monitor is installed, the oxygen content of the flue gas shall be calculated using F-factors that are appropriate for the fuel fired. Each monitor shall comply with the performance and quality assurance requirements of 40 CFR 75.

24. CEMS Data Requirements:

    a. *Data Collection*: Emissions shall be monitored and recorded at all times including startup, operation, shutdown, and malfunction except for continuous monitoring system breakdowns, repairs, calibration checks, and zero and span adjustments. The CEMS shall be designed and operated to sample, analyze, and record data evenly spaced over an hour. If the CEMS measures concentration on a wet basis, the CEM system shall include provisions to determine the moisture content of the exhaust gas and an algorithm to enable correction of the monitoring results to a dry basis (0% moisture). Alternatively, the owner or operator may develop through manual stack test measurements a curve of moisture contents in the exhaust gas versus load for each allowable fuel, and use these typical values in an algorithm to enable correction of the monitoring results to a dry basis (0% moisture). Final results of the CEMS shall be expressed as ppmvd corrected to 15% oxygen. The CEMS shall be used to demonstrate compliance with the CEMS emission standards for CO and NO_X as specified in this permit. For purposes of determining compliance with the CEMS emissions standards of this permit, missing (or excluded) data shall not be substituted. Upon request by the Department, the CEMS emission rates shall be corrected to International Organization of Standardization (ISO) conditions.

b. *Valid Hour*: Hourly average values shall begin at the top of each hour. Each hourly average value shall be computed using at least one data point in each fifteen-minute quadrant of an hour, where the unit combusted fuel during that quadrant of an hour. Notwithstanding this requirement, an hourly value shall be computed from at least two data points separated by a minimum of 15 minutes (where the unit operates for more than one quadrant of an hour). If less than two such data points are available, the hourly average value is not valid. An hour in which any oil is fired is attributed towards compliance with the permit standards for oil firing. The permittee shall use all valid measurements or data points collected during an hour to calculate the hourly average values.

c. *30-Unit Operating Day Rolling Averages*: Compliance shall be determined after each operating day by calculating the arithmetic average of all the valid hourly averages from that operating day and the prior 29 operating days. For purposes of determining compliance with the 30-unit operating day rolling CEMS standards, the missing data substitution methodology of 40 CFR Part 75, subpart D, shall not be utilized. Instead, the 30-unit operating day rolling average shall be determined using the remaining hourly data in the 30-day rolling period.

{Permitting Note: There may be more than one 30-unit operating day compliance demonstration required for CO and NO_X emissions depending on the use of alternate fuels.}

d. *Data Exclusion:* Each CEMS shall monitor and record emissions during all operations including episodes of startup, shutdown, malfunction, fuel switches and DLN tuning. Some of the CEMS emissions data recorded during these episodes may be excluded from the corresponding CEMS compliance demonstration subject to the provisions of Condition Nos. 15 and 17 of this section. All periods of data excluded shall be consecutive for each such episode and only data obtained during the described episodes (startup, shutdown, malfunction, fuel switches, DLN tuning) may be used for the appropriate exclusion periods. The permittee shall minimize the duration of data excluded for such episodes to the extent practicable. Data recorded during such episodes shall not be excluded if the episode was caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure, which may reasonably be prevented. Best operational practices shall be used to minimize hourly emissions that occur during such episodes. Emissions of any quantity or duration that occur entirely or in part from poor maintenance, poor operation, or any other equipment or process failure, which may reasonably be prevented, shall be prohibited.

e. *Data Exclusion during Installation of Oxidation Catalyst:* The permittee may exclude CO CEMS data in excess of the 7.5 ppmvd @15% O_2 from the 30 operating day rolling average calculation during the installation of the oxidation catalyst (which shall not exceed 12 months) provided all reasonable efforts are used to minimize such emissions. However, all CEMS data must be included when determining whether there is a net emission increase [as defined in Section 62-210.200 (definitions), F.A.C.] of CO greater or equal to the significant emissions rate of 100 tons per year.

f. *Availability*: Monitor availability for the CEMS shall be 95% or greater in any calendar quarter. The quarterly excess emissions report shall be used to demonstrate monitor availability. In the event 95% availability is not achieved, the permittee shall provide the Department with a report identifying the problems in achieving 95% availability and a plan of corrective actions that will be taken to achieve 95% availability. The permittee shall implement the reported corrective actions within the next calendar quarter. Failure to take corrective actions or continued failure to achieve the minimum monitor availability shall be violations of this permit, except as otherwise authorized by the Department's Compliance Authority.

[Rule 62-297.520, F.A.C.; 40 CFR 60.7(a)(5) and 40 CFR 60.13; 40 CFR Part 51, Appendix P; 40 CFR 60, Appendix B - Performance Specifications; 40 CFR 60, Appendix F - Quality Assurance Procedures; and Rules 62-4.070(3), F.A.C.]

25. Ammonia Monitoring Requirements: In accordance with the manufacturer's specifications, the permittee shall install, calibrate, operate and maintain an ammonia flow meter to measure and record the ammonia injection rate to the SCR system by the time of the initial compliance tests. The permittee shall document and periodically update the general range of ammonia flow rates required to meet permitted emissions levels over the range of load conditions allowed by this permit by comparing NO_X emissions recorded by the CEM system with ammonia flow rates recorded using the ammonia flow meter. During NO_X monitor downtimes or malfunctions, the permittee shall operate at the ammonia flow rate and, as applicable for fuel oil firing, the water-to-fuel ratio, that are consistent with the documented flow rate for the combustion turbine load condition. [Rules 62-4.070(3), F.A.C.]

RECORDS AND REPORTS

26. Monitoring of Capacity: The permittee shall monitor and record the operating rate of each CTG and HRSG DB system on a daily average basis, considering the number of hours of operation during each day (including the times of startup, shutdown, malfunction and fuel switching). Such monitoring shall be made using a monitoring component of the CEMS required above, or by monitoring daily rates of consumption and heat content of each allowable fuel in accordance with the provisions of 40 CFR 75 Appendix D. [Rule 62-4.070(3), F.A.C.]

27. Monthly Operations Summary: By the fifth calendar day of each month, the permittee shall record the following for each fuel in a written or electronic log for each CTG for the previous month of operation: fuel consumption, hours of operation, hours of duct firing, and the updated 12-month rolling totals for each. Information recorded and stored as an electronic file shall be available for inspection and printing within at least three days of a request by the Department. The fuel consumption shall be monitored in accordance with the provisions of 40 CFR 75, Appendix D. [Rules 62-4.070(3), F.A.C.]

28. Fuel Sulfur Records: The permittee shall demonstrate compliance with the fuel sulfur limits specified in this permit by maintaining the following records of the sulfur contents.

    a. *Natural Gas:* Compliance with the fuel sulfur limit for natural gas shall be demonstrated by keeping reports obtained from the vendor indicating the average sulfur content of the natural gas being supplied from the pipeline for each month of operation. Methods for determining the sulfur content of the natural gas shall be ASTM methods D4084-82, D4468-85, D5504-01, D6228-98 and D6667-01, D3246-81 or more recent versions.

    b. *ULSD Fuel Oil:* Compliance with the distillate fuel oil sulfur limit shall be demonstrated by taking a sample, analyzing the sample for fuel sulfur, and reporting the results to each Compliance Authority before initial startup. Sampling the fuel oil sulfur content shall be conducted in accordance with ASTM D4057-88, Standard Practice for Manual Sampling of Petroleum and Petroleum Products, and one of the following test methods for sulfur in petroleum products: ASTM methods D5453-00, D129-91, D1552-90, D2622-94, or D4294-90. More recent versions of these methods may be used. For each subsequent fuel delivery, the permittee shall maintain a permanent file of the certified fuel sulfur analysis from the fuel vendor. At the request of a Compliance Authority, the permittee shall perform additional sampling and analysis for the fuel sulfur content.

The above methods shall be used to determine the fuel sulfur content in conjunction with the provisions of 40 CFR 75, Appendix D. [Rules 62-4.070(3) and 62-4.160(15), F.A.C.]

29. Emissions Performance Test Reports: A report indicating the results of any required emissions performance test shall be submitted to the Compliance Authority no later than 45 days after completion of the last test run. The test report shall provide sufficient detail on the tested emission unit and the procedures used to allow the Department to determine if the test was properly conducted and if the test results were properly computed. At a minimum, the test report shall provide the applicable information listed in Rule 62-297.310(8)(c), F.A.C. and in Appendix SC of this permit. [Rule 62-297.310(8), F.A.C.].

30. Excess Emissions Reporting:

    a. *Malfunction Notification:* If emissions in excess of a standard (subject to the specified averaging period) occur due to malfunction, the permittee shall notify the Compliance Authority within (1) working day of: the nature, extent, and duration of the excess emissions; the cause of the excess emissions; and the actions taken to correct the problem. In addition, the Department may request a written summary report of the incident.

    b. *SIP Quarterly Permit Limits Excess Emissions Report*: Within 30 days following the end of each calendar-quarter, the permittee shall submit a report to the Compliance Authority summarizing periods of CO and NO_X emissions in excess of the permit emission standards following the NSPS format in 40 CFR 60.7(c), Subpart A. Periods of startup, shutdown and malfunction, shall be monitored, recorded and reported as excess emissions when emission levels exceed the standards specified in this permit. In addition, the report shall summarize the CEMS systems monitor availability for the previous quarter.

    c. *NSPS Semi-Annual Excess Emissions Reports*: For purposes of reporting emissions in excess of NSPS Subpart KKKK, excess emissions from the CTG are defined as: a specified averaging period over which either the NO_X emissions are higher than the applicable emission limit in 40 CFR 60.4320; or the total sulfur content of the fuel being combusted in the affected facility exceeds the limit specified in 60.4330. Within thirty (30) days following each calendar semi-annual period, the permittee shall submit a report on any periods of excess emissions that occurred during the previous semi-annual period to the Compliance Authority.

    {Note: If there are no periods of excess emissions as defined in NSPS Subpart KKKK, a statement to that effect may be submitted with the SIP Quarterly Report to suffice for the NSPS Semi-Annual Report.}

    [Rules 62-4.130, 62-204.800, 62-210.700(6), F.A.C.; 40 CFR 60.7, and 60.4420]

31. Annual Operating Report: The permittee shall submit an annual report that summarizes the actual operating hours and emissions from this facility. The permittee shall also keep records sufficient to determine the annual throughput of distillate fuel oil for the fuel oil storage tank for use in the Annual Operating Report. Annual operating reports shall be submitted to the Compliance Authority by April 1st of each year. [Rule 62-210.370(2), F.A.C.]

B. AUXILIARY BOILER AND TEMPORARY CONSTRUCTION BOILER (010 AND 015)

This section of the permit addresses the following emissions units.

ID	Emission Unit Description
010	One nominal 85,000 pounds per hour (lb/hr) natural gas fueled auxiliary boiler (99.8 mmBtu/hr)
015	One temporary 110 mmBtu/hr natural gas-fueled boiler to be used only during construction

AUXILIARY BOILER REQUIREMENTS

1. Equipment: The permittee is authorized to install, operate, and maintain one auxiliary boiler with a maximum design heat input of 99.8 mmBtu/hr (85,000 lb/hr) to produce steam during start up of the CTG. [Applicant Request; Rule 62-210.200(PTE), F.A.C.]
2. Hours of Operation: The hours of operation of the auxiliary boiler shall not exceed 750 hours per year. [Applicant Request; Rule 62-210.200(PTE), F.A.C.]
3. NSPS Subpart Dc Applicability: The auxiliary boiler is subject to all applicable requirements of 40 CFR 60, Subpart Dc which applies to Small Industrial, Commercial, or Institutional Steam Generating Units. Specifically, this emission unit shall comply with 40 CFR 60.48c Reporting and Recordkeeping Requirements. [40 CFR 60, NSPS-Subpart Dc - Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units, attached as Appendix Dc].
4. Auxiliary Boiler Emissions Limits: The auxiliary boiler shall comply with the following emission limits.

NO_X	CO	VOC, SO_2, PM/PM_{10}
0.05 lb/mmBtu	0.08 lb/mmBtu	2 gr S/100 SCF natural gas spec and 10% Opacity

[Applicant request; Rule 62-4.070(3), F.A.C.]

{Permitting note: There are no Subpart Dc emission standards for auxiliary boilers fueled by natural gas.}

5. Auxiliary Boiler Testing Requirements: The auxiliary boiler shall be stack tested to demonstrate initial compliance with the emission standards for CO, NO_X and visible emissions. The tests shall be conducted within 60 days after achieving the maximum production rate at which the unit will be operated, but not later than 180 days after the initial startup. [Rule 62-297.310(7)(a)1, F.A.C.]

Test Methods: Any required tests shall be performed in accordance with the following reference methods.

Method	Description of Method and Comments
7E	Determination of Nitrogen Oxide Emissions from Stationary Sources
9	Visual Determination of the Opacity of Emissions from Stationary Sources
10	Determination of Carbon Monoxide Emissions from Stationary Sources

6. Notification: Initial notification is required for the auxiliary boiler pursuant to 40 CFR 60.7.
7. Reporting: The permittee shall maintain records of the amount of natural gas used in the auxiliary boiler. These records shall be submitted to the Compliance Authority on an annual basis or upon request. [Rule 62-4.070(3), F.A.C.]

B. AUXILIARY BOILER AND TEMPORARY CONSTRUCTION BOILER (010 AND 015)

TEMPORARY BOILER REQUIREMENTS

8. Equipment: The permittee is authorized to install, operate, and maintain a temporary boiler during the construction of the RBEC with a maximum design heat input of 110 mmBtu/hr.
   [Applicant Request; Rule 62-210.200(PTE), F.A.C.]

9. Hours of Operation: The hours of operation of the temporary boiler shall not exceed 1000 hours per year and the temporary boiler shall not operate beyond the expiration date of this permit.
   [Applicant Request; Rule 62-210.200(PTE), F.A.C.]

10. NSPS Subpart Db Applicability: The temporary 110 mmBtu natural gas-fueled boiler is subject to all applicable requirements of 40 CFR 60, Subpart Db which applies to Industrial, Commercial, or Institutional Steam Generating Units.
    [40 CFR 60, NSPS-Subpart Db - Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units, attached as Appendix Db].

C. PROCESS HEATERS (EU 011)

This section of the permit addresses the following emissions unit.

ID	Emission Unit Description
011	Two nominal 10 mmBtu/hr natural gas-fired process heaters (one is a spare)

1. Equipment: The permittee is authorized to install, operate, and maintain two 10 mmBtu/hr process heaters for the purpose of heating the natural gas supply to the CTG.
   [Applicant Request and Rule 62-210.200(PTE), F.A.C.]

2. Hours of Operation: The two natural gas-fueled process heaters are allowed to operate a combined total of 8760 hours per year. [Applicant Request and Rule 62-210.200(PTE), F.A.C.]

3. NSPS Subpart Dc Applicability: Each process heater is subject to all applicable requirements of 40 CFR 60, Subpart Dc which applies to Small Industrial, Commercial, or Institutional Boiler. Specifically, each emission unit shall comply with 40 CFR 60.48c Reporting and Recordkeeping Requirements.
   [40 CFR 60, NSPS-Subpart Dc - Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units, attached as Appendix Dc]

4. Emission Limits: Each natural gas fired process heater shall comply with the following emission limits.

NO_X	CO	VOC, SO_2, PM/PM_{10}
0.095 lb/mmBtu	0.08 lb/mmBtu	2 gr S/100 SCF natural gas spec and 10% Opacity

   [Applicant request; Rule 62-4.070(3), F.A.C.]

   {Permitting note: There are no Subpart Dc emission standards for gas-fired process heaters fueled by natural gas.}

5. Testing Requirements: Each unit shall be stack tested to demonstrate initial compliance with the emission standards for CO, NO_X and visible emissions. The tests shall be conducted within 60 days after achieving the maximum production rate at which the unit will be operated, but not later than 180 days after the initial startup. As an alternative, a Manufacturer certification of emissions characteristics of the purchased model that are at least as stringent as the emission limits values can be used to fulfill this requirement.
   [Rule 62-297.310(7)(a)1, F.A.C.]

   Test Methods: Any required tests shall be performed in accordance with the following reference methods.

Method	Description of Method and Comments
7E	Determination of Nitrogen Oxide Emissions from Stationary Sources
9	Visual Determination of the Opacity of Emissions from Stationary Sources
10	Determination of Carbon Monoxide Emissions from Stationary Sources

6. Notification, Recordkeeping and Reporting Requirements: The permittee shall maintain records of the amount of natural gas used in the process heaters and shall comply with the notification, recordkeeping and reporting requirements pursuant to 40 CFR 60.48c and 40 CFR 60.7. These records shall be submitted to the Compliance Authority on an annual basis or upon request.
   [Rule 62-4.070(3), F.A.C.; 40 CFR 60, Subparts A and Dc]

D. COMPRESSOR STATION (EU 012)

This section of the permit addresses the following emissions unit.

ID	Emission Unit Description
012	Seven nominal 1,340 horsepower (hp) natural gas compressors

1. Equipment: The permittee is authorized to install, operate, and maintain seven nominal 1,340 horsepower (hp) natural gas compressors. Maximum heat input shall not exceed 10.11 mmBtu/hr each.
[Applicant Request and Rule 62-210.200(PTE), F.A.C.]
2. Hours of Operation and Fuel Specifications: Each compressor is allowed to operate continuously (8760 hr/yr). The compressors are allowed to burn natural gas only.
[Applicant Request and Rule 62-210.200(PTE), F.A.C.]
3. NSPS Subpart JJJJ Applicability: These compressors are Stationary Spark Ignition Internal Combustion Engines and shall comply with applicable provisions of 40 CFR 60, Subpart JJJJ.
[40 CFR 60, Subpart JJJJ - Standards of Performance for Stationary Spark Ignition Internal Combustion Engines]
4. NESHAPS Subpart ZZZZ Applicability: These compressors are Reciprocating Internal Combustion Engines (RICE) and shall comply with applicable provisions of 40 CFR 63, Subpart ZZZZ. Pursuant to 40 CFR 63.6590(c) the compressors must meet the requirements of Subpart ZZZZ by meeting the requirements of 40 CFR 60, Subpart JJJJ.
[40 CFR 63, Subpart ZZZZ - National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (RICE)]
5. Pollution Control Equipment: Each gas compressor shall be equipped with an oxidation catalyst to control CO and VOC/hydrocarbons. [Applicant request; Rule 62-4.070(3), F.A.C.]
6. Visible Emission (VE) Limit: Each natural gas compressor shall comply with a visible emission limit of 10% opacity. [Applicant request; Rule 62-4.070(3), F.A.C.]
7. Emissions Limits: Each natural gas compressors shall comply with the following emission limits.

Standard (manufacture date)	CO (g/hp-hr)[a]	VOC (g/hp-hr)	NO_X (g/hp-hr)	PM (g/hp-hr)	SO_2 (gas S spec.)
Permit Emission Limit	0.10	0.16	1.5[b]	0.034	2 gr/100 SCF
Subpart JJJJ (1/1/2008)	4.0	1.0	2.0	NA	
Subpart JJJJ (7/1/2010)	2.0	0.7	1.0		

a. grams per horsepower-hour (g/hp-hr)

b. Reduced to 1.0 g/hp-hr if manufacture date is 7/1/2010 or later to insure compliance with Subpart JJJJ.

{Permitting note: Installation of an oxidation catalyst and adherence to the visible emission standard and fuel specification shall be considered sufficient to insure compliance with the listed PM limit.}

[Applicant request; 40 CFR 60, Subpart JJJJ; Rule 62-4.070(3), F.A.C.]

8. Compressor Testing Requirements: Each unit shall be stack tested to demonstrate initial compliance with the emission standards for CO, VOC, NO_X and visible emissions. The tests shall be conducted within 60 days after achieving the maximum production rate at which the unit will be operated, but not later than 180 days after the initial startup. With the exception of visible emissions testing, manufacturer certification can be provided to the Department in lieu of actual testing.
[Rule 62-297.310(7)(a)1, F.A.C.; 40 CFR 60.8 and 40 CFR 60.4244]

9. Test Methods: Any required tests shall be performed in accordance with the following reference methods.

Method	Description of Method and Comments
7E	Determination of Nitrogen Oxide Emissions from Stationary Sources
9	Visual Determination of the Opacity of Emissions from Stationary Sources
10	Determination of Carbon Monoxide Emissions from Stationary Sources
18	Determination of Volatile Organic Compounds Emissions from Stationary Sources

[Rule 62-4.070(3), F.A.C.; 40 CFR 60, Subpart JJJJ and 40 CFR 60.8]

10. Notification, Recordkeeping and Reporting Requirements: The permittee shall maintain records of the amount of natural gas used in the compressor station and shall comply with the notification, recordkeeping and reporting requirements pursuant to 40 CFR 60.4245 and 40 CFR 60.7. These records shall be submitted to the Compliance Authority on an annual basis or upon request.
[Rule 62-4.070(3), F.A.C.; 40 CFR 60, Subparts A and JJJJ]

E. EMERGENCY GENERATORS (013)

This section of the permit addresses the following emissions units.

ID	Emission Unit Description
013	Two nominal 2,250 kilowatts (kW) liquid fueled emergency generators

1. Equipment: The permittee is authorized to install, operate, and maintain two 2,250 kW emergency generators. [Applicant Request and Rule 62-210.200(PTE), F.A.C.]
2. Hours of Operation and Fuel Specifications: The hours of operation shall not exceed 160 hours per year per generator. The generators shall burn ultralow sulfur diesel fuel oil (0.0015% sulfur). [Applicant Request and Rule 62-210.200(PTE), F.A.C.]
3. NSPS Subpart IIII Applicability: These emergency generators are Stationary Compression Ignition Internal Combustion Engines (Stationary ICE) and shall comply with applicable provisions of 40 CFR 60, Subpart IIII, including emission testing or certification. [40 CFR 60, Subpart IIII - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines]
4. NESHAPS Subpart ZZZZ Applicability: These emergency generators are Liquid Fueled Reciprocating Internal Combustion Engines (RICE) and shall comply with applicable provisions of 40 CFR 63, Subpart ZZZZ. Pursuant to 40 CFR 63.6590(c) the compressors must meet the requirements of Subpart ZZZZ by meeting the requirements of 40 CFR 60, Subpart IIII.
   [40 CFR 63, Subpart ZZZZ - National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (RICE)]
5. Emissions Limits: Each emergency generator shall comply with the following emission limits and demonstrate compliance in accordance with the procedures given in 40 CFR 60, Subpart IIII. Manufacturer certification can be provided to the Department in lieu of actual testing.

Source (model year)	CO (g/hp-hr)	PM (g/hp-hr)	Hydrocarbons (g/hp-hr)	NO_X (g/hp-hr)
Subpart IIII (2007-2010)	8.5	0.4	1.0	6.9
Subpart IIII (2011 and later)	2.6	0.15	4.8 (NMHC[a]+NO_X)	

   a. NMHC means Non-Methane Hydrocarbons.

   [Applicant Request; 40 CFR 60, Subpart IIII and Rule 62-4.070(3), F.A.C.]

6. Visible Emission (VE) Limit: Each liquid-fueled emergency generator shall comply with a visible emission limit of 10% opacity. An initial VE test shall be conducted in accordance with EPA Method 9 within 60 days after achieving the maximum production rate at which the unit will be operated, but not later than 180 days after initial startup. [Applicant request; Rule 62-4.070(3), F.A.C.]
7. Notification, Recordkeeping and Reporting Requirements: The permittee shall maintain records of the amount of fuel used in the emergency generators and shall comply with the notification, recordkeeping and reporting requirements pursuant to 40 CFR 60.4214 and 40 CFR 60.7. These records shall be submitted to the Compliance Authority on an annual basis or upon request.
   [Rule 62-4.070(3), F.A.C.; 40 CFR 60, Subparts A and IIII]

F. EMERGENCY FIRE PUMP (014)

This section of the permit addresses the following emissions unit.

ID	Emission Unit Description
014	One emergency diesel fire pump engine ($\leq$ 300 hp) and a nominal 500 gallon fuel oil storage tank

1. Equipment: The permittee is authorized to install, operate, and maintain one diesel engine driven fire pump ($\leq$ 300 hp) and an associated nominal 500 gallon fuel oil storage tank.
[Applicant Request and Rule 62-210.200(PTE), F.A.C.]

2. Hours of Operation: The fire pump may operate in response to emergency conditions and 80 non-emergency hours per year for maintenance testing. [Applicant Request; Rule 62-210.200 (PTE), F.A.C.]

3. Authorized Fuel: This unit shall fire ULSD fuel oil, which shall contain no more than 0.0015% sulfur by weight. [Applicant Request]

4. NSPS Subpart IIII Applicability: The fire pump engine is an Emergency Stationary Compression Ignition Internal Combustion Engine (Stationary ICE) and shall comply with applicable provisions of 40 CFR 60, Subpart IIII. [40 CFR 60, Subpart IIII - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines]

5. Emissions Limits: The emergency fire pump engine shall comply with the following emission limits and demonstrate compliance in accordance with the procedures given in 40 CFR 60, Subpart IIII.

Model Year	**CO** (g/hp-hr)	**NMHC + NO_X** (g/hp-hr)	**PM** (g/hp-hr)
Subpart IIII (2008)	2.6	7.8	0.40
Subpart IIII (2009 or later)	NA	3.0	0.15

[Applicant Request; 40 CFR 60, Subpart IIII and Rule 62-4.070(3), F.A.C.]

6. Fire Pump Engine Certification: Manufacturer certification shall be provided to the Department in lieu of actual testing. [40 CFR 60.4211 and Rule 62-4.070(3), F.A.C.]

G. DISTILLATE FUEL OIL STORAGE TANK (016)

This section of the permit addresses the following emissions unit.

ID	Emission Unit Description
016	One nominal 6.3 million gallon distillate fuel oil storage tank

NSPS APPLICABILITY

1. NSPS Subpart Kb Applicability: The distillate fuel oil tank is not subject to Subpart Kb, which applies to any storage tank with a capacity greater than or equal to 10,300 gallons (40 cubic meters) that is used to store volatile organic liquids for which construction, reconstruction, or modification is commenced after July 23, 1984. Tanks with a capacity greater than or equal to 40,000 gallons (151 cubic meters) storing a liquid with a maximum true vapor pressure less than 3.5 kilopascals (kPa) are exempt from the General Provisions (40 CFR 60, Subpart A) and from the provisions of NSPS Subpart Kb.
   [40 CFR 60.110b(a) and (c); Rule 62-204.800(7)(b), F.A.C.]

EQUIPMENT SPECIFICATIONS

2. Equipment: The permittee is authorized to install, operate, and maintain one nominal 6.3 million gallon distillate fuel oil storage tank designed to provide ultra low sulfur diesel fuel oil to the gas turbines.
   [Applicant Request; Rule 62-210.200(PTE), F.A.C.]

EMISSIONS AND PERFORMANCE REQUIREMENTS

3. Hours of Operation: The hours of operation are not restricted (8760 hours per year).
   [Applicant Request; Rule 62-210.200(PTE), F.A.C.]

NOTIFICATION, REPORTING AND RECORDS

4. Oil Tank Records: The permittee shall keep readily accessible records showing the dimension of the storage vessel and an analysis showing the capacity of the storage tank. Records shall be retained for the life of the facility. The permittee shall also keep records sufficient to determine the annual throughput of distillate fuel oil for the storage tank for use in the Annual Operating Report. [Rule 62-4.070(3) F.A.C]

5. Fuel Oil Records: The permittee shall keep readily accessible records showing the maximum true vapor pressure of the stored liquid. The maximum true vapor pressure shall be less than 3.5 kPa. Compliance with this condition may be demonstrated by using the information from the respective MSDS for the ULSD fuel oil stored in the tank. [Rule 62-4.070(3), F.A.C.; Avoidance of 40 CFR 60, Subpart Kb]

   {Permitting Note: An evaluation of several Material Safety Data Sheets (MSDS) by the Department and applicant demonstrated that the vapor pressure is much less than 3.5 kPa for ULSD fuel oil.}

SECTION IV. APPENDICES

CONTENTS

NSPS Subpart A and NESHAP Subpart A, Identification of General Provisions

NSPS - Subpart A, Identification of General Provisions

The provisions of this Subpart may be provided in full upon request. Emissions units subject to a New Source Performance Standard of 40 CFR 60 are also subject to the applicable requirements of Subpart A, the General Provisions, including:

§ 60.1 Applicability.

§ 60.2 Definitions.

§ 60.3 Units and abbreviations.

§ 60.4 Address.

§ 60.5 Determination of construction or modification.

§ 60.6 Review of plans.

§ 60.7 Notification and Record Keeping.

§ 60.8 Performance Tests.

§ 60.9 Availability of information.

§ 60.10 State Authority.

§ 60.11 Compliance with Standards and Maintenance Requirements.

§ 60.12 Circumvention.

§ 60.13 Monitoring Requirements.

§ 60.14 Modification.

§ 60.15 Reconstruction.

§ 60.16 Priority List.

§ 60.17 Incorporations by Reference.

§ 60.18 General Control Device Requirements.

§ 60.19 General Notification and Reporting Requirements.

Individual subparts may exempt specific equipment or processes from some or all of these requirements. The general provisions may be provided in full upon request.

NESHAP - Subpart A, Identification of General Provisions

The provisions of this Subpart may be provided in full upon request. Emissions units subject to a National Emission Standards for Hazardous Air Pollutants of 40 CFR 63 are also subject to the applicable requirements of Subpart A, the General Provisions, including:

§ 63.1 Applicability.

§ 63.2 Definitions.

§ 63.3 Units and abbreviations.

§ 63.4 Prohibited Activities and Circumvention.

§ 63.5 Preconstruction Review and Notification Requirements.

§ 63.6 Compliance with Standards and Maintenance Requirements.

§ 63.7 Performance Testing Requirements.

§ 63.8 Monitoring Requirements.

§ 63.9 Notification Requirements.

§ 63.10 Recordkeeping and Reporting Requirements.

§ 63.11 Control Device Requirements.

§ 63.12 State Authority and Delegations.

§ 63.13 Addresses of State Air Pollution Control Agencies and EPA Regional Offices.

§ 63.14 Incorporation by Reference.

§ 63.15 Availability of Information and Confidentiality.

Individual subparts may exempt specific equipment or processes from some or all of these requirements. The general provisions may be provided in full upon request.

NSPS FOR INDUSTRIAL-COMMERCIAL-INSTITUTIONAL STEAM GENERATING UNITS

The temporary 110 mmBtu/hr boiler is regulated as ARMS Emissions Unit (EU) No. 015. This EU is subject to the applicable requirements of 40 CFR 60, Subpart Db-- Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units. The provisions of this Subpart may be provided in full upon request and are also available at the following link:

Link to Subpart Db

NSPS FOR SMALL INDUSTRIAL-COMMERCIAL-INSTITUTIONAL STEAM GENERATING UNITS

The auxiliary boiler rated at 99.8 mmBtu/hr is regulated for the purposes of ARMS as EU 010. Two natural gas process heaters are regulated as one unit for purposes of the ARMS or EU No. 011. These two EU are subject to all applicable provisions of 40 CFR 60, Subpart Dc-- Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units. The provisions of this Subpart may be provided in full upon request and are also available at the following link:

Link to Subpart Dc

The key reporting and recordkeeping requirements are listed below.

§ 60.48c Reporting and recordkeeping requirements.

(a) The owner or operator of each affected facility shall submit notification of the date of construction or reconstruction, anticipated startup, and actual startup, as provided by § 60.7 of this part. This notification shall include:

(1) The design heat input capacity of the affected facility and identification of fuels to be combusted in the affected facility.

(2) Not applicable.

(3) The annual capacity factor at which the owner or operator anticipates operating the affected facility based on all fuels fired and based on each individual fuel fired.

(b)-(f) Not applicable.

(g) The owner or operator of each affected facility shall record and maintain records of the amounts of each fuel combusted during each day.

(h) Not applicable.

(i) All records required under this section shall be maintained by the owner or operator of the affected facility for a period of two years following the date of such record.

(j) The reporting period for the reports required under this subpart is each six-month period. All reports shall be submitted to the Administrator and shall be postmarked by the 30th day following the end of the reporting period.

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.

   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);
    c. Compliance with National Emission Standards for Hazardous Air Pollutants (X); and
    d. Compliance with New Source Performance Standards (X).
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.

NSPS REQUIREMENTS FOR STATIONARY COMPRESSION IGNITION INTERNAL COMBUSTION ENGINES

The two nominal 2,250 kilowatts emergency generators are regulated as one unit for purposes of the ARMS or EU No. 013. The nominal 300 horsepower (hp) fire engine pump is regulated as ARMS EU No. 014. These two EU are subject to the applicable requirements of 40 CFR 60, Subpart IIII--Standards of Performance for Stationary Compression Ignition Internal Combustion Engines. The provisions of this Subpart may be provided in full upon request and are also available at the following link:

Link to Subpart IIII

NSPS REQUIREMENTS FOR NSPS FOR STATIONARY SPARK IGNITION INTERNAL COMBUSTION ENGINES

The seven nominal 1,340 horsepower (hp) natural gas compressors are regulated as one unit for purposes of the ARMS or EU No. 012. They are subject to the applicable requirements of 40 CFR 60, Subpart JJJJ--Standards of Performance for Stationary Spark Ignition Internal Combustion Engines. The provisions of this Subpart may be provided in full upon request and are also available at the following link:

Link to Subpart JJJJ

NSPS Subpart KKKK Requirements for Gas Turbines and Duct Burners

Combined Cycle Unit 5 is regulated as ARMS EU 007, 008 and 009. These EU are subject to the applicable requirements of 40 CFR 60, Subpart KKKK--Standards of Performance for Stationary Combustion Turbines that Commence Construction after February 18, 2005. The provisions of this Subpart may be provided in full upon request and are also available at the following link:

Link to Subpart KKKK

Table 1 of Subpart KKKK is a listing of the key NO_X limits from Subpart KKKK that apply to the RBEC Unit 5 project. The provisions of this Subpart may be provided in full upon request and are also available at the following link:

Table 1 to Subpart KKKK of Part 60. NO_X Emission Limits for New Stationary Combustion Turbines.*

Combustion turbine type	Combustion turbine heat input at peak load (higher heating value)	NO_X emission standard
New, modified, or reconstructed turbine firing natural gas	> 850 MMBtu/h	15 ppm at 15 percent O_2 or 54 ng/J of useful output (0.43 lb/MWh).
New, modified, or reconstructed turbine firing fuels other than natural gas	> 850 MMBtu/h	42 ppm at 15 percent O_2 or 160 ng/J of useful output (1.3 lb/MWh).

* Only the portion of the table that includes the NO_X Requirements applicable to the RBEC Unit 5 project.

STANDARD CONDITIONS

Unless otherwise specified in the permit, the following conditions apply to all emissions units and activities at this facility.

EMISSIONS AND CONTROLS

1. 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.]

2. Circumvention: The permittee shall not circumvent the air pollution control equipment or allow the emission of air pollutants without this equipment operating properly. [Rule 62-210.650, F.A.C.]

3. Excess Emissions Allowed: 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. [Rule 62-210.700(1), F.A.C.]

4. 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.]

5. Excess Emissions - Notification: In case of excess emissions resulting from malfunctions, the permitee shall notify the Department or the appropriate Local Program 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.]

6. VOC or OS Emissions: No person shall store, pump, handle, process, load, unload or use in any process or installation, volatile organic compounds or organic solvents without applying known and existing vapor emission control devices or systems deemed necessary and ordered by the Department. [Rule 62-296.320(1), F.A.C.]

7. Objectionable Odor Prohibited: No person shall cause, suffer, allow or permit the discharge of air pollutants, which cause or contribute to an objectionable odor. An "objectionable odor" means any odor present in the outdoor atmosphere which by itself or in combination with other odors, is or may be harmful or injurious to human health or welfare, which unreasonably interferes with the comfortable use and enjoyment of life or property, or which creates a nuisance. [Rules 62-296.320(2) and62-210.200(203), F.A.C.]

8. General Visible Emissions: No person shall cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity equal to or greater than 20 percent opacity. [Rule 62-296.320(4)(b)1, F.A.C.]

9. Unconfined Particulate Emissions: During the construction period, unconfined particulate matter emissions shall be minimized by dust suppressing techniques such as covering and/or application of water or chemicals to the affected areas, as necessary. [Rule 62-296.320(4)(c), F.A.C.]

TESTING REQUIREMENTS

10. 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.]

11. Operating Rate During Testing: Testing of emissions shall be conducted with the emissions unit operating at permitted capacity. Permitted capacity is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. If it is impractical 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. [Rule 62-297.310(2), F.A.C.]

12. 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.]

13. Test Procedures: Tests shall be conducted in accordance with all applicable requirements of Chapter 62-297, F.A.C.

    a. Required Sampling Time. 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. The minimum observation period for a visible emissions compliance test shall be thirty (30) minutes. The observation period shall include the period during which the highest opacity can reasonably be expected to occur.

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

    c. Calibration of Sampling Equipment. Calibration of the sampling train equipment shall be conducted in accordance with the schedule shown in Table 297.310-1, F.A.C.

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

14. 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.]

15. Sampling Facilities: The permittee shall install permanent stack sampling ports and provide sampling facilities that meet the requirements of Rule 62-297.310(6), F.A.C.

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

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

18. Test Reports: 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. 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. The test report shall provide sufficient detail on the emissions unit tested and the test procedures used to allow the Department to determine if the

test was properly conducted and the test results properly computed. As a minimum, the test report, other than for an EPA or DEP Method 9 test, shall provide the following information:

1) The type, location, and designation of the emissions unit tested.
2) The facility at which the emissions unit is located.
3) The owner or operator of the emissions unit.
4) The normal type and amount of fuels used and materials processed, and the types and amounts of fuels used and material processed during each test run.
5) The means, raw data and computations used to determine the amount of fuels used and materials processed, if necessary to determine compliance with an applicable emission limiting standard.
6) The type of air pollution control devices installed on the emissions unit, their general condition, their normal operating parameters (pressure drops, total operating current and GPM scrubber water), and their operating parameters during each test run.
7) A sketch of the duct within 8 stack diameters upstream and 2 stack diameters downstream of the sampling ports, including the distance to any upstream and downstream bends or other flow disturbances.
8) The date, starting time and duration of each sampling run.
9) The test procedures used, including any alternative procedures authorized pursuant to Rule 62-297.620, F.A.C. Where optional procedures are authorized in this chapter, indicate which option was used.
10) The number of points sampled and configuration and location of the sampling plane.
11) For each sampling point for each run, the dry gas meter reading, velocity head, pressure drop across the stack, temperatures, average meter temperatures and sample time per point.
12) The type, manufacturer and configuration of the sampling equipment used.
13) Data related to the required calibration of the test equipment.
14) Data on the identification, processing and weights of all filters used.
15) Data on the types and amounts of any chemical solutions used.
16) Data on the amount of pollutant collected from each sampling probe, the filters, and the impingers, are reported separately for the compliance test.
17) The names of individuals who furnished the process variable data, conducted the test, analyzed the samples and prepared the report.
18) All measured and calculated data required to be determined by each applicable test procedure for each run.
19) The detailed calculations for one run that relate the collected data to the calculated emission rate.
20) The applicable emission standard, and the resulting maximum allowable emission rate for the emissions unit, plus the test result in the same form and unit of measure.
21) A certification that, to the knowledge of the owner or his authorized agent, all data submitted are true and correct. When a compliance test is conducted for the Department or its agent, the person who conducts the test shall provide the certification with respect to the test procedures used. The owner or his authorized agent shall certify that all data required and provided to the person conducting the test are true and correct to his knowledge.

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

RECORDS AND REPORTS

19. 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 five (5) years following the date on which such measurements, records, or data are recorded. Records shall be made available to the Department upon request. [Rules 62-4.160(14) and 62-213.440(1)(b)2, F.A.C.]

20. 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 April 1st of each year. [Rule 62-210.370(2), F.A.C.]

SEMIANNUAL NSPS EXCESS EMISSIONS REPORT

FIGURE 1. SUMMARY REPORT - GASEOUS AND OPACITY EXCESS EMISSION AND MONITORING SYSTEM PERFORMANCE

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

Pollutant *(Circle One)*: SO_2 NO_X TRS H_2S CO Opacity

Reporting period dates: From ________________________ to ____________________________

Company: ____

Emission Limitation: ____

Address: ____

Monitor Manufacturer: ____

Model No.: ____

Date of Latest CMS Certification or Audit: ____________________________

Process Unit(s) Description: ____

Total source operating time in reporting period [1]: ____________________________

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

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

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

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

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

Name: ____

Signature: ____ *Date*: ___________________

Title: ____

SECTION IV. APPENDIX ZZZZ

NESHAPS REQUIREMENTS-STATIONARY RECIPROCATING INTERNAL COMBUSTION ENGINES

The seven nominal 1,340 horsepower (hp) natural gas compressors are regulated as one Unit for purposes of the ARMS or Emissions Unit No. 012. The two nominal 2,250 kilowatts emergency generators are regulated as one Unit for purposes of the ARMS or Emissions Unit No. 013. These reciprocating internal combustion engines (RICE) are subject to the notification requirements of 40 CFR 63, Subpart ZZZZ--National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

The complete provisions of Subpart ZZZZ may be provided in full upon request and are also available beginning at Section 63.6580 at:

Link to Subpart ZZZZ

APPENDIX II: TITLE V PERMIT

.

NOTICE OF FINAL PERMIT

In the Matter of an
Application for Permit by:

Florida Power and Light Company
200-300 Broadway
Riviera Beach, Florida 33404

Permit No. 0990042-004-AV
Riviera Plant
Title V Air Operation Permit Renewal
Palm Beach County

Responsible Official:
Mr. Jeff Smith, Plant General Manager

Enclosed is the final permit package to renew the Title V air operation permit for the Riviera Plant. The existing facility is located in Palm Beach County, at 200-300 Broadway, in Riviera Beach, 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.

Jonathan Holton

for Trina L. Vielhauer, Chief
Bureau of Air Regulation

TLV/jkh/tbc

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. Jeff Smith, Florida Power and Light Company: jeff_smith@fpl.com
Mr. Kennard Kosky, P.E., Golder Associates: kkosky@golder.com
Ms. Sheila M. Wilkinson, Florida Power and Light Company: Sheila_Wilkinson@fpl.com
Mr. James Stormer, Palm Beach County Health Department: james_stormer@doh.state.fl.us
Ms. Katy Forney, US EPA Region 4: forney.kathleen@epa.gov
Ms. Ana Oquendo, US EPA Region 4: oquendo.ana@epa.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.

Barbara J. Friday   1/5/09
(Clerk)   (Date)

PERMITTEE

Florida Power and Light Company
200-300 Broadway
Riviera Beach, Florida 33404

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

Permit No. 0990042-004-AV
Riviera Plant

The purpose of this project is to renew the Title V air operation permit for the Riviera Plant.

NOTICE AND PUBLICATION

The Department distributed an Intent to Issue a Title V Air Operation Permit Renewal package on November 18, 2008. The applicant published the Public Notice of Intent to Issue a Title V Air Operation Permit Renewal in the Palm Beach Post on December 2, 2008. The Department received the proof of publication on December 8, 2008.

COMMENTS

No comments on the proposed permit were received from the EPA Region 4 Office.

CONCLUSION

The final action of the Department is to issue the permit with no changes.

Title V Air Operation Permit Renewal
Permit No. 0990042-004-AV

APPLICANT

The applicant for this project is Florida Power and Light Company. The applicant's responsible official and mailing address are: Mr. Jeff Smith, Plant General Manager, Florida Power and Light Company, Riviera Plant, 200-300 Broadway, Riviera Beach, Florida 33404.

FACILITY DESCRIPTION

The applicant operates the Riviera Plant, which is located at 200-300 Broadway, Riviera Beach, Florida.

This existing facility consists of two fossil fuel steam generators, Unit 3 and Unit 4, each rated at 300 megawatts (MW) (315 MW gross capacity) output. The steam generators each burn a variable combination of No. 6 fuel oil, No. 2 fuel oil, natural gas, propane, used oil from Florida Power and Light Company operations, and expired fuel oil samples from the company's central laboratory, discharging pollutants through a stack 298 feet above ground level. Each unit is a Foster-Wheeler outdoor type boiler, equipped with low nitrogen oxides (NO_x) burners and Research-Cotrell multiple cyclones with ash re-injection, with a General Electric Company steam turbine that drives an oil and hydrogen-cooled 300 MW class generator with capability of 315 MW.

The facility had at one time operated a 75 MW steam generating unit, Unit 2, which is no longer in service. This unit was last operated for power production in 1985. Its operating permit was surrendered by letter dated July 7, 1997. The unit is permanently retired under the federal Acid Rain Program.

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

PROJECT DESCRIPTION

The purpose of this permitting project is to renew the existing Title V permit for the above referenced facility.

PRIMARY REGULATORY REQUIREMENTS

Title III: The facility is identified as a major source of hazardous air pollutants (HAP).

Title IV: The facility operates units subject to the acid rain provisions of the Clean Air Act.

Title V: The facility is a Title V major source of air pollution in accordance with Chapter 62-213, Florida Administrative Code (F.A.C.).

PSD: The facility is a Prevention of Significant Deterioration (PSD)-major source of air pollution in accordance with Rule 62-212.400, F.A.C.

CAM: Compliance Assurance Monitoring (CAM) does not apply to any of the units at the facility for the following reasons. There are no add-on pollution control devices for nitrogen oxides and sulfur dioxide. Compliance with the emission limits is demonstrated using continuous emissions monitoring systems (CEMS). Regarding particulate matter, the mechanical dust collectors are excluded from CAM, because they are (a) inherent process equipment contained entirely within the flue ductwork, (b) use a passive method of particulate matter separation from the flue gas stream, (c) recover unburned carbon and ash from the flue gas system, and (d) have no moving parts, no control inputs, nor any controllable parameters.

PROJECT REVIEW

Minor changes were made to the facility's existing Title V Air Operation Permit. Theses included reformatting of specific conditions, replacement of TV-4 with new Appendix TV, and streamlining of emissions unit sections by moving common conditions to the new appendices. Based on a review of the application and subsequent ambient modeling by personnel at the Palm Beach County Health Department, violations of the sulfur dioxide ambient air quality standards were predicted. Pursuant to Rule 62-204.220(2), F.A.C., the Department shall not issue an air permit to any source that causes or contributes to a violation of an ambient air quality standard established under Rule 62-204.240, F.A.C. As required by the modeling results and upon agreement by the applicant, the SO_2 limit for units 3 and 4 has been reduced from 2.75 pounds per million British thermal unit (lbs/MMBtu) to 1.3 lbs/MMBtu heat input for the 24-hour average and 1.9 lb/MMBtu heat input for the 3-hour average. Specific conditions in the Title V air operation permit were changed as follows:

A.9. Sulfur Dioxide. To avoid modeled violations of the ambient air quality standards established under Rule 62-204.240, F.A.C., ~~S~~sulfur dioxide emissions shall not exceed ~~2.75~~ 1.3 pounds per million Btu (lb/MMBtu) heat input for the 24-hour average and 1.9 lb/MMBtu heat input for the 3-hour average, as measured by applicable compliance methods. Compliance shall be based on the total heat input from all liquid and gaseous fuels burned. The sulfur dioxide emission limitation shall apply at all times including startup, shutdown, and load change. [Rules 62-213.440 and ~~62-296.405(1)(c)1.j.~~, 62-204.220, F.A.C.]

A.14. Sulfur Dioxide. The owner or operator of the emission units shall demonstrate compliance with the sulfur dioxide limit of this permit by the following:

a. Through the use of a continuous emission monitoring system (CEMS) installed, calibrated, operated and maintained in accordance with the quality assurance requirements of 40 CFR 75, adopted and incorporated by reference in Rule 62-204.800, F.A.C. A Relative Accuracy Test Audit (RATA) of the SO_2 CEMS shall be conducted no less than annually. Compliance shall be demonstrated based on a 3-hour rolling average.

b. In the event the CEMS becomes temporarily inoperable or interrupted, the fuels and the maximum fuel oil to natural gas firing ratio that shall be used is limited to that which was last used to demonstrate compliance prior to the loss of the CEMS, or the emissions units shall fuel switch and be fired with a fuel oil containing a maximum sulfur content of ~~2.5~~ 1.18 %, by weight, or less.

c. When burning 100% fuel oil, the emissions units shall be fired with a fuel oil containing a maximum sulfur content of ~~2.5~~ 1.18 %, by weight, or less.

[Rules 62-213.440, 62-204.800 and 62-296.405(1)(c)3., F.A.C.]

A.24. Operating Conditions During Testing - PM and VE. Compliance testing during soot blowing and steady-state operation for particulate matter and visible emissions shall be conducted at least once annually, if liquid fuel is fired for more than 400 hours. A visible emissions test shall be conducted during one run of each particulate matter test. ~~Testing shall be conducted as follows:~~

~~a.~~ ~~*When Burning Fuel Oil Up To 2.5% Sulfur.* When only fuel oil containing less than or equal to 2.5% sulfur, by weight, is fired (or co-fired with natural gas) in an emissions unit, p~~Particulate matter and visible emissions tests during soot blowing and steady-state operation shall be performed on such emissions unit while firing solely fuel oil containing at least 90% of the average sulfur content of the fuel oils fired in the previous 12 month period.~~, except that such test shall not be required to be performed during any year that testing is performed in accordance with specific condition **A.24.b.**~~

~~b.~~ ~~*When Burning Fuel Oil Greater Than 2.5% Sulfur.* If fuel oil containing greater than 2.5% sulfur, by weight, is co-fired with natural gas in an emissions unit, particulate matter and visible emissions tests during soot blowing and steady-state operation shall be performed as soon as practicable, but in no event more than 60 days after firing such fuel oil, while co-firing such oil with the appropriate proportion of natural gas required to maintain SO_2 emissions between 90 to 100% of the SO_2 emission limit (corresponding to 2.475 and 2.75 lb/MMBtu heat input). Following successful completion of such PM and VE testing, further PM and VE testing shall not be required during the next 12 months unless fuel oil is fired that contains greater than 0.20% sulfur above the percentage sulfur concentration fired during the most recent co-firing test. If fuel oil is co-fired containing greater than 0.20% sulfur above the percentage sulfur concentration fired during the most recent co-firing test, additional PM and VE tests shall be performed as described above as soon as practicable, but in no event more than 60 days after firing such higher sulfur fuel oil.~~

[Rules 62-4.070(3), 62-213.440, 62-296.405(1)(c)3. and 62-297.310(7)(a), F.A.C.]

CONCLUSION

This project renews Title V air operation permit No. 0990042-003-AV, which was issued on January 1, 2004. This Title V air operation permit renewal is issued under the provisions of Chapter 403, Florida Statues (F.S.), and Chapters 62-4, 62-210 and 62-213, F.A.C. In accordance with the terms and conditions of this permit, the above named permittee is hereby authorized to operate the facility as shown on the application and approved drawings, plans, and other documents, on file with the permitting authority.

Florida Power and Light Company
Riviera Plant
Facility ID No. 0990042
Palm Beach County

Title V Air Operation Permit Renewal

Final Permit No. 0990042-004-AV
(Renewal of Title V Air Operation Permit No. 0990042-003-AV)

<u>Permitting Authority</u>
State of Florida
Department of Environmental Protection
Division of Air Resource Management
Bureau of Air Regulation
Title V Section

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

Telephone: 850/488-0114
Fax: 850/921-9533

<u>Compliance Authority</u>
State of Florida
Palm Beach County Health Department

Air Section
901 Evernia Street
Post Office Box 29
West Palm Beach, FL 33401

Telephone: 561/355-3070
Fax: 561/355-2442

Title V Air Operation Permit Renewal

Permit No. 0990042-004-AV

Table of Contents

Section **Page Number**

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:
Florida Power and Light Company
200-300 Broadway
Riviera Beach, Florida 33404

Permit No. 0990042-004-AV
Riviera Plant
Facility ID No. 0990042
Title V Air Operation Permit Renewal

The purpose of this permit is to renew the Title V air operation permit for the above referenced facility. The existing Riviera Plant is located at 200-300 Broadway, Riviera Beach, in Palm Beach County. UTM coordinates are: Zone 17, 594.249 km East and 2960.632 km North. Latitude is: 26° 45' 55" North; and, Longitude is: 80° 03' 09" West.

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

Effective Date: January 1, 2009
Renewal Application Due Date: May 20, 2013
Expiration Date: December 31, 2013

Joseph Kahn, Director
Division of Air Resource Management

JK/tlv/jkh/tbc

Subsection A. Facility Description.

This facility consists of two fossil fuel steam generators, Unit 3 and Unit 4, each rated at 300 megawatts (MW) (315 MW gross capacity) output. The steam generators each burn a variable combination of No. 6 fuel oil, No. 2 fuel oil, natural gas, propane, used oil from Florida Power and Light Company operations, and expired fuel oil samples from the company's central laboratory, discharging pollutants through a stack 298 feet above ground level. Each unit is a Foster-Wheeler outdoor type boiler, equipped with low nitrogen oxides (NO_x) burners and Research-Cotrell multiple cyclones with ash re-injection, with a General Electric Company steam turbine that drives an oil and hydrogen-cooled 300 MW class generator with capability of 315 MW. The facility had at one time operated a 75 MW steam generating unit, Unit 2, which is no longer in service. This unit was last operated for power production in 1985. Its operating permit was surrendered by letter dated July 7, 1997. The unit is permanently retired under the federal Acid Rain Program.

Subsection B. Summary of Emissions Units.

EU No.	Brief Description
Regulated Emissions Units	
003	Fossil Fuel Steam Generator, Unit 3
004	Fossil Fuel Steam Generator, Unit 4
Unregulated Emissions Units and Activities	
005	Painting and solvent cleaning
006	Emergency diesel generator, and mobile equipment and engines

Subsection C. Applicable Regulations.

Based on the Title V air operation permit renewal application received June 26, 2008, this facility is a major source of hazardous air pollutants (HAP). This facility is classified as a Prevention of Significant Deterioration (PSD) major facility. A summary of applicable regulations is shown in the following table.

Regulation	EU No(s).
40 CFR 75 Acid Rain Monitoring Provisions	003 and 004
State Rule Citations	
Rule 62-4, Florida Administrative Code (F.A.C.) (Permitting Requirements)	
Rule 62-204, F.A.C. (Ambient Air Quality Requirements, PSD Increments, and Federal Regulations Adopted by Reference)	
Rule 62-210, F.A.C. (Permits Required, Public Notice, Reports, Stack Height Policy, Circumvention, Excess Emissions, and Forms)	
Rule 62-212, F.A.C. (Preconstruction Review, PSD Review and Best Available Control Technology (BACT))	
Rule 62-213, F.A.C. (Title V Air Operation Permits for Major Sources of Air Pollution)	
Rule 62-214, F.A.C. (Requirements For Sources Subject To The Federal Acid Rain Program)	
Rule 62-296, F.A.C. (Emission Limiting Standards)	
Rule 62-297, F.A.C. (Test Methods and Procedures, Continuous Monitoring Specifications, and Alternate Sampling Procedures)	

The following conditions apply facility-wide to all emission units and activities:

FW1. Appendices. The permittee shall comply with all documents identified in Section V, Appendices, listed in the Table of Contents. Each document is an enforceable part of this permit unless otherwise indicated. [Rule 62-213.440, F.A.C.]

Emissions and Controls

FW2. Objectionable Odor Prohibited. No person shall cause, suffer, allow or permit the discharge of air pollutants, which cause or contribute to an objectionable odor. An "objectionable odor" means any odor present in the outdoor atmosphere which by itself or in combination with other odors, is or may be harmful or injurious to human health or welfare, which unreasonably interferes with the comfortable use and enjoyment of life or property, or which creates a nuisance. [Rule 62-296.320(2) and 62-210.200 (Definitions), F.A.C.]

FW3. General Volatile Organic Compounds (VOC) Emissions or Organic Solvents (OS) Emissions. The permittee shall allow no person to store, pump, handle, process, load, unload or use in any process or installation, volatile organic compounds or organic solvents without applying known and existing vapor emission control devices or systems deemed necessary and ordered by the Department. Nothing is deemed necessary and ordered at this time. [Rule 62-296.320(1)(a), F.A.C.]

FW4. General Visible Emissions. No person shall cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity equal to or greater than 20% opacity. EPA Method 9 is the method of compliance pursuant to Chapter 62-297, F.A.C. This regulation does not impose a specific testing requirement. [Rule 62-296.320(4)(b)1, F.A.C.]

FW5. Unconfined Particulate Matter. Reasonable precautions to prevent emissions of unconfined particulate matter at this facility include:

a. Paving of roads, parking areas, and equipment yards;
b. Landscaping and planting vegetation;
c. Use of thick poly flaps over the doorways to prevent any sandblasting material from leaving the sandblasting facility. The facility also constructs temporary sandblasting enclosures when necessary, in order to perform sandblasting on fixed plant equipment;
d. Maintenance of paved roads as needed;
e. Regular mowing of grass and care of vegetation;
f. Limiting access to plant property by unnecessary vehicles;
g. Bagged chemical products are stored in weather-tight buildings until they are used. Spills of any powered chemical products are cleaned up as soon as practicable; and,
h. Vehicles are restricted to slow speeds on the plant site.

[Rule 62-296.320(4)(c)2., F.A.C.; and provided by the applicant in Title V air operation permit renewal application received June 26, 2008.]

Annual Reports and Fees

See Appendix RR, Facility-wide Reporting Requirements for additional details.

FW6. 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 May 1st for 2009 and April 1st for each year thereafter. [Rule 62-210.370(3), F.A.C.]

FW7. Annual Emissions Fee Form and Fee. The annual Title V emissions fees are due by March 1st of each year. The completed form and calculated fee shall be submitted to: Major Air Pollution Source Annual Emissions Fee, P.O. Box 3070, Tallahassee, Florida 32315-3070. The forms are available for download by accessing the Title V Annual Emissions Fee On-line Information Center at the following Internet web site: http://www.dep.state.fl.us/Air/permitting/tvfee.htm. [Rule 62-213.205, F.A.C.]

FW8. Annual Statement of Compliance. The permittee shall submit an annual statement of compliance to the compliance authority at the address shown on the cover of this permit within 60 days after the end of each calendar year during which the Title V air operation permit was effective. [Rules 62-213.440(3)(a)2. & 3. and (b), F.A.C.]

FW9. Prevention of Accidental Releases (Section 112(r) of CAA).

a. As required by Section 112(r)(7)(B)(iii) of the CAA and 40 CFR 68, the owner or operator shall submit an updated Risk Management Plan (RMP) to the Chemical Emergency Preparedness and Prevention Office (CEPPO) RMP Reporting Center.
b. As required under Section 252.941(1)(c), F.S., the owner or operator shall report to the appropriate representative of the Department of Community Affairs (DCA), as established by department rule, within one working day of discovery of an accidental release of a regulated substance from the stationary source, if the owner or operator is required to report the release to the United States Environmental Protection Agency under Section 112(r)(6) of the CAA.
c. The owner or operator shall submit the required annual registration fee to the DCA on or before April 1, in accordance with Part IV, Chapter 252, F.S., and Rule 9G-21, F.A.C.
d. Any required written reports, notifications, certifications, and data required to be sent to the DCA, should be sent to: Department of Community Affairs, Division of Emergency Management, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100, Telephone: (850) 413-9921, Fax: (850) 488-1739.
e. Any Risk Management Plans, original submittals, revisions, or updates to submittals, should be sent to: RMP Reporting Center, Post Office Box 1515, Lanham-Seabrook, MD 20703-1515, Telephone: (301) 429-5018.
Any required reports to be sent to the National Response Center, should be sent to: National Response Center, EPA Office of Solid Waste and Emergency Response, USEPA (5305 W), 401 M Street SW, Washington, D.C. 20460, Telephone: (800) 424-8802.
Send the required annual registration fee using approved forms made payable to: Cashier, Department of Community Affairs, State Emergency Response Commission, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2149

[Part IV, Chapter 252, F.S.; and, Rule 9G-21, F.A.C.]

FW10. Clean Air Interstate Rule (CAIR) Applicable Units. This facility contains emissions units that are subject to CAIR. On July 11, 2008, the U.S. Court of Appeals for the District of Columbia recommended vacatur of the Clean Air Interstate Rule. Because of this decision, the applicable CAIR requirements that were identified in the renewal application are not being included in the permit at this time. If, and at such time that, CAIR is ultimately upheld, you must begin complying with the CAIR program requirements contained in the renewal application and the Title V air operation permit must be revised accordingly. [Rules 62-213.440 and 62-296.470, F.A.C.]

FOSSIL FUEL STEAM GENERATORS, UNIT 3 AND UNIT 4.

The specific conditions in this section apply to the following emissions units:

EU No.	Brief Description
003	Fossil Fuel Steam Generator, Unit 3
004	Fossil Fuel Steam Generator, Unit 4

Fossil fuel fired steam generators Unit 3 and Unit 4 are each nominal 300 megawatts (315 MW gross capacity) (electric) steam generators. Each emissions unit consists of a boiler which drives a turbine generator. Emissions are controlled with low NO_x burners and multiple cyclones with ash re-injection. Each unit is equipped with a 298 foot stack with an exit diameter of 16 feet. Unit 3 flow rate is 1,063,401 actual cubic feet per minute (acfm), exit velocity is 88.2 feet per second (fps) and exit temperature is 263 ^{0}F. Unit 4 flow rate is 1,052,646 acfm, exit velocity is 87.3 fps and exit temperature is 263 ^{0}F.

Compliance Assurance Monitoring (CAM) does not apply to these units for the following reasons. There are no add-on pollution control devices for nitrogen oxides and sulfur dioxide. Compliance with the emission limits is demonstrated using continuous emissions monitoring systems (CEMS). Regarding particulate matter, the mechanical dust collectors are excluded from CAM, because they are (a) inherent process equipment contained entirely within the flue ductwork, (b) use a passive method of particulate matter separation from the flue gas stream, (c) recover unburned carbon and ash from the flue gas system, and (d) have no moving parts, no control inputs, nor any controllable parameters.

{Permitting note(s): These emissions units are regulated under Acid Rain, Phase II; and Rule 62-296.405, F.A.C., Fossil Fuel Steam Generators with More than 250 million Btu per Hour Heat Input. Fossil fuel fired steam generator Unit 3 began commercial operation in 1962 and fossil fuel fired steam generator Unit 4 began commercial operation in 1963. These emissions units may inject additives such as magnesium oxide, magnesium hydroxide and related compounds into each boiler.}

Essential Potential to Emit (PTE) Parameters

A.1. Permitted Capacity. The maximum operation heat input rate is as follows:

Unit No.	Million British Thermal Units per Hour (MMBtu/hr) Heat Input*	Fuel Type
003	3260	Natural Gas
	3050	No. 2 or 6 Fuel Oil
004	3260	Natural Gas
	3050	No. 2 or 6 Fuel Oil

*When a blend of fuel oil and natural gas are burned, the heat input is prorated based upon the percent heat input of each fuel.
[Rules 62-4.160(2), 62-204.800, 62-210.200(PTE) and 62-296.405, F.A.C., Revised Operation Permits AO 50-206721 and AO 50-206722, issued August 2, 1993]

{Permitting note: An estimated "real time" heat input value can be calculated for agency compliance inspectors upon request. The averaging time for the estimated heat input will be a 3-hour block that may utilize fuel flow or tank drop data to determine the fuel usage which will be multiplied by the last available heating value of the fuel. If sampling is needed to determine the current heat input value, the adjusted heat input value will be provided to the inspector after test results are received for the heat value of the fuel and a corrected fuel heat input is calculated.}

A.2. Emissions Unit Operating Rate Limitation After Testing. See the related testing provisions in Appendix TR, Facility-wide Testing Requirements. [Rule 62-297.310(2), F.A.C.]

A.3. Methods of Operation. Fuels.

a. Startup: The only fuels allowed to be burned are any combination of natural gas or fuel oil, except propane may be utilized for ignition of the main fuel.

b. Normal: The only fuels allowed to be burned are any combination of No. 6 fuel oil, No. 2 fuel oil, natural gas, propane, on-specification used oil from Florida Power and Light Company (FPL) operations, and expired fuel oil samples from FPL's Central Laboratory.

[Rule 62-213.410, F.A.C.; Applicant's request in Title V air operation permit renewal application received June 26, 2008; AO 50-206721, Specific Conditions 1 and 3; and, AO 50-206721, Specific Conditions 1 and 3]

A.4. Hours of Operation. These emissions units may operate continuously (8760 hours/year). [Rule 62-210.200(PTE), F.A.C.]

Emission Limitations and Standards

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

Unless otherwise specified, the averaging times for Specific Conditions **A.5.-A.10.** are based on the specified averaging time of the applicable test method.

A.5. Visible Emissions. Visible emissions shall not exceed 40 percent opacity. Emissions units governed by this visible emissions standard shall compliance test for particulate matter emissions annually. [Rule 62-296.405(1)(a), F.A.C.; and OGC Case No. 83-0587 & 83-0588, Order dated April 24, 1984]

A.6. Visible Emissions - Soot Blowing and Load Change. Visible emissions shall not exceed 60 percent opacity during the 3-hours in any 24 hour period of excess emissions allowed for boiler cleaning (soot blowing) and load change.

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.

Visible emissions above 60 percent opacity shall be allowed for not more than 4, six (6)-minute periods, during the 3-hour period of excess emissions allowed by this condition.

[Rule 62-210.700(3), F.A.C., Note: these units have operational continuous opacity monitors.]

A.7. Particulate Matter. Particulate matter emissions shall not exceed 0.1 pound per million Btu heat input, as measured by applicable compliance methods. [Rule 62-296.405(1)(b), F.A.C.]

A.8. Particulate Matter - Soot Blowing and Load Change. Particulate matter emissions shall not exceed an average of 0.3 pound per million Btu heat input during the 3-hours in any 24-hour period of excess emissions allowed for boiler cleaning (soot blowing) and load change. [Rule 62-210.700(3), F.A.C.]

A.9. Sulfur Dioxide. To avoid modeled violations of the ambient air quality standards established under Rule 62-204.240, F.A.C., sulfur dioxide emissions shall not exceed 1.3 pounds per million Btu (lb/MMBtu) heat input for the 24-hour average and 1.9 lb/MMBtu heat input for the 3-hour average, as measured by applicable compliance methods. Compliance shall be based on the total heat input from all liquid and gaseous fuels burned. The sulfur dioxide emission limitation shall apply at all times including startup, shutdown, and load change. [Rules 62-213.440 and 62-204.220, F.A.C.]

A.10. Nitrogen Oxides. Nitrogen oxides emissions shall not exceed 0.50 pounds per million Btu while firing natural gas, and 0.62 pounds per million Btu while firing oil. Compliance shall be demonstrated based on a 30-day rolling average as measured by a CEMS. The CEMS must meet the performance specifications contained in 40 CFR 60, Appendix B, or 40 CFR 75.
[Rules 62-296.570(4)(a)4. and (4)(b)3., F.A.C.; and, Revised Operation Permits AO 50-206721 and AO 50-206722, Issued August 2, 1993]

Excess Emissions

Rule 62-210.700 (Excess Emissions), F.A.C., cannot vary any requirement of an NSPS, NESHAP or Acid Rain program provision.

A.11. Excess Emissions from Malfunction. Excess emissions resulting from malfunction shall be permitted provided that best operational practices to minimize emissions are adhered to and the duration of excess emissions shall be minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration. [Rule 62-210.700(1), F.A.C.]

A.12. Excess Emissions Permitted. Excess emissions 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. (Note: This condition does not apply to Specific Condition **A.9.**) [Rule 62-210.700(2), F.A.C.]

A.13. Excess Emissions Prohibited. Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown or malfunction shall be prohibited. [Rule 62-210.700(4), F.A.C.]

Continuous Monitoring Requirements

A.14. Sulfur Dioxide. The owner or operator of the emission units shall demonstrate compliance with the sulfur dioxide limit of this permit by the following:

a. Through the use of a continuous emission monitoring system (CEMS) installed, calibrated, operated and maintained in accordance with the quality assurance requirements of 40 CFR 75, adopted and incorporated by reference in Rule 62-204.800, F.A.C. A Relative Accuracy Test Audit (RATA) of the SO_2 CEMS shall be conducted no less than annually. Compliance shall be demonstrated based on a 3-hour rolling average.
b. In the event the CEMS becomes temporarily inoperable or interrupted, the fuels and the maximum fuel oil to natural gas firing ratio that shall be used is limited to that which was last used to demonstrate compliance prior to the loss of the CEMS, or the emissions units shall fuel switch and be fired with a fuel oil containing a maximum sulfur content of 1.18 %, by weight, or less.
c. When burning 100% fuel oil, the emissions units shall be fired with a fuel oil containing a maximum sulfur content of 1.18 %, by weight, or less.

[Rules 62-213.440, 62-204.800 and 62-296.405(1)(c)3., F.A.C.]

A.15. COMS for Periodic Monitoring. The owner or operator has installed continuous opacity monitoring systems (COMS) pursuant to 40 CFR Part 75. The owner or operator shall maintain and operate COMS and shall make and maintain records of opacity measured by the COMS, for purposes of periodic monitoring. [Rule 62-213.440, F.A.C.; and applicant agreement with EPA on March 3, 1998]

Test Methods and Procedures

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

A.16. Test Methods. Required tests shall be performed in accordance with the following reference methods.

Method	Description of Method and Comments
1-4	Traverse Points, Velocity and Flow Rate, Gas Analysis, and Moisture Content
3A	Determination of Oxygen and Carbon Dioxide Concentrations in Emissions from Stationary Sources
5, 5B	Method for Determining Particulate Matter Emissions (All PM is assumed to be PM_{10}.)
6C	Determination of Sulfur Dioxide Emissions from Stationary Sources
7E	Determination of Nitrogen Oxide Emissions from Stationary Sources
9	Visual Determination of the Opacity of Emissions from Stationary Sources
17	Determination of Particulate Matter Emissions from Stationary Sources
18	Measurement of Gaseous Organic Compound Emissions by Gas Chromatography
19	Determination of Sulfur Dioxide Removal Efficiency and Particulate Matter, Sulfur Dioxide, and Nitrogen Oxides Emission Rates (Optional F-factor method may be used to determine flow rate and gas analysis to calculate mass emissions in lieu of Methods 1-4.)
20	Determination of Nitrogen Oxides, Sulfur Dioxide and Diluent Emissions from Stationary Gas Turbines
25A	Method for Determining Gaseous Organic Concentrations (Flame Ionization)

The above methods are described in 40 CFR 60, Appendix A, and adopted by reference in Rule 62-204.800, F.A.C. No other methods may be used unless prior written approval is received from the Department. [Rules 62-296.405, 62-297.401 and 62-213.440, F.A.C.]

A.17. Annual Tests Required. Except as provided in specific conditions **A.21** through **A.23**, emission testing for particulate matter emissions and visible emissions shall be performed annually, each federal fiscal year, except for units that are not operating because of scheduled maintenance outages and emergency repairs, which will be tested within thirty days of returning to service. [Rules 62-4.070(3) and 62-213.440, F.A.C.]

A.18. Compliance Tests Prior To Renewal. Prior to permit renewal, compliance tests shall be performed for the following pollutants: VE, PM, NO_x and SO_2. [Rule 62-297.310(7)(a)3., F.A.C.]

A.19. DEP Method 9. See Specific Condition **A.16.** The provisions of EPA Method 9 (40 CFR 60, Appendix A) are adopted by reference with the following exceptions:

a. EPA Method 9, Section 2.4, Recording Observations. Opacity observations shall be made and recorded by a certified observer at sequential fifteen second intervals during the required period of observation.

b. EPA Method 9, Section 2.5, Data Reduction. For a set of observations to be acceptable, the observer shall have made and recorded, or verified the recording of, at least 90 percent of the possible individual observations during the required observation period. For single-valued opacity standards (e.g., 20 percent opacity), the test result shall be the highest valid six-minute average for the set of observations taken. For multiple-valued opacity standards (e.g., 20 percent opacity, except that an opacity of 40 percent is permissible for not more than two minutes per hour) opacity shall be computed as follows:
   (1) For the basic part of the standard (i.e., 20 percent opacity) the opacity shall be determined as specified above for a single-valued opacity standard.
   (2) For the short-term average part of the standard, opacity shall be the highest valid short-term average (i.e., two-minute, three-minute average) for the set of observations taken.

In order to be valid, any required average (i.e., a six-minute or two-minute average) shall be based on all of the valid observations in the sequential subset of observations selected, and the selected subset shall contain at least 90 percent of the observations possible for the required averaging time. Each required average shall be calculated by summing the opacity value of each of the valid observations in the appropriate subset, dividing this sum by the number of valid observations in the subset, and rounding the result to the nearest whole number. The number of missing observations in the subset shall be indicated in parenthesis after the subset average value. [Rule 62-297.401, F.A.C.]

A.20. Particulate Matter. See Specific Condition **A.16.** The test methods for particulate emissions shall be EPA Methods 17, 5, 5B, or 5F, incorporated by reference in Chapter 62-297, F.A.C. The minimum sample volume shall be 30 dry standard cubic feet. EPA Method 5 may be used with filter temperature no more than 320 degrees Fahrenheit. For EPA Method 17, stack temperature shall be less than 375 degrees Fahrenheit. The owner or operator may use EPA Method 5 to demonstrate compliance. EPA Method 3 or 3A shall be used when the oxygen based F-factor, computed according to EPA Method 19, is used in lieu of heat input. Acetone wash shall be used with EPA Method 5 or 17. Particulate testing shall be conducted in accordance with the requirements of specific condition **A.23** of this permit. [Rules 62-213.440, 62-296.405(1)(e)2. and 62-297.401, F.A.C.]

A.21. Sulfur Dioxide. See Specific Condition **A.16.** The test methods for sulfur dioxide emissions shall be EPA Methods 6, 6A, 6B, or 6C, incorporated by reference in Chapter 62-297, F.A.C. If the emissions unit obtains an alternate procedure under the provisions of Rule 62-297.620, F.A.C., the procedure shall become a condition of the emissions unit's permit. The Department will retain the authority to require EPA Method 6 or 6C if it has reason to believe that exceedences of the sulfur dioxide emissions limiting standard are occurring. The permittee may use the EPA test methods, referenced above, to **demonstrate compliance using CEMS for sulfur dioxide.** See specific condition **A.14** of this permit. [Rules 62-213.440 and 62-296.405(1)(c)3. & (1)(e)3., F.A.C.]

A.22. When VE Tests Not Required. By this permit, annual emissions compliance testing for visible emissions is not required for these emissions units while burning:

a. only gaseous fuel(s); or
b. gaseous fuel(s) in combination with any amount of liquid fuel(s) for less than 400 hours per year; or
c. only liquid fuel(s) for less than 400 hours per year.

[Rule 62-297.310(7)(a)4., F.A.C.]

A.23. When PM Tests Not Required. Annual and permit renewal compliance testing for particulate matter emissions is not required for these emissions units while burning:

a. only gaseous fuel(s); or
b. gaseous fuel(s) in combination with any amount of liquid fuel(s) for less than 400 hours per year; or
c. only liquid fuel(s) for less than 400 hours per year.

[Rules 62-297.310(7)(a)3. & 5., F.A.C.; and ASP Number 97-B-01]

A.24. Operating Conditions During Testing - PM and VE. Compliance testing during soot blowing and steady-state operation for particulate matter and visible emissions shall be conducted at least once annually, if liquid fuel is fired for more than 400 hours. A visible emissions test shall be conducted during one run of each particulate matter test. Particulate matter and visible emissions tests during soot blowing and steady-state operation shall be performed on such emissions unit while firing solely fuel oil containing at least 90% of the average sulfur content of the fuel oils fired in the previous 12 month period.
[Rules 62-4.070(3), 62-213.440, 62-296.405(1)(c)3. and 62-297.310(7)(a), F.A.C.]

A.25. Testing While Injecting Additives. The owner or operator shall conduct emission tests while injecting additives consistent with normal operating practices. [Rule 62-213.440, F.A.C.; and applicant agreement with EPA on March 3, 1998]

A.26. Common Testing Requirements. Unless otherwise specified, tests shall be conducted in accordance with the requirements and procedures specified in Appendix TR, Facility-Wide Testing Requirements, of this permit. [Rule 62-297.310(7), F.A.C.]

Recordkeeping and Reporting Requirements

{Permitting Note: See Appendix RR, Facility-Wide Reporting Requirements, for additional reporting requirements.}

A.27. Reporting Schedule. The following reports and notifications shall be submitted to the Compliance Authority:

Report	Reporting Deadline	Related Condition(s)
Fuel Analysis Report	Monthly.	**A.29.**
Excess Emissions - Malfunctions	Quarterly.	**A.30.**

A.28. Fuel Records. The owner or operator shall create and maintain for each emission unit hourly records of the amount of each fuel fired, the ratio of fuel oil to natural gas if co-fired, and the heating value and sulfur content of each fuel fired. These records must be of sufficient detail to identify the testing requirements of specific condition **A.24**, and, when applicable, demonstrate compliance with the requirements of condition **A.14**, paragraphs **b** and **c**, of this permit. Fuel oil heating value and sulfur content shall be determined by taking a daily sample of the fuel fired, combining those samples into a monthly composite, and analyzing a representative sample of the composite. Analysis for sulfur content shall be performed using one of ASTM D2622-94, ASTM D4294-90(95), ASTM D1552-95, ASTM D1266-91, both ASTM D4057-88 and ASTM D129-95, or the latest edition(s). Comparison of the as-fired fuel oil sulfur content shall be made and recorded monthly upon receipt of each monthly composite analysis. [Rules 62-4.070(3), 62-213.410, 62-213.440 and 62-296.405(1)(c)3., F.A.C.]

A.29. Fuel Analyses Report. The owner or operator shall, by the fifteenth day of each month, submit to the Palm Beach County Health Department, Air Section, a report of fuel analyses that are representative of each fuel fired in the preceding month. The report shall document the heating value, the density or specific gravity, and the percent sulfur content by weight of each fuel fired. [Rule 62-4.070(3) and 62-213.440, F.A.C.; AO 50-206721 Specific Condition 3; and AO 50-206722 Specific Condition 3]

A.30. Excess Emissions - Reports. The permittee shall submit to the Palm Beach County Health Department, Air Section, a written report of emissions in excess of emission limiting standards as set forth in Rule 62-296.405(1), F.A.C., for each calendar quarter. The nature and cause of the excess emissions shall be explained. This report does not relieve the owner or operator of the legal liability for violations. All recorded data shall be maintained on file at the facility by the permittee for a period of five years. [Rules 62-213.440 and 62-296.405(1)(g), F.A.C.]

Other Requirements

A.31. Used Oil. Burning of on-specification used oil is allowed at this facility in accordance with all other conditions of this permit and the following additional conditions:

a. *On-specification Used Oil Allowed as Fuel.* This permit allows the burning of used oil fuel meeting EPA "on-specification" used oil specifications, with a polychlorinated biphenyls (PCB) concentration of less than 50 ppm, originating from Florida Power and Light Company operations. Used oil that does not meet the specifications for on-specification used oil shall not be burned at this facility.

On-specification used oil shall meet the following specifications:

Arsenic shall not exceed 5.0 ppm;

Cadmium shall not exceed 2.0 ppm;
Chromium shall not exceed 10.0 ppm;
Lead shall not exceed 100.0 ppm;
Total halogens shall not exceed 1000 ppm;
Flash point shall not be less than 100 degrees F.
[40 CFR 279, Subpart B.]

b. *Quantity Limited.* The maximum total quantity of used oil that may be burned in both emissions units is 1.5 million gallons in any consecutive 12-month period.

c. *Used Oil Containing PCBs Not Allowed.* Used oil containing a PCB concentration of 50 or more ppm shall not be burned at this facility. Used oil shall not be blended to meet this requirement.

d. *PCB Concentration of 2 to less than 50 ppm.* On-specification used oil with a PCB concentration of 2 to less than 50 ppm shall be burned only at normal source operating temperatures. On-specification used oil with a PCB concentration of 2 to less than 50 ppm shall not be burned during periods of startup or shutdown.

e. *Testing Required.* The owner or operator shall sample and analyze each batch of used oil to be burned for the following parameters:

Arsenic, cadmium, chromium, lead, total halogens, flash point, and PCB.

Testing (sampling, extraction and analysis) shall be performed using approved methods specified in EPA Publication SW-846 (Test Methods for Evaluating Solid Waste, Physical/Chemical Methods), or latest edition.

f. *Record Keeping Required.* The owner or operator shall obtain, make and keep the following records related to the use of used oil in a form suitable for inspection at the facility by the Department: [40 CFR 279.61 and 761.20(e)]
(1) The gallons of on-specification used oil received and burned each month. (This record shall be completed no later than the fifteenth day of the succeeding month.)
(2) The total gallons of on-specification used oil burned in the preceding consecutive 12-month period. (This record shall be completed no later than the fifteenth day of the succeeding month.)
(3) Results of the analyses required above.

g. *Reporting Required.* The owner or operator shall submit, with the Annual Operation Report form, the analytical results and the total amount of on-specification used oil burned during the previous calendar year.

[Rules 62-4.070(3) and 62-213.440, F.A.C.; and, 40 CFR 279 and 40 CFR 761, unless otherwise noted]

A.32. Burning of Expired Fuel Oil Samples. The burning of bottles made from high density polyethylene (HDPE) containing expired fuel oil samples from FPL facilities that were retained after analysis by FPL's Central Laboratory shall be permitted under the following conditions:
a. The total annual amount of expired fuel oil samples burned shall not exceed 2.0 barrels of fuel oil.
b. The total annual amount of HDPE shall not exceed 80 pounds.
c. The owner or operator shall submit, with the Annual Operation Report form, the total amount of expired fuel oil samples and HDPE burned during the previous calendar year.
[Rule 62-4.070(3), F.A.C.; AO 50-206721; AO 50-206722; and applicant request in Title V air operation permit application received June 12, 1996]

ACID RAIN, PHASE II.

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

Operated by: Florida Power and Light Company
ORIS Code: 0619

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

E.U. ID No.	Brief Description
003	Fossil Fuel Steam Generator, Unit 3
004	Fossil Fuel Steam Generator, Unit 4

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

a. DEP Form No. 62-210.900(1)(a), dated 06/10/08, received 06/26/08.

[Chapter 62-213, F.A.C. and Rule 62-214.320, F.A.C.]

A.2. Allowance Allocations. Sulfur dioxide (SO_2) allowance allocations for each Acid Rain unit are as follows:

E.U. ID No.	EPA ID	Year	2009	2010	2011	2012	2013
003	PRV3	SO_2 allowances, under Table 2 of 40 CFR 73	3573*	3580*	3580*	3580*	3580*
004	PRV4	SO_2 allowances, under Table 2 of 40 CFR 73	3545*	3551*	3551*	3551*	3551*

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

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

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

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

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

[Rule 62-213.440(1)(c)1., 2. & 3., F.A.C.]

A.4. Other Considerations. Comments, notes, and justifications: None.

ACID RAIN, PHASE II.

Acid Rain Part Application

For more information, see instructions and refer to 40 CFR 72.30, 72.31, and 74; and Chapter 62-214, F.A.C.

This submission is: ☐ New ■ Revised ☐ Renewal

STEP 1

Identify the source by plant name, state, and ORIS or plant code.

Plant name	State	ORIS/Plant Code
Riviera	Florida	0619

STEP 2
Enter the unit ID# for every Acid Rain unit at the Acid Rain source in column "a."

If unit a SO_2 Opt-in unit, enter "yes" in column "b".

For new units or SO_2 Opt-in units, enter the requested information in columns "d" and "e."

a	b	c	d	e
Unit ID#	SO_2 Opt-in Unit? (Yes or No)	Unit will hold allowances in accordance with 40 CFR 72.9(c)(1)	New or SO_2 Opt-in Units Commence Operation Date	New or SO_2 Opt-in Units Monitor Certification Deadline
PRV2	NO	Yes	N/A	N/A
PRV3	NO	Yes	N/A	N/A
PRV4	NO	Yes	N/A	N/A
		Yes		
		Yes		
		Yes		
		Yes		
		Yes		
		Yes		
		Yes		
		Yes		
		Yes		

DEP Form No. 62-210.900(1)(a) – Form
Effective: 3/16/08

1

ACID RAIN, PHASE II.

Plant Name (from STEP 1) Riviera

STEP 3

Read the standard requirements.

Acid Rain Part Requirements.

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

Monitoring Requirements.

(1) The owners and operators and, to the extent applicable, designated representative of each Acid Rain source and each Acid Rain unit at the source shall comply with the monitoring requirements as provided in 40 CFR Part 75, and Rule 62-214.420, F.A.C.
(2) The emissions measurements recorded and reported in accordance with 40 CFR Part 75 shall be used to determine compliance by the unit with the Acid Rain emissions limitations and emissions reduction requirements for sulfur dioxide and nitrogen oxides under the Acid Rain Program.
(3) The requirements of 40 CFR Part 75 shall not affect the responsibility of the owners and operators to monitor emissions of other pollutants or other emissions characteristics at the unit under other applicable requirements of the Act and other provisions of the operating permit for the source.
(4) For applications including a SO_2 Opt-in unit, a monitoring plan for each SO_2 Opt-in unit must be submitted with this application pursuant to 40 CFR 74.14(a). For renewal applications for SO_2 Opt-in units include an updated monitoring plan if applicable under 40 CFR 75.53(b).

Sulfur Dioxide Requirements.

(1) The owners and operators of each source and each Acid Rain unit at the source shall:
(i) Hold allowances, as of the allowance transfer deadline, in the unit's compliance subaccount (after deductions under 40 CFR 73.34(c)), or in the compliance subaccount of another Acid Rain unit at the same source to the extent provided in 40 CFR 73.35(b)(3), not less than the *total annual emissions of sulfur dioxide for the previous calendar year from the unit; and*
(ii) Comply with the applicable Acid Rain emissions limitations for sulfur dioxide.
(2) Each ton of sulfur dioxide emitted in excess of the Acid Rain emissions limitations for sulfur dioxide shall constitute a separate violation of the Act.
(3) An Acid Rain unit shall be subject to the requirements under paragraph (1) of the sulfur dioxide requirements as follows:
(i) Starting January 1, 2000, an Acid Rain unit under 40 CFR 72.6(a)(2); or
(ii) Starting on the later of January 1, 2000, or the deadline for monitor certification under 40 CFR Part 75, an Acid Rain unit under 40 CFR 72.6(a)(3).
(4) Allowances shall be held in, deducted from, or transferred among Allowance Tracking System accounts in accordance with the Acid Rain Program.
(5) An allowance shall not be deducted in order to comply with the requirements under paragraph (1) of the sulfur dioxide requirements prior to the calendar year for which the allowance was allocated.
(6) An allowance allocated by the Administrator under the Acid Rain Program is a limited authorization to emit sulfur dioxide in accordance with the Acid Rain Program. No provision of the Acid Rain Program, the Acid Rain Part application, the Acid Rain Part, or an exemption under 40 CFR 72.7 or 72.8 and no provision of law shall be construed to limit the authority of the United States to terminate or limit such authorization.
(7) An allowance allocated by the Administrator under the Acid Rain Program does not constitute a property right.

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

Excess Emissions Requirements.

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

Recordkeeping and Reporting Requirements.

(1) Unless otherwise provided, the owners and operators of the source and each Acid Rain unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 5 years, in writing by the EPA or the DEP:
(i) The certificate of representation for the designated representative for the source and each Acid Rain unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation, in accordance with Rule 62-214.350, F.A.C.; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation changing the designated representative;
(ii) All emissions monitoring information, in accordance with 40 CFR Part 75, provided that to the extent that 40 CFR Part 75 provides for a 3-year period *for recordkeeping, the 3-year period shall apply;*
(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the Acid Rain Program; and,

DEP Form No. 62-210.900(1)(a) – Form
Effective: 3/16/08

2

Plant Name (from STEP 1) Riviera

STEP 3, Continued.

Recordkeeping and Reporting Requirements (cont)

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

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

Liability.

(1) Any person who knowingly violates any requirement or prohibition of the Acid Rain Program, a complete Acid Rain Part application, an Acid Rain Part, or an exemption under 40 CFR 72 7 or 72.8, including any requirement for the payment of any penalty owed to the United States, shall be subject to enforcement pursuant to section 113(c) of the Act.
(2) Any person who knowingly makes a false, material statement in any record, submission, or report under the Acid Rain Program shall be subject to criminal enforcement pursuant to section 113(c) of the Act and 18 U.S.C. 1001
(3) No permit revision shall excuse any violation of the requirements of the Acid Rain Program that occurs prior to the date that the revision takes effect.
(4) Each Acid Rain source and each Acid Rain unit shall meet the requirements of the Acid Rain Program.
(5) Any provision of the Acid Rain Program that applies to an Acid Rain source (including a provision applicable to the designated representative of an Acid Rain source) shall also apply to the owners and operators of such source and of the Acid Rain units at the source.
(6) Any provision of the Acid Rain Program that applies to an Acid Rain unit (including a provision applicable to the designated representative of an Acid Rain unit) shall also apply to the owners and operators of such unit. Except as provided under 40 CFR 72 44 (Phase II repowering extension plans) and 40 CFR 76.11 (NO_x averaging plans), and except with regard to the requirements applicable to units with a common stack under 40 CFR Part 75 (including 40 CFR 75.16, 75.17, and 75.18), the owners and operators and the designated representative of one Acid Rain unit shall not be liable for any violation by any other Acid Rain unit of which they are not owners or operators or the designated representative and that is located at a source of which they are not owners or operators or the designated representative
(7) Each violation of a provision of 40 CFR Parts 72, 73, 74, 75, 76. 77, and 78 by an Acid Rain source or Acid Rain unit, or by an owner or operator or designated representative of such source or unit, shall be a separate violation of the Act.

Effect on Other Authorities.

No provision of the Acid Rain Program, an Acid Rain Part application, an Acid Rain Part, or an exemption under 40 CFR 72.7or 72 8 shall be construed as:
(1) Except as expressly provided in title IV of the Act, exempting or excluding the owners and operators and, to the extent applicable, the designated representative of an Acid Rain source or Acid Rain unit from compliance with any other provision of the Act, including the provisions of title I of the Act relating to applicable National Ambient Air Quality Standards or State Implementation Plans;
(2) Limiting the number of allowances a unit can hold; *provided*, that the number of allowances held by the unit shall not affect the source's obligation to comply with any other provisions of the Act;
(3) Requiring a change of any kind in any state law regulating electric utility rates and charges, affecting any state law regarding such state regulation, or limiting such state regulation, including any prudence review requirements under such state law;
(4) Modifying the Federal Power Act or affecting the authority of the Federal Energy Regulatory Commission under the Federal Power Act; or,
(5) Interfering with or impairing any program for competitive bidding for power supply in a state in which such program is established

STEP 4
For SO_2 Opt-in units only.

In column "f" enter the unit ID# for every SO_2 Opt-in unit identified in column "a" of STEP 2.

For column "g" describe the combustion unit and attach information and diagrams on the combustion unit's configuration.

In column "h" enter the hours.

f	g	h (not required for renewal application)
Unit ID#	Description of the combustion unit	Number of hours unit operated in the six months preceding initial application

DEP Form No. 62-210.900(1)(a) – Form
Effective: 3/16/08

3

Plant Name (from STEP 1) Riviera

STEP 5

For SO_2 Opt-in units only.
(Not required for SO_2 Opt-in renewal applications.)

In column "i" enter the unit ID# for every SO_2 Opt-in unit identified in column "a" (and in column "f").

For columns "j" through "n," enter the information required under 40 CFR 74.20-74.25 and attach all supporting documentation required by 40 CFR 74.20-74.25.

i	j	k	l	m	n
Unit ID#	Baseline or Alternative Baseline under 40 CFR 74.20 (mmBtu)	Actual SO_2 Emissions Rate under 40 CFR 74.22 (lbs/mmBtu)	Allowable 1985 SO_2 Emissions Rate under 40 CFR 74.23 (lbs/mmBtu)	Current Allowable SO_2 Emissions Rate under 40 CFR 74.24 (lbs/mmBtu)	Current Promulgated SO_2 Emissions Rate under 40 CFR 74.25 (lbs/mmBtu)

STEP 6

For SO_2 Opt-in units only.

Attach additional requirements, certify and sign.

A. If the combustion source seeks to qualify for a transfer of allowances from the replacement of thermal energy, a thermal energy plan as provided in 40 CFR 74.47 for combustion sources must be attached
B. A statement whether the combustion unit was previously an affected unit under 40 CFR 74.
C. A statement that the combustion unit is not an affected unit under 40 CFR 72.6 and does not have an exemption under 40 CFR 72.7, 72.8, or 72.14.
D. Attach a complete compliance plan for SO_2 under 40 CFR 72.40.
E. The designated representative of the combustion unit shall submit a monitoring plan in accordance with 40 CFR 74.61. For renewal application, submit an updated monitoring plan if applicable under 40 CFR 75.53(b).
F. The following statement must be signed by the designated representative or alternate designated representative of the combustion source: "I certify that the data submitted under 40 CFR Part 74, Subpart C, reflects actual operations of the combustion source and has not been adjusted in any way."

Signature *[signature]*	Date 6/10/08

STEP 7

Read the certification statement; provide name, title, owner company name, phone, and e-mail address; sign, and date.

Certification (for designated representative or alternate designated representative only)

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

Name Sheila M Wilkinson	Title PGD Technical Services General Manager
Owner Company Name Florida Power & Light	
Phone 561-691-2287	E-mail address Sheila_M_Wilkinson@fpl.com
Signature *[signature]*	Date 6/10/08

DEP Form No. 62-210.900(1)(a) – Form
Effective: 3/16/08

4

Subsection B. This Subsection addresses Acid Rain, Phase II, Retired Unit Exemption.

The emissions unit listed below is regulated under Phase II of the federal Acid Rain Program.

E.U. ID No.	Description
002	Fossil Fuel Fired Steam Generator, Unit 2 - PERMANENTLY RETIRED

B.1. The Retired Unit Exemption form submitted for this facility constitutes the Acid Rain Part application pursuant to 40 CFR 72.8 and is a part of this permit. The owners and operators of this acid rain unit shall comply with the standard requirements and special provisions set forth in DEP Form No. 62- 210.900(1)(d), effective March 16, 2008, signed by the Designated Representative on June 16, 2008, and received by the Department on August 8, 2008. This unit is subject to the following: 40 CFR 72.1 which requires the unit to have an Acid Rain Part as part of its Title V air operation permit; 40 CFR 72.2 which provides associated definitions; 40 CFR 72.3 which provides measurements, abbreviations, and acronyms; 40 CFR 72.4 which provides the federal authority of the Administrator; 40 CFR 72.5 which provides the authority of the states; 40 CFR 72.6 which makes the boiler a Phase II unit; 40 CFR 72.10 which gives the public access to information about this unit; and, 40 CFR 72.13 which incorporates certain ASTM methods into 40 CFR Part 72. [Chapter 62-213, F.A.C. and Rule 62-214.340, F.A.C.]

B.2. Sulfur dioxide (SO_2) allowance allocations for the Acid Rain unit are as follows:

E.U. ID No.	EPA ID	Year	2009	2010	2011	2012	2013
002	PRV2	SO_2 allowances, under Table 2 of 40 CFR 73	94*	94*	94*	94*	94*

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

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

a. No permit revision shall be required for increases in emissions that are authorized by allowances acquired pursuant to the Federal Acid Rain Program, provided that such increases do not require a permit revision pursuant to Rule 62-213.440(3), F.A.C.

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

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

[Rule 62-213.440(1)(c)1., 2., & 3., F.A.C.]

B.4. The designated representative of this acid rain unit applied for an exemption from the requirements of the Federal Acid Rain Program by submitting a completed and signed "Retired Unit Exemption" form (DEP Form No. 62-210.900(1)(d)., F.A.C., attached) to the Department. The date of permanent retirement is January 1, 1992. [Rule 62-214.340(2), F.A.C.; and, 40 CFR 72.8.]

B.5. Statement of Compliance. The annual statement of compliance pursuant to Rule 62-213.440(3), F.A.C., shall be submitted within 60 (sixty) days after the end of the calendar year. {See Appendix TV, Title V Conditions.} [Rule 62-214.420(11), F.A.C.]

ACID RAIN, PHASE II.

B.6. Where an applicable requirement of the Act is more stringent than applicable regulations promulgated under Title IV of the Act, both provisions shall be incorporated into the permit and shall be enforceable by the Administrator.. [40 CFR 70.6(a)(1)(ii); and, Rule 62-210.200, F.A.C., Definitions – Applicable Requirements.]

B.7. Comments, notes, and justifications: None.

Acid Rain, CAIR, and Hg Budget Retired Unit Exemption

For more information, see instructions and refer to 40 CFR 72.8, 96.105, 96.205, 96.305, and 60.4105; and Rules 62-214.340(2), 62-296.470, and 62-296.480, F.A.C.

This submission is: ☐ New ☒ Revised

STEP 1

Identify the unit by plant name, State, ORIS code and unit ID#.

Plant Name	State	ORIS/Plant Code	Unit ID#
Riviera	Florida	612	PRV2

Applicable Program(s): ~ Acid Rain ~ CAIR NO_x Annual ~ CAIR SO_2 ~ CAIR NO_x Ozone Season ~ Mercury (Hg) Budget Trading

STEP 2
Identify the date on which the unit was (or will be) permanently retired.

12/01/1991

STEP 3
If an acid rain affected unit, identify the first full calendar year in which the unit meets (or will meet) the requirements of 40 CFR 72.8(d).

January 1, 1992

STEP 4
Read the special provisions.

Acid Rain Special Provisions

(1) A unit exempt under Rule 62-214.340(2), F.A.C., shall not emit any sulfur dioxide and nitrogen oxides starting on the date that the exemption takes effect. The owners and operators of the unit will be allocated allowances in accordance with 40 CFR Part 73, Subpart B. If the unit is a Phase I unit, for each calendar year in Phase I, the designated representative of the unit shall submit a Phase I permit application in accordance with 40 CFR Part 72, Subparts C and D, and an annual certification report in accordance with 40 CFR 72.90 through 72.92 and is subject to 40 CFR 72.95 and 72.96.
(2) A unit exempt under Rule 62-214.340(2), F.A.C., shall not resume operation unless the designated representative of the source that includes the unit submits a complete Acid Rain Part application under Rule 62-214.320, F.A.C., for the unit not less than 24 months prior to the date on which the unit is first to resume operation.
(3) The owners and operators and, to the extent applicable, the designated representative of a unit exempt under Rule 62-214.340(2), F.A.C., shall comply with the requirements of Chapter 62-214, F.A.C., and the Acid Rain Program concerning all periods for which the exemption is not in effect, even if such requirements arise, or must be complied with, after the exemption takes effect.
(4) For any period for which a unit is exempt under Rule 62-214.340(2), F.A.C., the unit is not an Acid Rain unit and is not eligible to be an opt-in source under 40 CFR Part 74. As a non-Acid Rain Unit, the unit shall continue to be subject to any other applicable requirements under Chapter 62-213, F.A.C.
(5) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under Rule 62-214.340(2), F.A.C., shall retain at the source that includes the unit records demonstrating that the unit is permanently retired. The 5-year period for keeping records may be extended for cause, at any time prior to the end of the period, in writing by the EPA or the DEP. The owners and operators bear the burden of proof that the unit is permanently retired.
(6) On the earlier of the following dates, a unit exempt under Rule 62-214.340(2), F.A.C., shall lose its exemption and become an Acid Rain Unit: (i) the date on which the designated representative submits an Acid Rain Part application under paragraph (2); or (ii) the date on which the designated representative is required under paragraph (2) to submit an Acid Rain Part application. For the purpose of applying monitoring requirements under 40 CFR Part 75, a unit that loses its exemption under Rule 62-214.340(2), F.A.C., shall be treated as a new unit that commenced commercial operation on the first date on which the unit resumes operation.

DEP Form No. 62-210.900(1)(d) - Form
Effective: 3/16/08

Plant Name (from STEP 1) Riviera

STEP 4 (continued)

CAIR Special Provisions

(1) A unit exempt under 40 CFR 96.105(a), 96.205(a), or 96.305(a), shall not emit any sulfur dioxide or nitrogen oxides starting on the date that the exemption takes effect. The DEP will allocate CAIR NO_x allowances in accordance with Rule 62-296.470, F.A.C.
(2) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under Rule 62-296.470, F.A.C., shall retain at the source that includes the unit, records demonstrating that the unit is permanently retired. The 5-year period for keeping records may be extended for cause, at any time prior to the end of the period, in writing by the EPA or the DEP. The owners and operators bear the burden of proof that the unit is permanently retired.
(3) The owners and operators and, to the extent applicable, the CAIR designated representative of a unit exempt under 40 CFR 96.105(a), 96.205(a), or 96.305(a), shall comply with the applicable requirements of the CAIR NO_x Annual Trading Program, the CAIR SO_2 Trading Program, and the CAIR NO_x Ozone Season Trading Program concerning all periods for which the exemption is not in effect, even if such requirements arise, or must be complied with, after the exemption takes effect.
(4) A unit exempt under 40 CFR 96.105(a), 96.205(a), or 96.305(a), and located at a source that is required, or but for this exemption would be required, to have a title V operating permit shall not resume operation unless the CAIR designated representative of the source submits a complete CAIR Part application under Rule 62-213.420, F.A.C., for the unit before the date on which the unit resumes operation.
(5) On the earlier of the following dates, a unit exempt under 40 CFR 96.105(a), 96.205(a), or 96.305(a) shall lose its exemption:
(i) the date on which the CAIR designated representative submits a CAIR Part application under Special Provision (4) above;
(ii) the date on which the CAIR designated representative is required under Special Provision (4) above to submit an CAIR Part application for the unit, or
(iii) the date on which the unit resumes operation, if the CAIR designated representative is not required to submit a CAIR Part application for the unit.
(6) For the purpose of applying monitoring, reporting and recordkeeping requirements under 40 CFR Part 96, Subparts HH, HHH, and/or HHHH, a unit that loses its exemption under 40 CFR 96.105(a), 96.205(a), or 96.305(a), shall be treated as a unit that commences commercial operation on the first date on which the unit resumes operation.

Mercury (Hg) Budget Trading Special Provisions

(1) A unit exempt under 40 CFR 60.4105(a) shall not emit any mercury starting on the date that the exemption takes effect.
(2) The DEP will allocate Hg allowances under Rule 62-296.480, F.A.C.
(3) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 60.4105(a) shall retain at the source that includes the unit, records demonstrating that the unit is permanently retired. The 5-year period for keeping records may be extended for cause, at any before the end of the period, in writing by the EPA or the DEP. The owners and operators bear the burden of proof that the unit is permanently retired.
(4) The owners and operators and, to the extent applicable, the Hg designated representative of a unit exempt under 40 CFR 60.4105(a) shall comply with the requirements of the Hg Budget Trading Program concerning all periods for which the exemption is not in effect, even if such requirements arise, or must be complied with, after the exemption takes effect.
(5) A unit exempt under 40 CFR 60.4105(a) and located at a source that is required, or but for this exemption would be required, to have a title V operating permit shall not resume operation unless the Hg designated representative of the source submits a complete Hg Budget Part application under 40 CFR 60.4122 and Rule 62-213.420, F.A.C., for the unit before the date on which the unit resumes operation.
(6) On the earlier of the following dates, a unit exempt under 40 CFR 60.4105(a) shall lose its exemption:
(i) the date on which the Hg designated representative submits a Hg Budget Part application for the unit under Special Provision (5);
(ii) the date on which the Hg designated representative is required under Special Provision (5) to submit a Hg Budget Part application for the unit, or
(iii) the date on which the unit resumes operation, if the Hg designated representative is not required to submit a Hg Budget Part application for the unit.
(7) For the purpose of applying monitoring, reporting and recordkeeping requirements under 40 CFR 60.4170 through 60.4176, a unit that loses its exemption under 40 CFR 60.4105(a) shall be treated as a unit that commences operation and commercial operation on the first date on which the unit resumes operation.

DEP Form No. 62-210.900(1)(a) - Form
Effective: 3/16/08

Plant Name (from STEP 1) Riviera

STEP 5

Make Statement of Compliance.

Statement of Compliance

I state that the unit identified above in STEP 1 was (or will be) permanently retired on the date identified in STEP 2 and will comply with the Special Provisions listed in STEP 4.

STEP 6

Read the certification and sign and date.

Certification (for designated representatives or alternate designated representatives only)

I am authorized to make this submission on behalf of the owners and operators of the affected source and affected unit 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 Sheila M Wilkinson	Title PGD Technical Services General Manager
Owner Company Name Florida Power & Light	
Phone 561-691-2287	Email Sheila_m_wilkinson@fpl.com
Signature S M Wilkinson	Date 6/18/08

DEP Form No. 62-210.900(1)(d) - Form
Effective: 3/16/08

3

SECTION V. APPENDICES.

The Following Appendices Are Enforceable As Allowed By Rule Applicability And Are Supporting Documents For The Air Operating Permit:

Appendix A, Glossary.
Appendix ASP, ASP Number 97-B-01 (With Scrivener's Order Dated July 9, 1997).
Appendix I, List of Insignificant Emissions Units and/or Activities.
Appendix O, Order Granting Petition for Reduced Frequency of Particulate Testing.
Appendix RR, Facility-wide Reporting Requirements.
Appendix TR, Facility-wide Testing Requirements.
Appendix TV, Title V General Conditions.
Appendix U, List of Unregulated Emissions Units and/or Activities.

ABBREVIATIONS, ACRONYMS, CITATIONS AND IDENTIFICATION NUMBERS

° F: degrees Fahrenheit

acfm: actual cubic feet per minute

AOR: Annual Operating Report

ARMS: Air Resource Management System (Department's database)

BACT: best available control technology

Btu: British thermal units

CAM: compliance assurance monitoring

CEMS: continuous emissions monitoring system

cfm: cubic feet per minute

CFR: Code of Federal Regulations

CO: carbon monoxide

COMS: continuous opacity monitoring system

DARM: Division of Air Resources Management

DCA: Department of Community Affairs

DEP: Department of Environmental Protection

Department: Department of Environmental Protection

dscfm: dry standard cubic feet per minute

EPA: Environmental Protection Agency

ESP: electrostatic precipitator (control system for reducing particulate matter)

EU: emissions unit

F.A.C.: Florida Administrative Code

F.D.: forced draft

F.S.: Florida Statutes

FGR: flue gas recirculation

Fl: fluoride

ft^2: square feet

ft^3: cubic feet

gpm: gallons per minute

gr: grains

HAP: hazardous air pollutant

Hg: mercury

I.D.: induced draft

ID: identification

ISO: International Standards Organization (refers to those conditions at 288 Kelvin, 60% relative humidity and 101.3 kilopascals pressure.)

kPa: kilopascals

LAT: Latitude

lb: pound

lbs/hr: pounds per hour

LONG: Longitude

MACT: maximum achievable technology

mm: millimeter

MMBtu: million British thermal units

MSDS: material safety data sheets

MW: megawatt

NESHAP: National Emissions Standards for Hazardous Air Pollutants

NO_X: nitrogen oxides

NSPS: New Source Performance Standards

O&M: operation and maintenance

O_2: oxygen

ORIS: Office of Regulatory Information Systems

OS: Organic Solvent

Pb: lead

PM: particulate matter

PM_{10}: particulate matter with a mean aerodynamic diameter of 10 microns or less

PSD: prevention of significant deterioration

psi: pounds per square inch

PTE: potential to emit

RACT: reasonably available control technology

RATA: relative accuracy test audit

RMP: Risk Management Plan

RO: Responsible Official

SAM: sulfuric acid mist

scf: standard cubic feet

scfm: standard cubic feet per minute

SIC: standard industrial classification code

SNCR: selective non-catalytic reduction (control system used for reducing emissions of nitrogen oxides)

SOA: Specific Operating Agreement

SO_2: sulfur dioxide

TPH: tons per hour

lbs/hr: pounds per hour

LONG: Longitude

MACT: maximum achievable technology

mm: millimeter

MMBtu: million British thermal units

MSDS: material safety data sheets

MW: megawatt

NESHAP: National Emissions Standards for Hazardous Air Pollutants

NO_X: nitrogen oxides

NSPS: New Source Performance Standards

O&M: operation and maintenance

O_2: oxygen

ORIS: Office of Regulatory Information Systems

OS: Organic Solvent

Pb: lead

PM: particulate matter

PM_{10}: particulate matter with a mean aerodynamic diameter of 10 microns or less

PSD: prevention of significant deterioration

psi: pounds per square inch

PTE: potential to emit

RACT: reasonably available control technology

RATA: relative accuracy test audit

RMP: Risk Management Plan

RO: Responsible Official

SAM: sulfuric acid mist

scf: standard cubic feet

scfm: standard cubic feet per minute

SIC: standard industrial classification code

SNCR: selective non-catalytic reduction (control system used for reducing emissions of nitrogen oxides)

SOA: Specific Operating Agreement

SO_2: sulfur dioxide

TPH: tons per hour

TPY: tons per year

UTM: Universal Transverse Mercator coordinate system

VE: visible emissions

VOC: volatile organic compounds

x: By or times

Citations:

The following examples illustrate the methods used in this permit to abbreviate and cite the references of rules, regulations, guidance memorandums, permit numbers and ID numbers.

Code of Federal Regulations:

Example: **[40 CFR 60.334]**

Where:			
	40	refers to	Title 40
	CFR	refers to	Code of Federal Regulations
	60	refers to	Part 60
	60.334	refers to	Regulation 60.334

Florida Administrative Code (F.A.C.) Rules:

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

Where:			
	62	refers to	Title 62
	62-213	refers to	Chapter 62-213
	62-213.205	refers to	Rule 62-213.205, F.A.C.

Identification Numbers:

Facility Identification (ID) Number:

Example: Facility ID No.: 1050221

Where:

105 = 3-digit number code identifying the facility is located in Polk County
0221 = 4-digit number assigned by state database.

Permit Numbers:

Example: 1050221-002-AV, or
1050221-001-AC

Where:
AC = Air Construction Permit
AV = Air Operation Permit (Title V Source)
105 = 3-digit number code identifying the facility is located in Polk County
0221= 4-digit number assigned by permit tracking database
001 or 002= 3-digit sequential project number assigned by permit tracking database

Example: PSD-FL-185
PA95-01
AC53-208321

Where:
PSD = Prevention of Significant Deterioration Permit
PA = Power Plant Siting Act Permit
AC53 = old Air Construction Permit numbering identifying the facility is located in Polk County

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

In the matter of:	)	
	)	
Florida Electric Power Coordinating Group, Inc.,	)	ASP No. 97-B-01
	)	
Petitioner.	)	

ORDER ON REQUEST FOR ALTERNATE PROCEDURES AND REQUIREMENTS

Pursuant to Rule 62-297.620, Florida Administrative Code (F.A.C.), the Florida Electric Coordinating Group, Incorporated, (FCG) petitioned for approval to: (1) Exempt fossil fuel steam generators which burn liquid and/or solid fuel for less than 400 hours during the federal fiscal year from the requirement to conduct an annual particulate matter compliance test; and, (2) Exempt fossil fuel steam generators which burn liquid and/or solid fuel for less than 400 hours during the federal fiscal year from the requirement to conduct an annual particulate matter compliance test during the year prior to renewal of an operation permit. This Order is intended to clarify particulate testing requirements for those fossil fuel steam generators which primarily burn gaseous fuels including, but not necessarily limited to natural gas.

Having considered the provisions of Rule 62-296.405(1), F.A.C., Rule 62-297.310(7), F.A.C., and all supporting documentation, the following Findings of Fact, Conclusions of Law, and Order are entered:

FINDINGS OF FACT

1. The Florida Electric Power Coordinating Group, Incorporated, petitioned the Department to exempt those fossil fuel steam generators which have a heat input of more than 250 million Btu per hour and burn solid and/or liquid fuel less than 400 hours during the year from the requirement to conduct an annual particulate matter compliance test. [Exhibit 1]

2. Rule 62-296.405(1)(a), F.A.C., applies to those fossil fuel steam generators that are not subject to the federal standards of performance for new stationary sources (NSPS) in 40 CFR 60 and which have a heat input of more than 250 million Btu per hour.

3. Rule 62-296.405(1)(a), F.A.C., limits visible emissions from affected fossil fuel steam generators to, "20 percent opacity except for either one six-minute period per hour during which

not exceed 40 percent. The option selected shall be specified in the emissions unit's construction and operation permits. Emissions units governed by this visible emission limit shall test for particulate emission compliance annually and as otherwise required by Rule 62-297, F.A.C."

4. Rule 62-296.405(1)(a), F.A.C., further states, "Emissions units electing to test for particulate matter emission compliance quarterly shall be allowed visible emissions of 40 percent opacity. The results of such tests shall be submitted to the Department. Upon demonstration that the particulate standard has been regularly complied with, the Secretary, upon petition by the applicant, shall reduce the frequency of particulate testing to no less than once annually.

5. Rule 297.310(7)(a)1., F.A.C., states, "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."

6. Rule 297.310(7)(a)3., F.A.C., states, "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.

7. Rule 297.310(7)(a)3., F.A.C., further states, "In renewing an air operation permit pursuant to Rule 62-210.300(2)(a)3.b., c., or d., F.A.C., the Department shall not require submission of emission compliance test results for any emissions unit that, during the year prior to renewal: a. Did not operate; or, b. In the case of a fuel burning emissions unit, burned liquid and/or solid fuel for a total of no more than 400 hours."

8. Rule 297.310(7)(a)4., F.A.C., states, "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..."

9. Rule 297.310(7)(a)5., F.A.C., states, "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."

10. Rule 297.310(7)(a)6., F.A.C., states, "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."

11. Rule 297.310(7)(a)7., F.A.C., states, "For emissions units electing to conduct particulate matter emission compliance testing quarterly pursuant to Rule 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." [Note: The reference should be to Rule 62-296.405(1)(a), F.A.C., rather than Rule 62-296.405(2)(a), F.A.C.]

12. The fifth edition of the U. S. Environmental Protection Agency's Compilation of Air Pollutant Emission Factors, AP-42, that emissions of filterable particulate from gas-fired fossil fuel steam generators with a heat input of more than about 10 million Btu per hour may be expected to range from 0.001 to 0.006 pound per million Btu. [Exhibit 2]

13. Rule 62-296.405(1)(b), F.A.C. and the federal standards of performance for new stationary sources in 40 CFR 60.42, Subpart D, limit particulate emissions from uncontrolled fossil fuel fired steam generators with a heat input of more than 250 million Btu to 0.1 pound per million Btu.

CONCLUSIONS OF LAW

1. The Department has jurisdiction to consider the matter pursuant to Section 403.061, Florida Statutes (F.S.), and Rule 62-297.620, F.A.C.

2. Pursuant to Rule 62-297.310(7), F.A.C., the Department may require Petitioner to conduct compliance tests that identify the nature and quantity of pollutant emissions, if, after investigation, it is believed that any applicable emission standard or condition of the applicable permits is being violated.

3. There is reason to believe that a fossil fuel steam generator which does not burn liquid and/or solid fuel (other than during startup) for a total of more than 400 hours in a federal fiscal year and complies with all other applicable limits and permit conditions is in compliance with the applicable particulate mass emission limiting standard.

ORDER

Having considered the requirements of Rule 62-296.405, F.A.C., Rule 62-297.310, F.A.C., and supporting documentation, it is hereby ordered that:

1. 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;

2. 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;

3. For emissions units electing to conduct particulate matter emission compliance testing quarterly pursuant to Rule 62-296.405(1)(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;

4. In renewing an air operation permit pursuant to Rule 62-210.300(2)(a)3.b., c., or d., F.A.C., the Department shall not require submission of particulate matter emission compliance test results for any fossil fuel steam generator emissions unit that burned liquid and/or solid fuel for a total of no more than 400 hours during the year prior to renewal.

5. Pursuant to Rule 62-297.310(7), F.A.C., owners of affected fossil fuel steam generators may be required to conduct compliance tests that identify the nature and quantity of pollutant emissions, if, after investigation, it is believed that any applicable emission standard or condition of the applicable permits is being violated.

6. Pursuant to Rule 62-297.310(8), F.A.C., owners of affected fossil fuel steam generators shall submit the compliance test report to the District Director of the Department district office having jurisdiction over the emissions unit and, where applicable, the Air Program Administrator of the appropriate Department-approved local air program within 45 days of completion of the test.

PETITION FOR ADMINISTRATIVE REVIEW

The Department will take the action described in this Order unless a timely petition for an administrative hearing is filed pursuant to sections 120.569 and 120.57 of the Florida Statutes, or a party requests mediation as an alternative remedy under section 120.573 before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for petitioning for a hearing are set forth below, followed by the procedures for requesting mediation.

A person whose substantial interests are affected by the Department's proposed decision may petition for an administrative hearing in accordance with sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. Petitions must be filed within 21 days of receipt of this Order. 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 (or a request for mediation, as discussed below) 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 of

--Page 4 of 8--

the Florida Statutes, 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 28-5.207 of the Florida Administrative Code.

A petition must contain the following information:

(a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department File Number, and the county in which the project is proposed;

(b) A statement of how and when each petitioner received notice of the Department's action or proposed action;

(c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action;

(d) A statement of the material facts disputed by each petitioner, if any;

(e) A statement of facts that the petitioner contends warrant reversal or modification of the Department's action or proposed action;

(f) A statement identifying the rules or statutes each petitioner contends require reversal or modification of the Department's action or proposed action; and,

(g) A statement of the relief sought by each petitioner, stating precisely the action each petitioner wants the Department to take with respect to the Department's action or proposed action in the notice of intent.

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 Order. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

A person whose substantial interests are affected by the Department's proposed decision, may elect to pursue mediation by asking all parties to the proceeding to agree to such mediation and by filing with the Department a request for mediation and the written agreement of all such parties to mediate the dispute. The request and agreement must be filed in (received by) the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, by the same deadline as set forth above for the filing of a petition.

A request for mediation must contain the following information:

(a) The name, address, and telephone number of the person requesting mediation and that person's representative, if any;

(b) A statement of the preliminary agency action;

(c) A statement of the relief sought; and

(d) Either an explanation of how the requester's substantial interests will be affected by the action or proposed action addressed in this notice of intent or a statement clearly identifying the petition for hearing that the requester has already filed, and incorporating it by reference.

The agreement to mediate must include the following:

(a) The names, addresses, and telephone numbers of any persons who may attend the mediation;

(b) The name, address, and telephone number of the mediator selected by the parties, or a provision for selecting a mediator within a specified time;

(c) The agreed allocation of the costs and fees associated with the mediation;

(d) The agreement of the parties on the confidentiality of discussions and documents introduced during mediation;

(e) The date, time, and place of the first mediation session, or a deadline for holding the first session, if no mediator has yet been chosen;

(f) The name of each party's representative who shall have authority to settle or recommend settlement; and

(g) The signatures of all parties or their authorized representatives.

As provided in section 120.573 of the Florida Statutes, the timely agreement of all parties to mediate will toll the time limitations imposed by sections 120.569 and 120.57 for requesting and holding an administrative hearing. Unless otherwise agreed by the parties, the mediation must be concluded within sixty days of the execution of the agreement. If mediation results in settlement of the administrative dispute, the Department must enter a final order incorporating the agreement of the parties. Persons whose substantial interests will be affected by such a modified final decision of the Department have a right to petition for a hearing only in accordance with the requirements for such petitions set forth above. If mediation terminates without settlement of the dispute, the Department shall notify all parties in writing that the administrative hearing processes under sections 120.569 and 120.57 remain available for disposition of the dispute, and the notice will specify the deadlines that then will apply for challenging the agency action and electing remedies under those two statutes.

In addition to the above, a person subject to regulation has a right to apply for a variance from or waiver of the requirements of particular rules, on certain conditions, under section 120.542 of the Florida Statutes. The relief provided by this state statute applies only to state rules, not statutes, and not to any federal regulatory requirements. Applying for a variance or waiver does not substitute or extend the time for filing a petition for an administrative hearing or exercising any other right that a person may have in relation to the action proposed in this notice of intent.

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

The petition must specify the following information:

(a) The name, address, and telephone number of the petitioner;

(b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any;

(c) Each rule or portion of a rule from which a variance or waiver is requested;

(d) The citation to the statute underlying (implemented by) the rule identified in (c) above;

(e) The type of action requested;

(f) The specific facts that would justify a variance or waiver for the petitioner;

(g) The reason why the variance or waiver would serve the purposes of the underlying statute (implemented by the rule); and

(h) A statement whether the variance or waiver is permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

The Department will grant a variance or waiver, when the petition demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of those terms is defined in section 120.542(2) of the Florida Statutes, and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner. Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully

—Page 7 of 8—

each of those terms is defined in section 120.542(2) of the Florida Statutes, and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner. Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable by the Administrator of the EPA and by any person under the Clean Air Act unless and until the Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

This Order constitutes final agency action unless a petition is filed in accordance with the above paragraphs. Upon timely filing of a petition, this Order will not be effective until further Order of the Department.

RIGHT TO APPEAL

Any party to this Order has the right to seek judicial review of the Order pursuant to Section 120.68, F.S., by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the 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 30 days from the date the Notice of Agency Action is filed with the Clerk of the Department.

DONE AND ORDERED this 17 day of March, 1997 in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Howard L Rhodes

HOWARD L. RHODES, Director
Division of Air Resources Management
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400
(904) 488-0114

—Page 8 of 8—

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that a copy of the foregoing was mailed to Rich Piper, Chair, Florida Power Coordinating Group, Inc., 405 Reo Street, Suite 100, Tampa, Florida 33609-1004, on this 18th day of March 1997.

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.

Martha Wise 3-18-97
Clerk Date

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

In the matter of:	)	
	)	
Florida Electric Power Coordinating Group, Inc.,	)	ASP No. 97-B-01
	)	
Petitioner.	)	

ORDER CORRECTING SCRIVENER'S ERROR

The Order which authorizes owners of natural gas fired fossil fuel steam generators to forgo particulate matter compliance testing on an annual basis and prior to renewal of an operation permit entered on the 17th day of March, 1997, is hereby corrected on page 4, paragraph number 4, by deleting the words "pursuant to Rule 62-210.300(2)(a)3.b., c., or d., F.A.C.":

4. In renewing an air operation permit ~~pursuant to Rule 62-210.300(2)(a)3.b., c., or d., F.A.C.,~~ the Department shall not require submission of particulate matter emission compliance test results for any fossil fuel steam generator emissions unit that burned liquid and/or solid fuel for a total of no more than 400 hours during the year prior to renewal.

DONE AND ORDERED this 2 day of July, 1997 in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Howard L Rhodes

HOWARD L. RHODES, Director
Division of Air Resources Management
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400
(904) 488-0114

ASP NUMBER 97-B-01

The above two documents comprise Appendix ASP.

APPENDIX I

LIST OF INSIGNIFICANT EMISSIONS UNITS AND/OR ACTIVITIES

The facilities, emissions units, or pollutant-emitting activities listed in Rule 62-210.300(3)(a), F.A.C., Categorical Exemptions, or that meet the criteria specified in Rule 62-210.300(3)(b)1., F.A.C., Generic Emissions Unit Exemption, are exempt from the permitting requirements of Chapters 62-210, 62-212 and 62-4, F.A.C.; provided, however, that exempt emissions units shall be subject to any applicable emission limiting standards and the emissions from exempt emissions units or activities shall be considered in determining the potential emissions of the facility containing such emissions units. Emissions units and pollutant-emitting activities exempt from permitting under Rules 62-210.300(3)(a) and (b)1., F.A.C., shall not be exempt from the permitting requirements of Chapter 62-213, F.A.C., if they are contained within a Title V source; however, such emissions units and activities shall be considered insignificant for Title V purposes provided they also meet the criteria of Rule 62-213.430(6)(b), F.A.C. No emissions unit shall be entitled to an exemption from permitting under Rules 62-210.300(3)(a) and (b)1., F.A.C., if its emissions, in combination with the emissions of other units and activities at the facility, would cause the facility to emit or have the potential to emit any pollutant in such amount as to make the facility a Title V source.

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

Brief Description of Emissions Units and/or Activities

1. Evaporation of boiler chemical cleaning waste
2. Natural gas metering area relief valves
3. Hydrazine mixing tank
4. Fuel oil storage tanks and related systems
5. Lube oil system
6. Oil/water separators and related equipment
7. Hazardous waste building
8. Paint and lube buildings
9. Misc. mobile vehicle operation

FL 02 '97 02:45PM FPL ENV SERVICES 561 691 7070

00093

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

In the Matter of:	
Petition for Reduction in Quarterly Particulate Emissions Compliance Testing; FLORIDA POWER AND LIGHT COMPANY,	OGC Case Nos.: 83-0578 83-0577, 83-0576, 83-0585, 83-0586, 83-0587, 83-0588 83-0581, 83-0580
Petitioner.	

ORDER GRANTING PETITION FOR REDUCED FREQUENCY OF PARTICULATE TESTING

On September 16, 1983, the Petitioner, FLORIDA POWER AND LIGHT COMPANY, filed a Petition for Reduction in Quarterly Particulate Emissions Compliance Testing pursuant to Florida Administrative Code Rule 17-2.600(5)(b)1 for the following fossil fuel steam generating units:

Port Everglades Plant Unit No. 2
Port Everglades Plant Unit No. 3
Port Everglades Plant Unit No. 4
Turkey Point Plant Unit No. 1
Turkey Point Plant Unit No. 2
Riveria Plant Unit No. 3
Riveria Plant Unit No. 4
Manatee Plant Unit No. 1
Manatee Plant Unit No. 2

Each of the units has a heat input exceeding 250 million Btu per hour.

The petition and supporting documentation submitted by the Petitioner indicate that between August 1979 and July 21, 1983, these units were afforded relief from the particulate standard contained in Florida Administrative Code Rule 17-2.600(5)(b)2 under the terms of a Department-issued variance. During the same period of time the Company elected to test quarterly as permitted under Rule 17-2.600(5)(b)1. Despite the existence of the variance, the tests results submitted during the last two years reveal that each of the above-listed units met the particulate emissions limitations contained in Rule 17-2.600(5)(b)1 of 0.1 pounds per million Btu heat input.

Florida Administrative Code Rule 17-2.600(5)(b)1 specifically provides that I may reduce the frequency of particulate testing

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To Scott Sheplak	From Rich Piper
Co.	Co.
Dept.	Phone #
Fax #	Fax #

ORDER GRANTING PETITION FOR REDUCED FREQUENCY OF PARTICULATE TESTING

upon a demonstration that the particulate standard has been regularly met. The particulate standard referred to in the general standard found in the rule--0.1 parts per million Btu heat input--not a relaxed emission limit established by a variance.

The intent of Rule 17-2.600(5)(b)1 is to ensure that before the frequency of particulate testing is reduced, the source has established a record of complying with the requirements of Florida Administrative Code Chapter 17-2 relating to particulate matter emissions. Petitioner has documented that each of these units has a history of regulary complying with the particulate matter standard applicable to them.

IT IS ORDERED that the present petition is GRANTED. Under the terms of Rule 17-2.600(5)(b)1, Petitioner may reduce the frequency of particulate testing to an annual basis for each of the units named in this Order. If, however, any of the units fails to comply with the applicable particulate or visible emission standard, this Order will terminate upon written notice by the Department.

The Petitioner may request a hearing in accordance with Section 120.57, Florida Statutes, and Florida Administrative Code Chapters 17-1 and 28-5. The request for hearing must be filed (received) in the Office of General Counsel of the Department, 2600 Blair Stone Road, Twin Towers Office Building, Tallahassee, Florida 32301, within (14) days of receipt of this Order. Failure to file a request for hearing within this time shall constitute a waiver of Petitioner's right to request a hearing under Section 120.57, Florida Statutes.

DONE and ORDERED this 24 day of April, 1984.

FILING AND ACKNOWLEDGEMENT
FILED, on this date, pursuant to §120.52 (9), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

[illegible] Clerk   [illegible] Date

VICTORIA J. TSCHINKEL
Secretary

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION
2600 Blair Stone Road
Tallahassee, Florida 32301
(904)488-4805

ORDER GRANTING PETITION FOR REDUCED FREQUENCY OF PARTICULATE TESTING

JUL 23 '97 02:49PM FPL ENV SERVICES 561 691 7070

00095

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Order Denying Petition for Reduced Frequency of Particulate Testing and the Order Granting Petition for Reduced Frequency of Particulate Testing have been furnished by U.S. Mail to Peter C. Cunningham, Esquire, Hopping Boyd Green and Sams, Post Office Box 6526, Tallahassee, Florida 32314 this 15th day of April, 1994.

Nancy E. Wright
NANCY E. WRIGHT
Assistant General Counsel

State of Florida Department
of Environmental Regulation
2600 Blair Stone Road
Tallahassee, Florida 32301
904/488-9730

FACILITY-WIDE REPORTING REQUIREMENTS

RR1. Reporting Schedule.

Report	Reporting Deadline(s)	Related Condition(s)
Plant Problems/Permit Deviations	Immediately upon occurrence (See RR2.d.)	RR2, RR3
Semi-Annual Monitoring Report	Every 6 months	RR4
Annual Operating Report	March 1	RR5
Annual Emissions Fee Form and Fee	March 1	RR6
Annual Statement of Compliance	Within 60 days after the end of each calendar year (or more frequently if specified by Rule 62-213.440(2), F.A.C., or by any other applicable requirement); and Within 60 days after submittal of a written agreement for transfer of responsibility, or Within 60 days after permanent shutdown.	RR7
Notification of Administrative Permit Corrections	As needed	RR8
Notification of Startup after Shutdown for More than One Year	Minimum of 60 days prior to the intended startup date or, if emergency startup, as soon as possible after the startup date is ascertained	RR9
Permit Renewal Application	225 days prior to the expiration date of permit	RR17

{Permitting Note: See permit Section III. Emissions Units and Specific Conditions, for any additional Emission Unit-specific reporting requirements.}

RR2. Reports of Problems.

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

b. 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:
   (1) A description of and cause of noncompliance; and
   (2) The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

c. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

d. “Immediately” shall mean the same day, if during a workday (i.e., 8:00 a.m. - 5:00 p.m.), or the first business day after the incident, excluding weekends and holidays; and, for purposes of Rule 62-4.160(15) and 40 CFR 70.6(a)(3)(iii)(B), “promptly” or "prompt" shall have the same meaning as "immediately".

[Rule 62-4.130, Rule 62-4.160(8), Rule 62-4.160(15), and Rule 62-213.440(1)(b), F.A.C.; 40 CFR 70.6(a)(3)(iii)(B)]

RR3. Reports of Deviations from Permit Requirements. The permittee shall report in accordance with the requirements of Rule 62-210.700(6), F.A.C. (below), and Rule 62-4.130, F.A.C. (condition RR2.), deviations from permit requirements, including those attributable to upset conditions as defined in the permit. Reports shall include the probable cause of such deviations, and any corrective actions or preventive measures taken.
Rule 62-210.700(6): In case of excess emissions resulting from malfunctions, each owner or operator shall notify the Department or the appropriate Local Program in accordance with Rule 62-4.130, F.A.C. (See condition RR2.). A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Department.
[Rules 62-213.440(1)(b)3.b., and 62-210.700(6)F.A.C.]

RR4. Semi-Annual Monitoring Reports. The permittee shall submit reports of any required monitoring at least every six (6) months. All instances of deviations from permit requirements must be clearly identified in such reports. [Rule 62-213.440(1)(b)3.a., F.A.C.]

RR5. Annual Operating Report.
a. The permittee shall submit to the Compliance Authority, each calendar year, on or before March 1, a completed DEP Form No 62-213.900(5), F.A.C., "Annual Operating Report for Air Pollutant Emitting Facility", for the preceding calendar year.
b. Emissions shall be computed in accordance with the provisions of Rule 62-210.370(2), F.A.C.
[Rules 62-210.370(2) & (3), and 62-213.440(3)2., F.A.C.]

RR6. Annual Emissions Fee Form and Fee. Each Title V source permitted to operate in Florida must pay between January 15 and March 1 of each year, upon written notice from the Department, an annual emissions fee in an amount determined as set forth in Rule 62-213.205(1), F.A.C.
a. If the Department has not received the fee by February 15 of the year following the calendar year for which the fee is calculated, the Department will send the primary responsible official of the Title V source a written warning of the consequences for failing to pay the fee by March 1. If the fee is not postmarked by March 1 of the year due, the Department shall impose, in addition to the fee, a penalty of 50 percent of the amount of the fee unpaid plus interest on such amount computed in accordance with Section 220.807, F.S. If the Department determines that a submitted fee was inaccurately calculated, the Department shall either refund to the permittee any amount overpaid or notify the permittee of any amount underpaid. The Department shall not impose a penalty or interest on any amount underpaid, provided that the permittee has timely remitted payment of at least 90 percent of the amount determined to be due and remits full payment within 60 days after receipt of notice of the amount underpaid. The Department shall waive the collection of underpayment and shall not refund overpayment of the fee, if the amount is less than 1 percent of the fee due, up to $50.00. The Department shall make every effort to provide a timely assessment of the adequacy of the submitted fee. Failure to pay timely any required annual emissions fee, penalty, or interest constitutes grounds for permit revocation pursuant to Rule 62-4.100, F.A.C.
b. Any documentation of actual hours of operation, actual material or heat input, actual production amount, or actual emissions used to calculate the annual emissions fee shall be retained by the owner for a minimum of five (5) years and shall be made available to the Department upon request.
c. A completed DEP Form 62-213.900(1), "Major Air Pollution Source Annual Emissions Fee Form", must be submitted by a responsible official with the annual emissions fee.
[Rules 62-213.205(1), (1)(g), (1)(i) & (1)(j), F.A.C.]

RR7. Annual Statement of Compliance.
a. The permittee shall submit a Statement of Compliance with all terms and conditions of the permit that includes all the provisions of 40 CFR 70.6(c)(5)(iii), incorporated by reference at Rule 62-204.800, F.A.C., using DEP Form No. 62-213.900(7). Such statement shall be accompanied by a certification in accordance with Rule 62-213.420(4), F.A.C., for Title V requirements and with Rule 62-214.350, F.A.C.,

for Acid Rain requirements. Such statements shall be submitted (postmarked) to the Department and EPA:

(1) Annually, within 60 days after the end of each calendar year during which the Title V permit was effective, or more frequently if specified by Rule 62-213.440(2), F.A.C., or by any other applicable requirement; and

(2) Within 60 days after submittal of a written agreement for transfer of responsibility as required pursuant to 40 CFR 70.7(d)(1)(iv), adopted and incorporated by reference at Rule 62-204.800, F.A.C., or within 60 days after permanent shutdown of a facility permitted under Chapter 62-213, F.A.C.; provided that, in either such case, the reporting period shall be the portion of the calendar year the permit was effective up to the date of transfer of responsibility or permanent facility shutdown, as applicable.

b. In lieu of individually identifying all applicable requirements and specifying times of compliance with, non-compliance with, and deviation from each, the responsible official may use DEP Form No. 62-213.900(7) as such statement of compliance so long as the responsible official identifies all reportable deviations from and all instances of non-compliance with any applicable requirements and includes all information required by the federal regulation relating to each reportable deviation and instance of non-compliance.

c. The responsible official may treat compliance with all other applicable requirements as a surrogate for compliance with Rule 62-296.320(2), Objectionable Odor Prohibited.

[Rules 62-213.440(3)(a)2. & 3. and (b), F.A.C.]

RR8. Notification of Administrative Permit Corrections.

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

(1) Typographical errors noted in the permit;

(2) Name, address or phone number change from that in the permit;

(3) A change requiring more frequent monitoring or reporting by the permittee;

(4) A change in ownership or operational control of a facility, subject to the following provisions:

(a) The Department determines that no other change in the permit is necessary;

(b) The permittee and proposed new permittee have submitted an Application for Transfer of Air Permit, and the Department has approved the transfer pursuant to Rule 62-210.300(7), F.A.C.; and

(c) The new permittee has notified the Department of the effective date of sale or legal transfer.

(5) Changes listed at 40 CFR 72.83(a)(1), (2), (6), (9) and (10), adopted and incorporated by reference at Rule 62-204.800, F.A.C., and changes made pursuant to Rules 62-214.340(1) and (2), F.A.C., to Title V sources subject to emissions limitations or reductions pursuant to 42 USC ss. 7651-7651o;

(6) Changes listed at 40 CFR 72.83(a)(11) and (12), adopted and incorporated by reference at Rule 62-204.800, F.A.C., to Title V sources subject to emissions limitations or reductions pursuant to 42 USC ss. 7651-7651o, provided the notification is accompanied by a copy of any EPA determination concerning the similarity of the change to those listed at Rule 62-210.360(1)(e), F.A.C.; and

(7) Any other similar minor administrative change at the source.

b. Upon receipt of any such notification, the Department shall within 60 days correct the permit and provide a corrected copy to the owner.

c. After first notifying the owner, the Department shall correct any permit in which it discovers errors of the types listed at Rules 62-210.360(1)(a) and (b), F.A.C., and provide a corrected copy to the owner.

d. For Title V source permits, other than general permits, a copy of the corrected permit shall be provided to EPA and any approved local air program in the county where the facility or any part of the facility is located.

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

RR9. **Not federally enforceable.** Notification of Startup. The owners or operator of any emissions unit or facility which has a valid air operation permit which has been shut down more than one year, shall notify the Department in writing of the intent to start up such emissions unit or facility, a minimum of 60 days prior to the intended startup date.

a. The notification shall include information as to the startup date, anticipated emission rates or pollutants released, changes to processes or control devices which will result in changes to emission rates, and any other conditions which may differ from the valid outstanding operation permit.
b. If, due to an emergency, a startup date is not known 60 days prior thereto, the owner shall notify the Department as soon as possible after the date of such startup is ascertained.

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

RR10. Report Submission. The permittee shall submit all compliance related notifications and reports required of this permit to the Compliance Authority. {See front of permit for address and phone number.}

RR11. EPA Report Submission. Any reports, data, notifications, certifications, and requests required to be sent to the United States Environmental Protection Agency, Region 4, should be sent to: Air, Pesticides & Toxics Management Division, United States Environmental Protection Agency, Region 4, Sam Nunn Atlanta Federal Center, 61 Forsyth Street SW, Atlanta, GA 30303-8960. Phone: 404/562-9077.

RR12. Acid Rain Report Submission. Acid Rain Program Information shall be submitted, as necessary, to: Department of Environmental Protection, 2600 Blair Stone Road, Mail Station #5510, Tallahassee, Florida 32399-2400. Phone: 850/488-6140. Fax: 850/922-6979.

RR13. Report Certification. All reports shall be accompanied by a certification by a responsible official, pursuant to Rule 62-213.420(4), F.A.C. [Rule 62-213.440(1)(b)3.c, F.A.C.]

RR14. Certification by Responsible Official (RO). In addition to the professional engineering certification required for applications by Rule 62-4.050(3), F.A.C., any application form, report, compliance statement, compliance plan and compliance schedule submitted pursuant to Chapter 62-213, F.A.C., shall contain a certification signed by a responsible official that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete. Any responsible official who fails to submit any required information or who has submitted incorrect information shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary information or correct information. [Rule 62-213.420(4), F.A.C.]

RR15. Confidential Information. Whenever an applicant submits information under a claim of confidentiality pursuant to Section 403.111, F.S., the applicant shall also submit a copy of all such information and claim directly to EPA. Any permittee may claim confidentiality of any data or other information by complying with this procedure. [Rules 62-213.420(2), and 62-213.440(1)(d)6., F.A.C.]

RR16. Forms and Instructions. The forms used by the Department in the Title V source operation program are adopted and incorporated by reference in Rule 62-213.900, F.A.C. The form is listed by rule number, which is also the form number, and with the subject, title, and effective date. Copies of forms may be obtained by writing to the Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, by contacting the appropriate permitting authority or by accessing the Department's .

a. Major Air Pollution Source Annual Emissions Fee Form. (Effective 01/03/2001)
b. Statement of Compliance Form. (Effective 06/02/2002)
c. Responsible Official Notification Form. (Effective 06/02/2002)

[Rule 62-213.900, F.A.C.: Forms (1), (7) and (8)]

RR17. Permit Renewal. For purposes of a permit renewal, a timely application is one that is submitted 225 days before the expiration of a permit that expires on or after June 1, 2009. [Rule 62-213.420(1)(a)2., F.A.C.]

Unless otherwise specified in the permit, the following testing requirements apply to each emissions unit for which testing is required. The terms "stack" and "duct" are used interchangeably in this appendix.

TR1. 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.]

TR2. Operating Rate During Testing. Testing of emissions shall be conducted with the emissions unit operating at permitted capacity. If it is impractical 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. 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.]

TR3. 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.]

TR4. 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 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 or test method, 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, F.A.C.

TABLE 297.310-1 CALIBRATION SCHEDULE

ITEM	MINIMUM CALIBRATION FREQUENCY	REFERENCE INSTRUMENT	TOLERANCE
Liquid in glass thermometer	Annually	ASTM Hg in glass ref. thermometer or equivalent or thermometric points	+/-2%
Bimetallic thermometer	Quarterly	Calib. liq. in glass	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; Max. 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%

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

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

TR5. 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.]

TR6. Sampling Facilities. Permittees that are required to sample mass emissions from point sources shall install stack sampling ports and provide sampling facilities that meet the requirements of this condition. Sampling facilities include sampling ports, work platforms, access to work platforms, electrical power, and sampling equipment support. All stack sampling facilities must also comply with all applicable Occupational Safety and Health Administration (OSHA) Safety and Health Standards described in 29 CFR Part 1910, Subparts D and E.

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

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

c. *Sampling Ports*.

(1) All sampling ports shall have a minimum inside diameter of 3 inches.

(2) The ports shall be capable of being sealed when not in use.

(3) The sampling ports shall be located in the stack at least 2 stack diameters or equivalent diameters downstream and at least 0.5 stack diameter or equivalent diameter upstream from any fan, bend, constriction or other flow disturbance.

(4) For emissions units for which a complete application to construct has been filed prior to December 1, 1980, at least two sampling ports, 90 degrees apart, shall be installed at each sampling location on all circular stacks that have an outside diameter of 15 feet or less. For stacks with a larger diameter, four sampling ports, each 90 degrees apart, shall be installed. For emissions units for which a complete application to construct is filed on or after December 1, 1980, at least two sampling ports, 90 degrees apart, shall be installed at each sampling location on all circular stacks that have an outside diameter of 10 feet or less. For stacks with larger diameters, four sampling ports, each 90 degrees apart, shall be installed. On horizontal circular ducts, the ports shall be located so that the probe can enter the stack vertically, horizontally or at a 45 degree angle.

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

d. *Work Platforms*.

(1) Minimum size of the working platform shall be 24 square feet in area. Platforms shall be at least 3 feet wide.

(2) On circular stacks with 2 sampling ports, the platform shall extend at least 110 degrees around the stack.

(3) On circular stacks with more than two sampling ports, the work platform shall extend 360 degrees

around the stack.

(4) All platforms shall be equipped with an adequate safety rail (ropes are not acceptable), toe board, 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 toe boards.

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 dual rail arrangement may be substituted for the eyebolt and bracket.

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

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

TR7. 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 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., 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 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.

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

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

TR8. Test Reports.

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

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

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

(1) The type, location, and designation of the emissions unit tested.
(2) The facility at which the emissions unit is located.
(3) The owner or operator of the emissions unit.
(4) The normal type and amount of fuels used and materials processed, and the types and amounts of fuels used and material processed during each test run.
(5) The means, raw data and computations used to determine the amount of fuels used and materials processed, if necessary to determine compliance with an applicable emission limiting standard.
(6) The type of air pollution control devices installed on the emissions unit, their general condition, their normal operating parameters (pressure drops, total operating current and GPM scrubber water), and their operating parameters during each test run.
(7) A sketch of the duct within 8 stack diameters upstream and 2 stack diameters downstream of the sampling ports, including the distance to any upstream and downstream bends or other flow disturbances.
(8) The date, starting time and duration of each sampling run.
(9) The test procedures used, including any alternative procedures authorized pursuant to Rule 62-297.620, F.A.C. Where optional procedures are authorized in this chapter, indicate which option was used.
(10) The number of points sampled and configuration and location of the sampling plane.
(11) For each sampling point for each run, the dry gas meter reading, velocity head, pressure drop across the stack, temperatures, average meter temperatures and sample time per point.
(12) The type, manufacturer and configuration of the sampling equipment used.
(13) Data related to the required calibration of the test equipment.
(14) Data on the identification, processing and weights of all filters used.
(15) Data on the types and amounts of any chemical solutions used.
(16) Data on the amount of pollutant collected from each sampling probe, the filters, and the impingers, are reported separately for the compliance test.
(17) The names of individuals who furnished the process variable data, conducted the test, analyzed the samples and prepared the report.
(18) All measured and calculated data required to be determined by each applicable test procedure for each run.
(19) The detailed calculations for one run that relate the collected data to the calculated emission rate.
(20) The applicable emission standard and the resulting maximum allowable emission rate for the emissions unit plus the test result in the same form and unit of measure.
(21) A certification that, to the knowledge of the owner or his authorized agent, all data submitted are true and correct. When a compliance test is conducted for the Department or its agent, the person who conducts the test shall provide the certification with respect to the test procedures used. The owner or

his authorized agent shall certify that all data required and provided to the person conducting the test are true and correct to his knowledge.

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

TITLE V GENERAL CONDITIONS

(Version dated 9/12/2008)

Operation

TV1. General Prohibition. A permitted installation may only be operated, maintained, constructed, expanded or modified in a manner that is consistent with the terms of the permit.
[Rule 62-4.030, Florida Administrative Code (F.A.C.)]

TV2. Validity. 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. [Rule 62-4.160(2), F.A.C.]

TV3. Proper Operation and Maintenance. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules. [Rule 62-4.160(6), F.A.C.]

TV4. **Not Federally Enforceable.** Health, Safety and Welfare. To ensure protection of public health, safety, and welfare, any construction, modification, or operation of an installation which may be a source of pollution, shall be in accordance with sound professional engineering practices pursuant to Chapter 471, F.S. [Rule 62-4.050(3), F.A.C.]

TV5. Continued Operation. An applicant making timely and complete application for permit, or for permit renewal, shall continue to operate the source under the authority and provisions of any existing valid permit or Florida Electrical Power Plant Siting Certification, and in accordance with applicable requirements of the Acid Rain Program, applicable requirements of the CAIR Program, and applicable requirements of the Hg Budget Trading Program, until the conclusion of proceedings associated with its permit application or until the new permit becomes effective, whichever is later, provided the applicant complies with all the provisions of subparagraphs 62-213.420(1)(b)3., F.A.C. [Rules 62-213.420(1)(b)2., F.A.C.]

TV6. Changes Without Permit Revision. Title V sources having a valid permit issued pursuant to Chapter 62-213, F.A.C., may make the following changes without permit revision, provided that sources shall maintain source logs or records to verify periods of operation:

a. Permitted sources may change among those alternative methods of operation;
b. A permitted source may implement operating changes, as defined in Rule 62-210.200, F.A.C., after the source submits any forms required by any applicable requirement and provides the Department and EPA with at least 7 days written notice prior to implementation. The source and the Department shall attach each notice to the relevant permit;
   (1) The written notice shall include the date on which the change will occur, and a description of the change within the permitted source, the pollutants emitted and any change in emissions, and any term or condition becoming applicable or no longer applicable as a result of the change;
   (2) The permit shield described in Rule 62-213.460, F.A.C., shall not apply to such changes;
c. Permitted sources may implement changes involving modes of operation only in accordance with Rule 62-213.415, F.A.C.

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

TV7. Circumvention. No person shall circumvent any air pollution control device, or allow the emission of air pollutants without the applicable air pollution control device operating properly. [Rule 62-210.650, F.A.C.]

Compliance

TV8. Compliance with Chapter 403, F.S., and Department Rules. Except as provided at Rule 62-213.460, Permit Shield, F.A.C., the issuance of a permit does not relieve any person from complying with the requirements of Chapter 403, F.S., or Department rules. [Rule 62-4.070(7), F.A.C.]

TV9. Compliance with Federal, State and Local Rules. Except as provided at Rule 62-213.460, F.A.C., issuance of a permit does not relieve the owner or operator of a facility or an emissions unit from complying with any applicable requirements, any emission limiting standards or other requirements of the air pollution rules of the Department or any other such requirements under federal, state, or local law. [Rule 62-210.300, F.A.C.]

TV10. Binding and enforceable. The terms, conditions, requirements, limitations and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, F.S. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions. [Rule 62-4.160(1), F.A.C.]

TV11. Timely information. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly. [Rule 62-4.160(15), F.A.C.]

TV12. Halting or reduction of source activity. It shall not be a defense for a permittee in an enforcement action that maintaining compliance with any permit condition would necessitate halting of or reduction of the source activity. [Rule 62-213.440(1)(d)3., F.A.C.]

TV13. Final permit action. Any Title V source shall comply with all the terms and conditions of the existing permit until the Department has taken final action on any permit renewal or any requested permit revision, except as provided at Rule 62-213.412(2), F.A.C. [Rule 62-213.440(1)(d)4., F.A.C.]

TV14. Sudden and unforeseeable events beyond the control of the source. A situation arising from sudden and unforeseeable events beyond the control of the source which causes an exceedance of a technology-based emissions limitation because of unavoidable increases in emissions attributable to the situation and which requires immediate corrective action to restore normal operation, shall be an affirmative defense to an enforcement action in accordance with the provisions and requirements of 40 CFR 70.6(g)(2) and (3), hereby adopted and incorporated by reference. [Rule 62-213.440(1)(d)5., F.A.C.]

TV15. Permit Shield. Except as provided in Chapter 62-213, F.A.C., compliance with the terms and conditions of a permit issued pursuant to Chapter 62-213, F.A.C., shall, as of the effective date of the permit, be deemed compliance with any applicable requirements in effect, provided that the source included such applicable requirements in the permit application. Nothing in this condition or in any permit shall alter or affect the ability of EPA or the Department to deal with an emergency, the liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance, or the requirements of the Federal Acid Rain Program, the CAIR Program. [Rule 62-213.460, F.A.C.]

Permit Procedures

TV16. Permit Revision Procedures. The permittee shall revise its permit as required by Rules 62-213.400, 62-213.412, 62-213.420, 62-213.430 & 62-4.080, F.A.C.; and, in addition, the Department shall revise permits as provided in Rule 62-4.080, F.A.C. & 40 CFR 70.7(f).

TV17. Permit Renewal. The permittee shall renew its permit as required by Rules 62-4.090, 62.213.420(1) and 62-213.430(3), F.A.C. Permits being renewed are subject to the same requirements that apply to permit issuance at the time of application for renewal. Permit renewal applications shall contain that information identified in Rules 62-210.900(1) [Application for Air Permit - Long Form], 62-213.420(3) [Required Information], 62-213.420(6) [CAIR Part Form], F.A.C. Unless a Title V source submits a timely and complete application for permit renewal in accordance with the requirements this rule, the existing permit shall expire and the source's right to operate shall terminate. For purposes of a permit renewal, a timely application is one that is submitted 225 days before the expiration of a permit that expires on or after June 1, 2009. No Title V permit will be issued for a new term except through the renewal process. [Rules 62-213.420 & 62-213.430, F.A.C.]

TV18. Insignificant Emissions Units or Pollutant-Emitting Activities. The permittee shall identify and evaluate insignificant emissions units and activities as set forth in Rule 62-213.430(6), F.A.C.

TV19. Savings Clause. If any portion of the final permit is invalidated, the remainder of the permit shall remain in effect. [Rule 62-213.440(1)(d)1., F.A.C.]

TV20. Suspension and Revocation.

a. Permits shall be effective until suspended, revoked, surrendered, or expired and shall be subject to the provisions of Chapter 403, F.S., and rules of the Department.
b. Failure to comply with pollution control laws and rules shall be grounds for suspension or revocation.
c. A permit issued pursuant to Chapter 62-4, F.A.C., shall not become a vested property right in the permittee. The Department may revoke any permit issued by it if it finds that the permit holder or his agent:
   (1) Submitted false or inaccurate information in his application or operational reports.
   (2) Has violated law, Department orders, rules or permit conditions.
   (3) Has failed to submit operational reports or other information required by Department rules.
   (4) Has refused lawful inspection under Section 403.091, F.S.
d. No revocation shall become effective except after notice is served by personal services, certified mail, or newspaper notice pursuant to Section 120.60(7), F.S., upon the person or persons named therein and a hearing held if requested within the time specified in the notice. The notice shall specify the provision of the law, or rule alleged to be violated, or the permit condition or Department order alleged to be violated, and the facts alleged to constitute a violation thereof.

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

TV21. Not federally enforceable. Financial Responsibility. The Department may require an applicant to submit proof of financial responsibility and may require the applicant to post an appropriate bond to guarantee compliance with the law and Department rules. [Rule 62-4.110, F.A.C.]

TV22. Emissions Unit Reclassification.

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

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

TV23. Transfer of Permits. Per Rule 62-4.160(11), F.A.C., this permit is transferable only upon Department approval in accordance with Rule 62-4.120, F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department. The permittee transferring the permit shall remain liable for corrective actions that may be required as a result of any violations occurring prior to the sale or legal transfer of the facility. The permittee shall also comply with the requirements of Rule 62-210.300(7), F.A.C., and use DEP Form No. 62-210.900(7). [Rules 62-4.160(11), 62-4.120, and 62-210.300(7), F.A.C.]

Rights, Title, Liability, and Agreements

TV24. Rights. As provided in Subsections 403.987(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations.

This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in this permit. [Rule 62-4.160(3), F.A.C.]

TV25. Title. 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. [Rule 62-4.160(4), (F.A.C.]

TV26. Liability. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of F.S. and Department rules, unless specifically authorized by an order from the Department. [Rule 62-4.160(5), F.A.C.]

TV27. Agreements.

a. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, access to the premises where the permitted activity is located or conducted to:

(1) Have access to and copy any records that must be kept under conditions of the permit;

(2) Inspect the facility, equipment, practices, or operations regulated or required under this permit; and,

(3) 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.

b. 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 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

c. 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.

[Rules 62-4.160(7), (9), and (10), F.A.C.]

Recordkeeping and Emissions Computation

TV28. Permit. The permittee shall keep this permit or a copy thereof at the work site of the permitted activity. [Rule 62-4.160(12), F.A.C.]

TV29. Recordkeeping.

a. Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.

b. The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least five (5) years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.

c. Records of monitoring information shall include:

(1) The date, exact place, and time of sampling or measurements, and the operating conditions at the time of sampling or measurement;

(2) The person responsible for performing the sampling or measurements;

(3) The dates analyses were performed;

(4) The person and company that performed the analyses;

(5) The analytical techniques or methods used;

(6) The results of such analyses.
[Rules 62-4.160(14) and 62-213.440(1)(b)2., F.A.C.]

TV30. Emissions Computation. Pursuant to Rule 62-210.370, F.A.C., the following required methodologies are to be used by the owner or operator of a facility for computing actual emissions, baseline actual emissions, and net emissions increase, as defined at Rule 62-210.200, F.A.C., and for computing emissions for purposes of the reporting requirements of subsection 62-210.370(3) and paragraph 62-212.300(1)(e), F.A.C., or of any permit condition that requires emissions be computed in accordance with Rule 62-210.370, F.A.C. Rule 62-210.370, F.A.C., is not intended to establish methodologies for determining compliance with the emission limitations of any air permit.

For any of the purposes specified above, the owner or operator of a facility shall compute emissions in accordance with the requirements set forth in this subsection.

a. Basic Approach. The owner or operator shall employ, on a pollutant-specific basis, the most accurate of the approaches set forth below to compute the emissions of a pollutant from an emissions unit; provided, however, that nothing in this rule shall be construed to require installation and operation of any continuous emissions monitoring system (CEMS), continuous parameter monitoring system (CPMS), or predictive emissions monitoring system (PEMS) not otherwise required by rule or permit, nor shall anything in this rule be construed to require performance of any stack testing not otherwise required by rule or permit.
   (1) If the emissions unit is equipped with a CEMS meeting the requirements of paragraph 62-210.370(2)(b), F.A.C., the owner or operator shall use such CEMS to compute the emissions of the pollutant, unless the owner or operator demonstrates to the department that an alternative approach is more accurate because the CEMS represents still-emerging technology.
   (2) If a CEMS is not available or does not meet the requirements of paragraph 62-210.370(2)(b), F.A.C, but emissions of the pollutant can be computed pursuant to the mass balance methodology of paragraph 62-210.370(2)(c), F.A.C., the owner or operator shall use such methodology, unless the owner or operator demonstrates to the department that an alternative approach is more accurate.
   (3) If a CEMS is not available or does not meet the requirements of paragraph 62-210.370(2)(b), F.A.C., and emissions cannot be computed pursuant to the mass balance methodology, the owner or operator shall use an emission factor meeting the requirements of paragraph 62-210.370(2)(d), F.A.C., unless the owner or operator demonstrates to the department that an alternative approach is more accurate.

b. Continuous Emissions Monitoring System (CEMS).
   (1) An owner or operator may use a CEMS to compute emissions of a pollutant for purposes of this rule provided:
      (a) The CEMS complies with the applicable certification and quality assurance requirements of 40 CFR Part 60, Appendices B and F, or, for an acid rain unit, the certification and quality assurance requirements of 40 CFR Part 75, all adopted by reference at Rule 62-204.800, F.A.C.; or,
      (b) The owner or operator demonstrates that the CEMS otherwise represents the most accurate means of computing emissions for purposes of this rule.
   (2) Stack gas volumetric flow rates used with the CEMS to compute emissions shall be obtained by the most accurate of the following methods as demonstrated by the owner or operator:
      (a) A calibrated flowmeter that records data on a continuous basis, if available; or
      (b) The average flow rate of all valid stack tests conducted during a five-year period encompassing the period over which the emissions are being computed, provided all stack tests used shall represent the same operational and physical configuration of the unit.
   (3) The owner or operator may use CEMS data in combination with an appropriate f-factor, heat input data, and any other necessary parameters to compute emissions if such method is demonstrated by the owner or operator to be more accurate than using a stack gas volumetric flow rate as set forth at subparagraph 62-210.370(2)(b)2., F.A.C., above.

c. Mass Balance Calculations.

(1) An owner or operator may use mass balance calculations to compute emissions of a pollutant for purposes of this rule provided the owner or operator:
   (a) Demonstrates a means of validating the content of the pollutant that is contained in or created by all materials or fuels used in or at the emissions unit; and,
   (b) Assumes that the emissions unit emits all of the pollutant that is contained in or created by any material or fuel used in or at the emissions unit if it cannot otherwise be accounted for in the process or in the capture and destruction of the pollutant by the unit's air pollution control equipment.
(2) Where the vendor of a raw material or fuel which is used in or at the emissions unit publishes a range of pollutant content from such material or fuel, the owner or operator shall use the highest value of the range to compute the emissions, unless the owner or operator demonstrates using site-specific data that another content within the range is more accurate.
(3) In the case of an emissions unit using coatings or solvents, the owner or operator shall document, through purchase receipts, records and sales receipts, the beginning and ending VOC inventories, the amount of VOC purchased during the computational period, and the amount of VOC disposed of in the liquid phase during such period.

d. Emission Factors.
   (1) An owner or operator may use an emission factor to compute emissions of a pollutant for purposes of this rule provided the emission factor is based on site-specific data such as stack test data, where available, unless the owner or operator demonstrates to the department that an alternative emission factor is more accurate. An owner or operator using site-specific data to derive an emission factor, or set of factors, shall meet the following requirements.
      (a) If stack test data are used, the emission factor shall be based on the average emissions per unit of input, output, or gas volume, whichever is appropriate, of all valid stack tests conducted during at least a five-year period encompassing the period over which the emissions are being computed, provided all stack tests used shall represent the same operational and physical configuration of the unit.
      (b) Multiple emission factors shall be used as necessary to account for variations in emission rate associated with variations in the emissions unit's operating rate or operating conditions during the period over which emissions are computed.
      (c) The owner or operator shall compute emissions by multiplying the appropriate emission factor by the appropriate input, output or gas volume value for the period over which the emissions are computed. The owner or operator shall not compute emissions by converting an emission factor to pounds per hour and then multiplying by hours of operation, unless the owner or operator demonstrates that such computation is the most accurate method available.
   (2) If site-specific data are not available to derive an emission factor, the owner or operator may use a published emission factor directly applicable to the process for which emissions are computed. If no directly-applicable emission factor is available, the owner or operator may use a factor based on a similar, but different, process.

e. Accounting for Emissions During Periods of Missing Data from CEMS, PEMS, or CPMS. In computing the emissions of a pollutant, the owner or operator shall account for the emissions during periods of missing data from CEMS, PEMS, or CPMS using other site-specific data to generate a reasonable estimate of such emissions.

f. Accounting for Emissions During Periods of Startup and Shutdown. In computing the emissions of a pollutant, the owner or operator shall account for the emissions during periods of startup and shutdown of the emissions unit.

g. Fugitive Emissions. In computing the emissions of a pollutant from a facility or emissions unit, the owner or operator shall account for the fugitive emissions of the pollutant, to the extent quantifiable, associated with such facility or emissions unit.

h. Recordkeeping. The owner or operator shall retain a copy of all records used to compute emissions pursuant to this rule for a period of five years from the date on which such emissions information is submitted to the department for any regulatory purpose.

[Rule 62-210.370(1) & (2), F.A.C.]

Responsible Official

TV31. Designation and Update. The permittee shall designate and update a responsible official as required by Rule 62-213.202, F.A.C.

Prohibitions and Restrictions

TV32. Asbestos. This permit does not authorize any demolition or renovation of the facility or its parts or components which involves asbestos removal. This permit does not constitute a waiver of any of the requirements of Chapter 62-257, F.A.C., and 40 CFR 61, Subpart M, National Emission Standard for Asbestos, adopted and incorporated by reference in Rule 62-204.800, F.A.C. Compliance with Chapter 62-257, F.A.C., and 40 CFR 61, Subpart M, Section 61.145, is required for any asbestos demolition or renovation at the source. [40 CFR 61; Rule 62-204.800, F.A.C.; and, Chapter 62-257, F.A.C.]

TV33. Refrigerant Requirements. Any facility having refrigeration equipment, including air conditioning equipment, which uses a Class I or II substance (listed at 40 CFR 82, Subpart A, Appendices A and B), and any facility which maintains, services, or repairs motor vehicles using a Class I or Class II substance as refrigerant must comply with all requirements of 40 CFR 82, Subparts B and F, and with Chapter 62-281, F.A.C.

TV34. Open Burning Prohibited. Unless otherwise authorized by Rule 62-296.320(3) or Chapter 62-256, F.A.C., open burning is prohibited.

LIST OF UNREGULATED EMISSIONS UNITS AND/OR ACTIVITIES

Unregulated Emissions Units and/or Activities. An emissions unit which emits no "emissions-limited pollutant" and which is subject to no unit-specific work practice standard, though it may be subject to regulations applied on a facility-wide basis (e.g., unconfined emissions, odor, general opacity) or to regulations that require only that it be able to prove exemption from unit-specific emissions or work practice standards.

The below listed emissions units and/or activities are neither 'regulated emissions units' nor 'insignificant emissions units'.

E.U. ID No.	Brief Description of Emissions Units and/or Activity
005	Painting and solvent cleaning
006	Emergency diesel generator, and mobile equipment and engines

REFERENCED ATTACHMENTS.

The Following Attachments Are Included for Applicant Convenience:

Table H, Permit History.
Table 1, Summary of Air Pollutant Standards.
Table 2, Summary of Compliance Requirements.

TABLE H
PERMIT HISTORY

E.U. ID No.	Description	Permit No.	Effective Date	Expiration Date	Project Type
003	Fossil Fuel Steam Generator, Unit 3	AO50-206721	03/06/92	03/15/97	Operating Permit
004	Fossil Fuel Steam Generator, Unit 4	AO50-206722	03/06/92	03/15/97	Operating Permit
All	Facility	0990042-001-AV	01/01/1999	12/31/2003	Renewal
All	Facility	0990042-002-AV	01/11/2002	12/31/2003	Administrative Correction
All	Facility	0990042-003-AV	01/01/2004	12/31/2008	Renewal

Table 1, Summary of Air Pollutant Standards

Florida Power and Light Company
Riviera Plant

Permit No. 0990042-004-AV
Facility ID No. 0990042

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

E.U. ID No.	Brief Description
003	Fossil Fuel Steam Generator, Unit 3
004	Fossil Fuel Steam Generator, Unit 4

			Allowable Emissions			Equivalent Emissions*			
Pollutant Name	Fuel(s)	Hours/Year	Standard(s)	lbs./hour	TPY	lbs./hour	TPY	Regulatory Citation(s)	See permit condition(s)
VE	all	8760	40% Opacity	N/A	N/A			62-296.405(1)(a)	III. A.5.
VE	all	3-hr/24-hr	60% Opacity	N/A	N/A			62-210.700(3)	III. A.6.
PM	all	8760	0.1 lb/MMBtu			652	2855.8	62-296.405(1)(b)	III. A.7.
PM	all	3-hr/24-hr	0.3 lb/MMBtu			1956	1070.9	62-210.700(3)	III. A.8.
SO_2	all	8760	~~2.75~~ 1.3 lb/MMBtu			8476	37124.9	62-296.405(1)(c)1.j.	III.A.9.
NO_x	gas	8760	0.50 lb/MMBtu			3260	14278.8	62-296.570(4)(a)4.	III.A.10.
NO_x	oil	8760	0.62 lb/MMBtu			3782	16565.2	62-296.570(4)(b)3.	III.A.10.

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

Table 2, Summary of Compliance Requirements

Florida Power and Light Company
Riviera Plant

Permit No. 0990042-004-AV
Facility ID No. 0990042

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

E.U. ID No.	Brief Description
003	Fossil Fuel Steam Generator, Unit 3
004	Fossil Fuel Steam Generator, Unit 4

Pollutant Name or Parameter	Fuel(s)	Compliance Method	Testing Time Frequency	Frequency Base Date *	Min. Compliance Test Duration	CMS**	See permit condition(s)
VE	all	Method 9	annual		1 hour	YES	III.A.16, A.17.
PM	all	Method 17, 5, 5B, 5F	annual		1 hour		III.A.16, A.18.
SO_2	all	CMS Method 6, 6A, 6B, 6C			3-hr avg.	YES	III.A.16, A.19.
NOx	all	CMS				YES	III.A.16.

Notes:
* The frequency base date is established for planning purposes only; see Rule 62-297.310, F.A.C.
**CMS [=] continuous monitoring system
*** The latest edition of the ASTM methods may be used.

NOTICE OF FINAL PERMIT

In the Matter of an
Application for Permit by:

Florida Power and Light Company
200-300 Broadway
Riviera Beach, Florida 33404
Responsible Official:
Mr. Jeff Smith, Plant General Manager

Permit No. 0990042-005-AV
Riviera Plant
Title V Air Operation Permit Revision
Palm Beach County

Enclosed is the final permit package to revise the Title V air operation permit for the Riviera Plant. This Title V air operation permit revision is being issued to incorporate the Clean Air Interstate Rule (CAIR) provisions into the current Title V air operation permit. The existing facility is located in Palm Beach County, at 200-300 Broadway, Riviera Beach, 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 L. Vielhauer, Chief
Bureau of Air Regulation

TLV/jkh/tbc

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. Jeff Smith, Florida Power and Light Company: jeff_smith@fpl.com
Mr. Kennard Kosky, P.E., Golder Associates: kkosky@golder.com
Ms. Sheila M. Wilkinson, Florida Power and Light Company: Sheila_Wilkinson@fpl.com
Mr. James Stormer, Palm Beach County Health Department: james_stormer@doh.state.fl.us
Ms. Katy Forney, US EPA Region 4: forney.kathleen@epa.gov
Ms. Ana Oquendo, US EPA Region 4: oquendo.ana@epa.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.

Barbara J. Friday 4/23/09
(Clerk) (Date)

PERMITTEE

Florida Power and Light Company
200-300 Broadway
Riviera Beach, Florida 33404

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

Permit No. 0990042-005-AV
Riviera Plant

The purpose of this Title V air operation permit revision project is to incorporate the Clean Air Interstate Rule (CAIR) provisions into Title V air operation permit No. 0990042-004-AV.

NOTICE AND PUBLICATION

The Department distributed an Intent to Issue a Title V Air Operation Permit Revision (draft/proposed) package on January 20, 2009. The applicant published the Public Notice of Intent to Issue a Title V Air Operation Permit Revision in the Palm Beach Post on March 19, 2009. The Department received the proof of publication on March 23, 2009.

COMMENTS

No comments on the draft/proposed permit were received from the public, the Palm Beach County Health Department, the EPA Region 4 Office, or the applicant.

CONCLUSION

The final action of the Department is to issue the permit with no changes.

PROJECT DESCRIPTION

On June 7, 2008, the applicant submitted a CAIR Part Form in order to incorporate the Clean Air Interstate Rule provisions into Title V air operation permit 0990042-004-AV.

FACILITY DESCRIPTION

This existing facility consists of two fossil fuel steam generators, Unit 3 and Unit 4, each rated at 300 megawatts (MW) (315 MW gross capacity) output. The steam generators each burn a variable combination of No. 6 fuel oil, No. 2 fuel oil, natural gas, propane, used oil from Florida Power and Light Company operations, and expired fuel oil samples from the company's central laboratory, discharging pollutants through a stack 298 feet above ground level. Each unit is a Foster-Wheeler outdoor type boiler, equipped with low nitrogen oxides (NO_x) burners and Research-Cotrell multiple cyclones with ash re-injection, with a General Electric Company steam turbine that drives an oil and hydrogen-cooled 300 MW class generator with capability of 315 MW.

The facility had at one time operated a 75 MW steam generating unit, Unit 2, which is no longer in service. This unit was last operated for power production in 1985. Its operating permit was surrendered by letter dated July 7, 1997. The unit is permanently retired under the federal Acid Rain Program.

PRIMARY REGULATORY REQUIREMENTS

The existing facility is regulated under:

Title III: The facility is identified as a major source of hazardous air pollutants (HAP).

Title IV: The facility operates units subject to the acid rain provisions of the Clean Air Act.

Title V: The facility is a Title V major source of air pollution in accordance with Chapter 62-213, Florida Administrative Code (F.A.C.).

PSD: The facility is a Prevention of Significant Deterioration (PSD)-major source of air pollution in accordance with Rule 62-212.400, F.A.C.

CAM: Compliance Assurance Monitoring (CAM) does not apply to any of the units at the facility for the following reasons. There are no add-on pollution control devices for nitrogen oxides and sulfur dioxide. Compliance with the emission limits is demonstrated using continuous emissions monitoring systems (CEMS). Regarding particulate matter, the mechanical dust collectors are excluded from CAM, because they are (a) inherent process equipment contained entirely within the flue ductwork, (b) use a passive method of particulate matter separation from the flue gas stream, (c) recover unburned carbon and ash from the flue gas system, and (d) have no moving parts, no control inputs, nor any controllable parameters.

CAIR: The facility is subject to the Clean Air Interstate Rule (CAIR) set forth in Rule 62-296.470, F.A.C.

APPLICABLE REGULATIONS

In addition to federal rules above, this facility is subject to the following state rules:

APPLICABLE REGULATIONS	EU ID
Rule 62-4, Florida Administrative Code (F.A.C.) (Permitting Requirements)	003 and 004
Rule 62-204, F.A.C. (Ambient Air Quality Requirements, PSD Increments, and Federal Regulations Adopted by Reference)	
Rule 62-210, F.A.C. (Permits Required, Public Notice, Reports, Stack Height Policy, Circumvention, Excess Emissions, and Forms)	
Rule 62-212, F.A.C. (Preconstruction Review, PSD Review and Best Available Control Technology (BACT))	
Rule 62-213, F.A.C. (Title V Air Operation Permits for Major Sources of Air Pollution)	
Rule 62-214, F.A.C. (Requirements For Sources Subject To The Federal Acid Rain Program)	

APPLICABLE REGULATIONS	EU ID
Rule 62-296, F.A.C. (Emission Limiting Standards)	003 and 004
Rule 62-297, F.A.C. (Test Methods and Procedures, Continuous Monitoring Specifications, and Alternate Sampling Procedures)	

PROJECT REVIEW

The CAIR Part Form is now a part of this permit and has been incorporated as Section V, CAIR Part Form. This section identifies the units that must comply with the standard requirements and special provisions set forth in the CAIR Part Form. Section V – Appendices was renumbered to Section VI – Appendices. In addition, Facility-wide condition FW10 of the renewed Title V permit, No. 0990042-004-AV, which was effective on January 1, 2009, is hereby deleted.

~~**FW10.** Clean Air Interstate Rule (CAIR) Applicable Units. This facility contains emissions units that are subject to CAIR. On July 11, 2008, the U.S. Court of Appeals for the District of Columbia recommended vacature of the Clean Air Interstate Rule. Because of this decision, the applicable CAIR requirements that were identified in the renewal application are not being included in the permit at this time. If, and at such time that, CAIR is ultimately upheld, you must begin complying with the CAIR program requirements contained in the renewal application and the Title V permit must be revised accordingly. [Rules 62-213.440 and 62-296.470, F.A.C.]~~

CONCLUSION

This project revises Title V air operation permit No. 0990042-004-AV, which was effective on January 1, 2009. This Title V Air Operation Permit Revision is issued under the provisions of Chapter 403, Florida Statues (F.S.), and Chapters 62-4, 62-210 and 62-213, F.A.C. In accordance with the terms and conditions of this permit, the above named permittee is hereby authorized to operate the facility as shown on the application and approved drawings, plans, and other documents, on file with the permitting authority.

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:
Florida Power and Light Company
200-300 Broadway
Riviera Beach, Florida 33404

Permit No. 0990042-005-AV
Riviera Plant
Facility ID No. 0990042
Title V Air Operation Permit Revision

The purpose of this permit is for the revision of Title V Air Operation Permit No. 0990042-004-AV to incorporate the Clean Air Interstate Rule (CAIR) Part as an enforceable section of the permit. In addition, Facility-wide condition FW10 of the recently renewed Title V permit No. 0990042-004-AV is hereby deleted.

The existing Riviera Plant is located at 200-300 Broadway, Riviera Beach, in Palm Beach County. UTM coordinates are: Zone 17, 594.249 km East and 2960.632 km North. Latitude is: 26° 45' 55" North; and, Longitude is: 80° 03' 09" West.

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

Effective Date: January 1, 2009
Revision Effective Date: April 23, 2009
Renewal Application Due Date: May 20, 2013
Expiration Date: December 31, 2013

Joseph Kahn, Director
Division of Air Resource Management

JK/tlv/jkh/tbc

Florida Power and Light Company
Riviera Plant
Facility ID No. 0990042
Palm Beach County

Title V Air Operation Permit Revision

Final Permit No. 0990042-005-AV
(1st Revision of Title V Air Operation Permit No. 0990042-004-AV)

<u>Permitting Authority</u>
State of Florida
Department of Environmental Protection
Division of Air Resource Management
Bureau of Air Regulation
Title V Section

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

Telephone: 850/488-0114
Fax: 850/921-9533

<u>Compliance Authority</u>
State of Florida
Palm Beach County Health Department

Air Section
901 Evernia Street
Post Office Box 29
West Palm Beach, FL 33401

Telephone: 561/355-3070
Fax: 561/355-2442

Title V Air Operation Permit Revision

Final Permit No. 0990042-005-AV

Table of Contents

Clean Air Interstate Rule (CAIR).

Operated by: Florida Power and Light Company
Plant: Riviera Plant
ORIS Code: 0619

The emissions units below are regulated under the Clean Air Interstate Rule.

EU No.	EPA Unit ID#	Brief Description
003	PRV3	Fossil Fuel Steam Generator, Unit 3
004	PRV4	Fossil Fuel Steam Generator, Unit 4

1. Clean Air Interstate Rule Application. The Clean Air Interstate Rule Part Form submitted for this facility is a part of this permit. The owners and operators of these CAIR units as identified in this form must comply with the standard requirements and special provisions set forth in the CAIR Part Form (DEP Form No. 62-210.900(1)(b)) dated June 13, 2008, which is attached at the end of this section. [Chapter 62-213, F.A.C. and Rule 62-210.200, F.A.C.]

Clean Air Interstate Rule (CAIR) Part

RECEIVED
JUN 17 2008
BUREAU OF AIR REGULATION

For more information, see instructions and refer to 40 CFR 96.121, 96.122, 96.221, 96.222, 96.321 and 96.322; and Rule 62-296.470, F.A.C.

This submission is: ☐ New ■ Revised ☐ Renewal

STEP 1

Identify the source by plant name and ORIS or EIA plant code

Plant Name: Riviera	State: Florida	ORIS or EIA Plant Code: 000619

STEP 2

In column "a" enter the unit ID# for every CAIR unit at the CAIR source.

In columns "b," "c," and "d," indicate to which CAIR program(s) each unit is subject by placing an "X" in the column(s).

For new units, enter the requested information in columns "e" and "f.

a	b	c	d	e	f
Unit ID#	Unit will hold nitrogen oxides (NO_X) allowances in accordance with 40 CFR 96.106(c)(1)	Unit will hold sulfur dioxide (SO_2) allowances in accordance with 40 CFR 96.206(c)(1)	Unit will hold NO_X Ozone Season allowances in accordance with 40 CFR 96.306(c)(1)	New Units Expected Commence Commercial Operation Date	New Units Expected Monitor Certification Deadline
PRV 3	X	X	X		
PRV 4	X	X	X		

DEP Form No. 62-210.900(1)(b) – Form
Effective: 3/16/08

1

Plant Name (from STEP 1) Riviera

STEP 3

Read the standard requirements.

CAIR NO_X ANNUAL TRADING PROGRAM

CAIR Part Requirements.

(1) The CAIR designated representative of each CAIR NO_X source and each CAIR NO_X unit at the source shall:
(i) Submit to the DEP a complete and certified CAIR Part form under 40 CFR 96.122 and Rule 62-296.470, F.A.C., in accordance with the deadlines specified in Rule 62-213.420, F.A.C.; and
(ii) [Reserved];
(2) The owners and operators of each CAIR NO_X source and each CAIR NO_X unit at the source shall have a CAIR Part included in the Title V operating permit issued by the DEP under 40 CFR Part 96, Subpart CC, and operate the source and the unit in compliance with such CAIR Part.

Monitoring, Reporting, and Recordkeeping Requirements.

(1) The owners and operators, and the CAIR designated representative, of each CAIR NO_X source and each CAIR NO_X unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR Part 96, Subpart HH, and Rule 62-296.470, F.A.C.
(2) The emissions measurements recorded and reported in accordance with 40 CFR Part 96, Subpart HH, shall be used to determine compliance by each CAIR NO_X source with the following CAIR NO_X Emissions Requirements.

NO_X Emission Requirements.

(1) As of the allowance transfer deadline for a control period, the owners and operators of each CAIR NO_X source and each CAIR NO_X unit at the source shall hold, in the source's compliance account, CAIR NO_X allowances available for compliance deductions for the control period under 40 CFR 96.154(a) in an amount not less than the tons of total NO_X emissions for the control period from all CAIR NO_X units at the source, as determined in accordance with 40 CFR Part 96, Subpart HH.
(2) A CAIR NO_X unit shall be subject to the requirements under paragraph (1) of the NO_X Requirements starting on the later of January 1, 2009, or the deadline for meeting the unit's monitor certification requirements under 40 CFR 96.170(b)(1) or (2) and for each control period thereafter.
(3) A CAIR NO_X allowance shall not be deducted, for compliance with the requirements under paragraph (1) of the NO_X Requirements, for a control period in a calendar year before the year for which the CAIR NO_X allowance was allocated.
(4) CAIR NO_X allowances shall be held in, deducted from, or transferred into or among CAIR NO_X Allowance Tracking System accounts in accordance with 40 CFR Part 96, Subparts FF and GG.
(5) A CAIR NO_X allowance is a limited authorization to emit one ton of NO_X in accordance with the CAIR NO_X Annual Trading Program. No provision of the CAIR NO_X Annual Trading Program, the CAIR Part, or an exemption under 40 CFR 96.105 and no provision of law shall be construed to limit the authority of the state or the United States to terminate or limit such authorization.
(6) A CAIR NO_X allowance does not constitute a property right.
(7) Upon recordation by the Administrator under 40 CFR Part 96, Subpart EE, FF, or GG, every allocation, transfer, or deduction of a CAIR NO_X allowance to or from a CAIR NO_X unit's compliance account is incorporated automatically in any CAIR Part of the source that includes the CAIR NO_X unit.

Excess Emissions Requirements.

If a CAIR NO_X source emits NO_X during any control period in excess of the CAIR NO_X emissions limitation, then:
(1) The owners and operators of the source and each CAIR NO_X unit at the source shall surrender the CAIR NO_X allowances required for deduction under 40 CFR 96.154(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act or applicable state law; and
(2) Each ton of such excess emissions and each day of such control period shall constitute a separate violation of 40 CFR Part 96, Subpart AA, the Clean Air Act, and applicable state law.

Recordkeeping and Reporting Requirements.

(1) Unless otherwise provided, the owners and operators of the CAIR NO_X source and each CAIR NO_X unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the DEP or the Administrator.
(i) The certificate of representation under 40 CFR 96.113 for the CAIR designated representative for the source and each CAIR NO_X unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation under 40 CFR 96.113 changing the CAIR designated representative.
(ii) All emissions monitoring information, in accordance with 40 CFR Part 96, Subpart HH, of this part, provided that to the extent that 40 CFR Part 96, Subpart HH, provides for a 3-year period for recordkeeping, the 3-year period shall apply.
(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CAIR NO_X Annual Trading Program.
(iv) Copies of all documents used to complete a CAIR Part form and any other submission under the CAIR NO_X Annual Trading Program or to demonstrate compliance with the requirements of the CAIR NO_X Annual Trading Program.
(2) The CAIR designated representative of a CAIR NO_X source and each CAIR NO_X unit at the source shall submit the reports required under the CAIR NO_X Annual Trading Program, including those under 40 CFR Part 96, Subpart HH.

Plant Name (from STEP 1) Riviera

STEP 3, Continued

Liability.

(1) Each CAIR NO_X source and each CAIR NO_X unit shall meet the requirements of the CAIR NO_X Annual Trading Program.
(2) Any provision of the CAIR NO_X Annual Trading Program that applies to a CAIR NO_X source or the CAIR designated representative of a CAIR NO_X source shall also apply to the owners and operators of such source and of the CAIR NO_X units at the source.
(3) Any provision of the CAIR NO_X Annual Trading Program that applies to a CAIR NO_X unit or the CAIR designated representative of a CAIR NO_X unit shall also apply to the owners and operators of such unit.

Effect on Other Authorities.

No provision of the CAIR NO_X Annual Trading Program, a CAIR Part, or an exemption under 40 CFR 96.105 shall be construed as exempting or excluding the owners and operators, and the CAIR designated representative, of a CAIR NO_X source or CAIR NO_X unit from compliance with any other provision of the applicable, approved State Implementation Plan, a federally enforceable permit, or the Clean Air Act.

CAIR SO_2 TRADING PROGRAM

CAIR Part Requirements.

(1) The CAIR designated representative of each CAIR SO_2 source and each CAIR SO_2 unit at the source shall:
(i) Submit to the DEP a complete and certified CAIR Part form under 40 CFR 96.222 and Rule 62-296.470, F.A.C., in accordance with the deadlines specified in Rule 62-213.420, F.A.C.; and
(ii) [Reserved];
(2) The owners and operators of each CAIR SO_2 source and each CAIR SO_2 unit at the source shall have a CAIR Part included in the Title V operating permit issued by the DEP under 40 CFR Part 96, Subpart CCC. for the source and operate the source and each CAIR unit in compliance with such CAIR Part.

Monitoring, Reporting, and Recordkeeping Requirements.

(1) The owners and operators, and the CAIR designated representative, of each CAIR SO_2 source and each SO_2 CAIR unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR Part 96 ,Subpart HHH, and Rule 62-296.470, F.A.C.
(2) The emissions measurements recorded and reported in accordance with 40 CFR Part 96, Subpart HHH, shall be used to determine compliance by each CAIR SO_2 source with the following CAIR SO_2 Emission Requirements.

SO_2 Emission Requirements.

(1) As of the allowance transfer deadline for a control period, the owners and operators of each CAIR SO_2 source and each CAIR SO_2 unit at the source shall hold, in the source's compliance account, a tonnage equivalent in CAIR SO_2 allowances available for compliance deductions for the control period, as determined in accordance with 40 CFR 96.254(a) and (b), not less than the tons of total sulfur dioxide emissions for the control period from all CAIR SO_2 units at the source, as determined in accordance with 40 CFR Part 96, Subpart HHH.
(2) A CAIR SO_2 unit shall be subject to the requirements under paragraph (1) of the Sulfur Dioxide Emission Requirements starting on the later of January 1, 2010 or the deadline for meeting the unit's monitor certification requirements under 40 CFR 96.270(b)(1) or (2) and for each control period thereafter.
(3) A CAIR SO_2 allowance shall not be deducted, for compliance with the requirements under paragraph (1) of the SO_2 Emission Requirements, for a control period in a calendar year before the year for which the CAIR SO_2 allowance was allocated.
(4) CAIR SO_2 allowances shall be held in, deducted from, or transferred into or among CAIR SO_2 Allowance Tracking System accounts in accordance with 40 CFR Part 96, Subparts FFF and GGG.
(5) A CAIR SO_2 allowance is a limited authorization to emit sulfur dioxide in accordance with the CAIR SO_2 Trading Program. No provision of the CAIR SO_2 Trading Program, the CAIR Part, or an exemption under 40 CFR 96.205 and no provision of law shall be construed to limit the authority of the state or the United States to terminate or limit such authorization.
(6) A CAIR SO_2 allowance does not constitute a property right.
(7) Upon recordation by the Administrator under 40 CFR Part 96, Subpart FFF or GGG, every allocation, transfer, or deduction of a CAIR SO_2 allowance to or from a CAIR SO_2 unit's compliance account is incorporated automatically in any CAIR Part of the source that includes the CAIR SO_2 unit.

Excess Emissions Requirements.

If a CAIR SO_2 source emits SO_2 during any control period in excess of the CAIR SO_2 emissions limitation, then:
(1) The owners and operators of the source and each CAIR SO_2 unit at the source shall surrender the CAIR SO_2 allowances required for deduction under 40 CFR 96.254(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act or applicable state law; and
(2) Each ton of such excess emissions and each day of such control period shall constitute a separate violation of 40 CFR Part 96, Subpart AAA, the Clean Air Act, and applicable state law.

Plant Name (from STEP 1) Riviera

STEP 3, Continued

Recordkeeping and Reporting Requirements.

(1) Unless otherwise provided, the owners and operators of the CAIR SO_2 source and each CAIR SO_2 unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the Department or the Administrator.
(i) The certificate of representation under 40 CFR 96.213 for the CAIR designated representative for the source and each CAIR SO_2 unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation under 40 CFR 96.213 changing the CAIR designated representative.
(ii) All emissions monitoring information, in accordance with 40 CFR Part 96, Subpart HHH, of this part, provided that to the extent that 40 CFR Part 96, Subpart HHH, provides for a 3-year period for recordkeeping, the 3-year period shall apply.
(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CAIR SO_2 Trading Program.
(iv) Copies of all documents used to complete a CAIR Part form and any other submission under the CAIR SO_2 Trading Program or to demonstrate compliance with the requirements of the CAIR SO_2 Trading Program.
(2) The CAIR designated representative of a CAIR SO_2 source and each CAIR SO_2 unit at the source shall submit the reports required under the CAIR SO_2 Trading Program, including those under 40 CFR Part 96, Subpart HHH.

Liability.

(1) Each CAIR SO_2 source and each CAIR SO_2 unit shall meet the requirements of the CAIR SO_2 Trading Program.
(2) Any provision of the CAIR SO_2 Trading Program that applies to a CAIR SO_2 source or the CAIR designated representative of a CAIR SO_2 source shall also apply to the owners and operators of such source and of the CAIR SO_2 units at the source.
(3) Any provision of the CAIR SO_2 Trading Program that applies to a CAIR SO_2 unit or the CAIR designated representative of a CAIR SO_2 unit shall also apply to the owners and operators of such unit.

Effect on Other Authorities.

No provision of the CAIR SO_2 Trading Program, a CAIR Part, or an exemption under 40 CFR 96.205 shall be construed as exempting or excluding the owners and operators, and the CAIR designated representative, of a CAIR SO_2 source or CAIR SO_2 unit from compliance with any other provision of the applicable, approved State Implementation Plan, a federally enforceable permit, or the Clean Air Act.

CAIR NO_x OZONE SEASON TRADING PROGRAM

CAIR Part Requirements.

(1) The CAIR designated representative of each CAIR NO_X Ozone Season source and each CAIR NO_X Ozone Season unit at the source shall:
(i) Submit to the DEP a complete and certified CAIR Part form under 40 CFR 96.322 and Rule 62-296.470, F.A.C., in accordance with the deadlines specified in Rule 62-213.420, F.A.C.; and
(ii) [Reserved];
(2) The owners and operators of each CAIR NO_X Ozone Season source required to have a Title V operating permit or air construction permit, and each CAIR NO_X Ozone Season unit required to have a Title V operating permit or air construction permit at the source shall have a CAIR Part included in the Title V operating permit or air construction permit issued by the DEP under 40 CFR Part 96, Subpart CCCC, for the source and operate the source and the unit in compliance with such CAIR Part.

Monitoring, Reporting, and Recordkeeping Requirements.

(1) The owners and operators, and the CAIR designated representative, of each CAIR NO_X Ozone Season source and each CAIR NO_x Ozone Season unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR Part 96, Subpart HHHH, and Rule 62-296.470, F.A.C.
(2) The emissions measurements recorded and reported in accordance with 40 CFR Part 96, Subpart HHHH, shall be used to determine compliance by each CAIR NO_X Ozone Season source with the following CAIR NO_X Ozone Season Emissions Requirements.

NO_x Ozone Season Emission Requirements.

(1) As of the allowance transfer deadline for a control period, the owners and operators of each CAIR NO_X Ozone Season source and each CAIR NO_X Ozone Season unit at the source shall hold, in the source's compliance account, CAIR NO_X Ozone Season allowances available for compliance deductions for the control period under 40 CFR 96.354(a) in an amount not less than the tons of total NO_X emissions for the control period from all CAIR NO_X Ozone Season units at the source, as determined in accordance with 40 CFR Part 96, Subpart HHHH.
(2) A CAIR NO_X Ozone Season unit shall be subject to the requirements under paragraph (1) of the NO, Ozone Season Emission Requirements starting on the later of May 1, 2009 or the deadline for meeting the unit's monitor certification requirements under 40 CFR 96.370(b)(1),(2), or (3) and for each control period thereafter.
(3) A CAIR NO_X Ozone Season allowance shall not be deducted, for compliance with the requirements under paragraph (1) of the NO_X Ozone Season Emission Requirements, for a control period in a calendar year before the year for which the CAIR NO_X Ozone Season allowance was allocated.
(4) CAIR NO_X Ozone Season allowances shall be held in, deducted from, or transferred into or among CAIR NO_X Ozone Season Allowance Tracking System accounts in accordance with 40 CFR Part 96, Subparts FFFF and GGGG.
(5) A CAIR NO_X Ozone Season allowance is a limited authorization to emit one ton of NO_X in accordance with the CAIR NO_X Ozone Season Trading Program. No provision of the CAIR NO_X Ozone Season Trading Program, the CAIR Part, or an exemption under 40 CFR 96.305 and no provision of law shall be construed to limit the authority of the state or the United States to terminate or limit such authorization.

(6) A CAIR NO_X Ozone Season allowance does not constitute a property right.
(7) Upon recordation by the Administrator under 40 CFR Part 96, Subpart EEEE, FFFF or GGGG, every allocation, transfer, or deduction of a CAIR NO_X Ozone Season allowance to or from a CAIR NO_X Ozone Season unit's compliance account is incorporated automatically in any CAIR Part of the source that includes the CAIR NO_X Ozone Season unit.

Plant Name (from STEP 1) Riviera

STEP 3, Continued

Excess Emissions Requirements.

If a CAIR NO_X Ozone Season source emits NO_X during any control period in excess of the CAIR NO_X Ozone Season emissions limitation, then:
(1) The owners and operators of the source and each CAIR NO_X Ozone Season unit at the source shall surrender the CAIR NO_X Ozone Season allowances required for deduction under 40 CFR 96.354(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act or applicable state law; and
(2) Each ton of such excess emissions and each day of such control period shall constitute a separate violation of 40 CFR Part 96, Subpart AAAA, the Clean Air Act, and applicable state law.

Recordkeeping and Reporting Requirements.

(1) Unless otherwise provided, the owners and operators of the CAIR NO_X Ozone Season source and each CAIR NO_X Ozone Season unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the DEP or the Administrator.
(i) The certificate of representation under 40 CFR 96.313 for the CAIR designated representative for the source and each CAIR NO_X Ozone Season unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation under 40 CFR 96.113 changing the CAIR designated representative.
(ii) All emissions monitoring information, in accordance with 40 CFR Part 96, Subpart HHHH, of this part, provided that to the extent that 40 CFR Part 96, Subpart HHHH, provides for a 3-year period for recordkeeping, the 3-year period shall apply.
(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CAIR NO_X Ozone Season Trading Program.
(iv) Copies of all documents used to complete a CAIR Part form and any other submission under the CAIR NO_X Ozone Season Trading Program or to demonstrate compliance with the requirements of the CAIR NO_X Ozone Season Trading Program.
(2) The CAIR designated representative of a CAIR NO_X Ozone Season source and each CAIR NO_X Ozone Season unit at the source shall submit the reports required under the CAIR NO_X Ozone Season Trading Program, including those under 40 CFR Part 96, Subpart HHHH.

Liability.

(1) Each CAIR NO_X Ozone Season source and each CAIR NO_X Ozone Season unit shall meet the requirements of the CAIR NO_X Ozone Season Trading Program.
(2) Any provision of the CAIR NO_X Ozone Season Trading Program that applies to a CAIR NO_X Ozone Season source or the CAIR designated representative of a CAIR NO_X Ozone Season source shall also apply to the owners and operators of such source and of the CAIR NO_X Ozone Season units at the source.
(3) Any provision of the CAIR NO_X Ozone Season Trading Program that applies to a CAIR NO_X Ozone Season unit or the CAIR designated representative of a CAIR NO_X Ozone Season unit shall also apply to the owners and operators of such unit.

Effect on Other Authorities.

No provision of the CAIR NO_X Ozone Season Trading Program, a CAIR Part, or an exemption under 40 CFR 96.305 shall be construed as exempting or excluding the owners and operators, and the CAIR designated representative, of a CAIR NO_X Ozone Season source or CAIR NO_X Ozone Season unit from compliance with any other provision of the applicable, approved State Implementation Plan, a federally enforceable permit, or the Clean Air Act.

STEP 4

Certification (for designated representative or alternate designated representative only)

Read the certification statement; provide name, title, owner company name, phone, and e-mail address; sign, and date.

I am authorized to make this submission on behalf of the owners and operators of the CAIR source or CAIR 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 Sheila M Wilkinson	Title PGD Technical Services General Manager (DR)
Company Owner Name Florida Power & Light	
Phone 561-691-2287	E-mail Address Sheila_M_Wilkinson@fpl.com
Signature [signature]	Date 6/13/08

DEP Form No. 62-210.900(1)(b) – Form
Effective: 3/16/08
5

SECTION VI. APPENDICES.

The Following Appendices Are Enforceable As Allowed By Rule Applicability And Are Supporting Documents For The Air Operating Permit:

Appendix A, Glossary.
Appendix ASP, ASP Number 97-B-01 (With Scrivener's Order Dated July 9, 1997).
Appendix I, List of Insignificant Emissions Units and/or Activities.
Appendix O, Order Granting Petition for Reduced Frequency of Particulate Testing.
Appendix RR, Facility-wide Reporting Requirements.
Appendix TR, Facility-wide Testing Requirements.
Appendix TV, Title V General Conditions.
Appendix U, List of Unregulated Emissions Units and/or Activities.

APPENDIX III: NPDES PERMIT

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

In the Matter of an
Application for Permit by:

Mr. Mark Lemasney
Plant General Manager
Florida Power & Light Company
200-300 Broadway
Rivera, Florida 33404

PA File No. FL0001546-006-IW1S
Palm Beach County
Riviera Power Plant
NPDES Permit No. FL0001546

NOTICE OF PERMIT ISSUANCE

Enclosed is Permit Number FL0001538 to Florida Power & Light Company, authorizing wastewater discharge from the Riviera Power Plant to the Intracoastal Waterway (Lake Worth), a Class III marine water, issued under Section 403.0885, Florida Statutes, and DEP Rule 62-620, Florida Administrative Code.

The plant is scheduled to undergo modernization between 2011 and 2014. The modernization project includes the construction of a nominal 1,250 megawatt natural gas-fired combined cycle unit system ("3-on-1") designated as Unit 5. In addition, this project includes the permanent shutdown of Units 3 and 4. RBEC Unit 5 is projected to be operational in June 2014. RBEC Unit 5 uses the existing once-through cooling water system and Outfalls D-013 and D-014 servicing Units 3 and 4. This permit revision does not authorize an increase in the quantity or a change in the quality of the wastewater discharges to Lake Worth Lagoon a Class III Marine Water.

Any party to this order (permit) has the right to seek judicial review of the permit action under Section 120.68, Florida Statutes, by the filing of a notice of appeal under Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the Clerk of the Department of Environmental Protection, 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 30 days from the date when this document is filed with the Clerk of the Department.

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Mark P. Thomasson, P.E.
Director
Division of Water Resource Management
2600 Blair Stone Road
Tallahassee, FL 32399-2400

FILING AND ACKNOWLEDGMENT

FILED, on this date, under Section 120.52, Florida Statutes, with the designated deputy clerk, receipt of which is hereby acknowledged.

S. Shields 08-17-2011
Clerk Date

CERTIFICATE OF SERVICE

The undersigned hereby certifies that this DOCUMENT AND ATTACHMENTS and all copies were mailed before the close of business on 08-17-2011 to the listed persons.

Shirley Shields
Name

08-17-2011
Date

Certified copies furnished to:
Mark Nuhfer, NPDES Permitting Section, EPA Region 4, Atlanta, GA
Chairman, Board of Broward County Commissioners

Copies furnished by First Class mail to:
Florida Fish and Wildlife Conservation Commission, Conservation Planning Services
U.S. Fish & Wildlife Service
Andy Flajole, Florida Power and Light

Copies furnished by intradepartmental mail to:
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SECOND AMENDMENT TO THE FACT SHEET

DATE: August 10, 2011

PERMIT NUMBER: FL0001546

PERMITTEE: Florida Power & Light
Riviera Beach Energy Complex

The following minor corrections and revisions have been made to the proposed permit. None of these corrections alter any of the limitations for discharge to water of the state.

1. **Typographical Errors in the Proposed Permit**

The Department and the Permittee noted several typographical errors which are not listed in the items below. The Department has corrected these errors, which were non-substantive and did not affect any permit limitations or monitoring requirements.

2. **Comments by the Permittee Requesting Changes to the Proposed Permit**

Page 1, Facility Description. The permittee requested that the facility description be revised to clarify the piping assembly for the once-through cooling water discharge from Outfall D-013. The Department concurred and the description was revised.

Page 13, VI.3. The permittee requested that the schedule for the aquatic organism return system be revised to be consistent with the language in the Amendment to the Factsheet issued with the Notice of Intent for this revision. The Department concurred.

3. **Other Comments**

No comments were received from the public or from other governmental agencies.

STATE OF FLORIDA
INDUSTRIAL WASTEWATER FACILITY PERMIT

PERMITEE:
Florida Power & Light Company (FPL)

PERMIT NUMBER: FL0001546 (Major) Rev. A
FILE NUMBER: FL0001546-006-IW1S

ISSUANCE DATE: August 28, 2010
REVISION DATE: August 19, 2011
EXPIRATION DATE: August 27, 2015

RESPONSIBLE OFFICIAL:
Mr. Mark Lemasney
Plant Manager
200-300 Broadway
Riviera Beach, Florida 33404

FACILITY:

Riviera Beach Energy Center (RBEC)
200-300 Broadway
Riviera Beach, FL 33404
Palm Beach County
Latitude: 26°45'51.9" N Longitude: 80°03' 9.89" W

This permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and applicable rules of the Florida Administrative Code (F.A.C.) and constitutes authorization to discharge to waters of the state under the National Pollutant Discharge Elimination System. This permit does not constitute authorization to discharge wastewater other than as expressly stated in this permit. The above named permitee is hereby authorized to operate the facilities in accordance with the documents attached hereto and specifically described as follows:

FACILITY DESCRIPTION:
The facility is an electric generating plant with a total nameplate rating of 1250 megawatts (MW). RBEC consists of a combined cycle unit system, designated as Unit 5. Unit 5 consists of three gas turbines. Exhaust from each gas turbine passes through a separate supplementary gas fired heat recovery steam generator (HRSG). Steam from each HRSG is delivered to a single steam turbine-electrical generator. Unit5 is capable of burning a variable combination of natural gas and No. 2 ultralow sulfur distillate fuel oil as a backup fuel oil.

Unit 5 has condenser once-through cooling water (OTCW) and auxiliary equipment cooling water (AECW) systems that use water from Lake Worth Lagoon, a coastal marine water body. AECW and other Unit 5 wastewater streams comingle with the OTCW. The OTCW passes a seal well overflow structure (a structure that works as a dampener for the discharge). The majority of the combined OTCW and AECW flows are discharged through two submerged pipelines, approximately 2,000 feet in length that extend into the Lake Worth Lagoon. The ends of those pipes are located approximately at latitude 26°45' 52" N, longitude 80° 02' 21" W. The remaining portion of the OTCW is discharged to the facility's shoreline embayment to provide a warm-water refugia for West Indian Manatees pursuant to the facility's Manatee Protection Plan."

Unit 5 is also regulated under the Florida Electrical Power Plant Siting Act (License No. PA09-54).

WASTEWATER TREATMENT:
Once-through condenser cooling water and auxiliary equipment cooling water are chlorinated followed by dechlorination prior to discharge. OTCW is discharged via Outfall D-013. AECW is discharged via internal outfall I-015 to the OTCW conduits and hence to Outfall D-013. Metal cleaning wastewater and reverse osmosis membrane cleaning wastewater will be disposed of off-site. Regeneration of mixed bed ion exchange units will be performed off-site.

Plant/equipment drains that receive wash down water from cleaning and maintenance activities are routed through an oil/water separator prior to discharge via internal outfall I-016 to the OTCW conduits and hence to Outfall D-013. Water treatment plant wastewater (including Reverse Osmosis (RO) reject, softener, multimedia filter backwash, low-volume and metal cleaning wastewater) will be discharged from internal Outfall I-017 to the OTCW conduits and hence to Outfall D-013. When possible, Heat Recovery Steam Generator (HRSG) and Evaporative Cooler blowdown will be reused as make-up water to the on-site water treatment system. Alternatively, the combined blowdown will be discharged from internal outfall I-018 to the OTCW conduits and hence to Outfall D-013.

Equipment area storm water from the power block and transformer containment areas is routed through an oil/water separator and then to a series of connected on-site retention ponds (that also receive non-equipment area storm water) prior to discharge. Storm water discharges from RBECare authorized under the State-issued Water Multi-Sector General Permits for stormwater associated with Industrial Activities (MSGPs)

EFFLUENT DISPOSAL:

Surface Water Discharge D-009: An existing permitted discharge to Intracoastal Waterway, Class III Marine Waters (WBID 3226E1). The point of discharge is located approximately at 26° 45' 55" N, longitude 80° 03' 03" W.

Surface Water Discharge D-012/D-182: An existing permitted outfall to Intracoastal Waterway, Class III Marine Waters (WBID 3226E1). The point of discharge is located approximately at latitude 26°45' 50 N, longitude 80°03' 03" W.

Surface Water Discharge D-013: An existing permitted discharge to Intracoastal Waterway, Class III Marine Waters (WBID 3226E1). The point of discharge is located approximately at latitude 26°45' 52" N, longitude 80° 02 40" W (seal well lat and long needed).

Internal Outfall I-015: A permitted discharge of auxiliary equipment cooling water leading to the OTCW conduits and hence to Outfall D-013. The point of discharge is located approximately at latitude 26°45' 52" N, longitude 80° 03' 40" W.

Internal Outfall I-016: A permitted discharge of plant/equipment drain wastewater leading to the OTCW conduits and hence to Outfall D-013. The point of discharge is located approximately at latitude 26°45' 52" N, longitude 80° 03' 40" W.

Internal Outfall I-017: A permitted discharge of water treatment plant wastewater leading to the OTCW conduits and hence to Outfall D-013. The point of discharge is located approximately at latitude 26°45' 52" N, longitude 80° 03' 40" W.

Internal Outfall I-018: A permitted discharge of HRSG blowdown leading to the OTCW conduits and hence to Outfall D-013. The point of discharge is located approximately at latitude 26°45' 52" N, longitude 80° 03' 40" W.

IN ACCORDANCE WITH: The limitations, monitoring requirements and other conditions set forth in this Cover Sheet and Part I through Part IX on pages 1 through 20 of this permit.

I. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

A. Surface Water Discharges

1. The permitee shall not discharge from Outfall D-012/D-182 without written approval from the Department.

2. During the period beginning on the issuance date and lasting through the expiration date of this permit, the permitee is authorized to discharge the combined plant discharge (consisting of once-through and auxiliary equipment cooling water, plant/equipment drain wastewater, water treatment plant wastewater, and HRSG/evaporative cooler blowdown) from Outfall D-013 to two submerged pipelines approximately 2, 000 feet in length and the shoreline embayment. Such discharge shall be limited and monitored by the permitee as specified below and reported in accordance with Permit Condition I.C.3:

			Effluent Limitations		Monitoring Requirements			
Parameter	Units	Max/ Min	Limit	Statistical Basis	Frequency of Analysis	Sample Type	Monitoring Site Number	Notes
Flow	MGD	Max Max	Report Report	Instant. Maximum Monthly Average	Continuous	Calculated	FLW-1	
Chlorination Duration	min/day	Max	120	Instant. Maximum	Daily; 24 hours	Calculated	OTH-1	See I.A.4
Oxidants, Total Residual	mg/L	Max Max	0.01 0.01	Daily Maximum Monthly Average	Weekly	Grab	EFF-1	See I.A.5
Temp. Difference between Intake and Discharge	Deg F	Max Max	Report Report	Daily Average Monthly Average	6 times per day	Meter	EFF-1 INT-1	
Temperature, Water	Deg F	Max Max	Report Report	Daily Average Monthly Average	6 times per day	Meter	EFF-1	
Copper, Total Recoverable	ug/L	Max Max	3.7 3.7	Daily Maximum Monthly Average	Monthly	24-hr FPC	EFF-1	See I.A.6
		Max Max	Report Report	Daily Maximum Monthly Average			INT-1	
Iron, Total Recoverable	mg/L	Max Max	0.3 0.3	Daily Maximum Monthly Average	Monthly	24-hr FPC	EFF-1	See I.A.6
		Max Max	Report Report	Daily Maximum Monthly Average			INT-1	
Thallium, Total Recoverable	ug/L	Max Max	6.3 6.3	Daily Maximum Monthly Average	Monthly	24-hr FPC	EFF-1	See I.A.6
		Max Max	Report Report	Daily Maximum Monthly Average			INT-1	
Chronic Whole Effluent Toxicity, 7-Day IC25 (Americamysis bahia)	percent	Min	100	Single Sample	Quarterly	24-hr Composite	EFF-1 EFF-2	See I.A.7
Chronic Whole Effluent Toxicity, 7-Day IC25 (Menidia beryllina)	percent	Min	100	Single Sample	Quarterly	24-hr Composite	EFF-1	See I.A.7

3. Effluent samples shall be taken at the monitoring site locations listed in Permit Condition I.A.2. and as described below:

Monitoring Site Number	Description of Monitoring Site
FLW-1	Calculated flow for the combined discharge from Outfall D-013.
OTH-1	At the point of chlorine addition for Unit 5 OTCW
EFF-1	At the seal well overflow structure for Outfall D-013
INT-1	Once-through cooling water intake for Unit 5

4. Sodium hypochlorite and gaseous chlorine may be used as a biocide in the cooling water systems for Unit 5. No other biocide shall be used without explicit approval from the Department (see Permit Condition I.C.9).

5. Total Residual Oxidants (TRO) means the value obtained using the amperometric titration method for total residual chlorine or the Hach model 19300 (or equivalent). Testing for TRO by titration shall be conducted according to either the low-level amperometric method, or the DPD calorimetric method as specified in section 4500-CI E. or 4500 CI G., respectively, Standard Methods for the examination of Water and Waste water, 18th Edition (or most current edition).

   The permitee shall collect samples weekly when chlorine is in use. TRO monitoring requirements for Unit 5 are not applicable for any week in which chlorine is not added.

   Multiple grabs for TRO shall be defined as once per five minutes during TRO discharge periods of 30 minutes or less and once per 15 minutes for periods exceeding 30 minutes with no less than four analyses during the period of TRO discharge (sampling shall be continued until the end of the TRO discharge).

6. The limits for Total Recoverable Copper, Iron, and Thallium shall be the water quality standards set forth in Rule 62-302.530, F.A.C., for Class III waters as specified here or the concentration of the intake cooling water, whichever is greater. If the Outfall D-013composite sample exceeds the water quality standard concentration the Permitee shall analyze and report the intake concentration. The intake composite sample shall be collected on the same day as those for Outfall D-013. The intake composite samples shall be preserved and stored in accordance with DEP SOPs. If the intake concentration exceeds the water quality standard and the Outfall D-013 composite samples is less than or equal to the intake concentration, the facility shall be in compliance with the limitation. If both the intake concentration exceeds the water quality standard and the Outfall D-013composite sample exceeds the intake concentration, the concentration of a minimum of five (5) additional subsamples shall be analyzed from the original intake and outfall composites. The results shall be evaluated using the "student's t-test" comparing discharge concentrations with the intake concentrations. Unless the discharge concentration exceeds the intake concentration at the 95% confidence level, the facility shall be in compliance with the limitation.

7. The permitee shall comply with the following requirements to evaluate chronic whole effluent toxicity of the discharge from outfall D-013.

   a. Effluent Limitation
      (1) In any routine or additional follow-up test for chronic whole effluent toxicity, the 25 percent inhibition concentration (IC25) shall not be less than 100% effluent. [Rules 62-302.530(61) and 62-4.241(1)(b), F.A.C.]
      (2) For acute whole effluent toxicity, the 96-hour LC50 shall not be less than 100% effluent in any test. [Rules 62-302.500(1)(a)4. and 62-4.241(1)(a), F.A.C.]

   b. Monitoring Frequency
      (1) Routine toxicity tests shall be conducted once every three months, the first day of the second month following the commercial operation date of RBEC and lasting for the duration of this permit.
      (2) Upon completion of four consecutive, valid routine tests that demonstrate compliance with the effluent limitation in 7.a.(1) above, the permitee may submit a written request to the Department for a reduction in monitoring frequency to once every six months. The request shall include a summary of the data and the complete bioassay laboratory reports for each test used to demonstrate compliance. The Department shall act on the request within 45 days of receipt. Reductions in monitoring shall only become effective

upon the Department's written confirmation that the facility has completed four consecutive valid routine tests that demonstrate compliance with the effluent limitation in 7.a.(1) above.

(3) If a test within the sequence of the four is deemed invalid based on the acceptance criteria in EPA-821-R-02-014, but is replaced by a repeat valid test initiated within 21 days after the last day of the invalid test, the invalid test will not be counted against the requirement for four consecutive valid tests for the purpose of evaluating the reduction of monitoring frequency.

c. Sampling Requirements

(1) For each routine test or additional follow-up test conducted, a total of three 24-hour composite samples of final effluent shall be collected and used in accordance with the sampling protocol discussed in EPA-821-R-02-014, Section 8.

(2) The first sample shall be used to initiate the test. The remaining two samples shall be collected according to the protocol and used as renewal solutions on Day 3 (48 hours) and Day 5 (96 hours) of the test.

(3) Samples for routine and additional follow-up tests shall not be collected on the same day.

d. Test Requirements

(1) Routine Tests: All routine tests shall be conducted using a control (0% effluent) and a minimum of five test dilutions: **100%, 50%, 25%, 12.5%,** and **6.25%** final effluent.

(2) The permitee shall conduct 7-day survival and growth chronic toxicity tests with a mysid shrimp, **Americamysis bahia,** Method 1007.0, and an inland silverside, **Menidia beryllina,** Method 1006.0, concurrently.

(3) All test species, procedures and quality assurance criteria used shall be in accordance with **Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Marine and Estuarine Organisms**, 3rd Edition, EPA-821-R-02-014. Any deviation of the bioassay procedures outlined herein shall be submitted in writing to the Department for review and approval prior to use. In the event the above method is revised, the permitee shall conduct chronic toxicity testing in accordance with the revised method.

(4) The control water and dilution water used shall be artificial sea salts as described in EPA-821-R-02-014, Section 7.2. The test salinity shall be determined as follows:

(a) For the **Americamysis bahia** bioassays, the effluent shall be adjusted to a salinity of 20 parts per thousand (ppt) with artificial sea salts. The salinity of the control/dilution water (0% effluent) shall be 20 ppt. If the salinity of the effluent is greater than 20 ppt, no salinity adjustment shall be made to the effluent and the test shall be run at the effluent salinity. The salinity of the control/dilution water shall match the salinity of the effluent.

(b) For the **Menidia beryllina** bioassays, if the effluent salinity is less than 5ppt, the salinity shall be adjusted to 5 ppt with artificial sea salts. The salinity of the control/dilution water (0% effluent) shall be 5 ppt. If the salinity of the effluent is greater than 5 ppt, no salinity adjustment shall be made to the effluent and the test shall be run at the effluent salinity. The salinity of the control/dilution water shall match the salinity of the effluent.

(c) If the salinity of the effluent requires adjustment, a salinity adjustment control should be prepared and included with each bioassay. The salinity adjustment control is intended to identify toxicity resulting from adjusting the effluent salinity with artificial sea salts. To prepare the salinity adjustment control, dilute the control/dilution water to the salinity of the effluent and adjust the salinity of the salinity adjustment control at the same time and to the same salinity that the salinity of the effluent is adjusted using the same artificial sea salts.

e. Quality Assurance Requirements

(1) A standard reference toxicant (SRT) quality assurance (QA) chronic toxicity test shall be conducted with each species used in the required toxicity tests either concurrently or initiated no more than 30 days before the date of each routine or additional follow-up test conducted. Additionally, the SRT test must be conducted concurrently if the test organisms are obtained from outside the test laboratory unless the test organism supplier provides control chart data from at least the last five monthly chronic toxicity tests using the same reference toxicant and test conditions. If the organism supplier provides the required SRT data, the organism supplier's SRT data and the test laboratory's monthly SRT-QA data shall be included in the reports for each companion routine or additional follow-up test required.

(2) If the mortality in the control (0% effluent) exceeds 20% for either species in any test or any test does not meet "test acceptability criteria", the test for that species (including the control) shall be invalidated and the test repeated. Test acceptability criteria for each species are defined in EPA-821-R-02-014, Section 14.12 (**Americamysis bahia**) and Section 13.12 (**Menidia beryllina**). The repeat test shall begin within 21 days after the last day of the invalid test.

(3) If 100% mortality occurs in all effluent concentrations for either species prior to the end of any test and the control mortality is less than 20% at that time, the test (including the control) for that species shall be terminated with the conclusion that the test fails and constitutes non-compliance.

(4) Routine and additional follow-up tests shall be evaluated for acceptability based on the observed dose-response relationship as required by EPA-821-R-02-014, Section 10.2.6., and the evaluation shall be included with the bioassay laboratory reports.

f. Reporting Requirements

(1) Results from all required tests shall be reported on the Discharge Monitoring Report (DMR) as follows:
   (a) Routine and Additional Follow-up Test Results: The calculated IC25 for each test species shall be entered on the DMR.

(2) A bioassay laboratory report for each routine test shall be prepared according to EPA-821-R-02-014, Section 10, Report Preparation and Test Review, and mailed to the Department at the address below within 30 days after the last day of the test.

(3) For additional follow-up tests, a single bioassay laboratory report shall be prepared according to EPA-821-R-02-014, Section 10, and mailed within 30 days after the last day of the second valid additional follow-up test.

(4) Data for invalid tests shall be included in the bioassay laboratory report for the repeat test.

(5) The same bioassay data shall not be reported as the results of more than one test.

(6) All bioassay laboratory reports shall be sent to:
Florida Department of Environmental Protection
Tallahassee Office
2600 Blair Stone Road, M.S. 3545
Tallahassee, Florida 32399-2400

g. Test Failures

(1) A test fails when the test results do not meet the limits in 7.a.(1).

(2) Additional Follow-up Tests:
   (a) If a routine test does not meet the chronic toxicity limitation in 7.a.(1) above, the permitee shall notify the Department at the address above within 21 days after the last day of the failed routine test and conduct two additional follow-up tests on each species that failed the test in accordance with 7.d.
   (b) The first test shall be initiated within 28 days after the last day of the failed routine test. The remaining additional follow-up tests shall be conducted weekly thereafter until a total of two valid additional follow-up tests are completed.
   (c) The first additional follow-up test shall be conducted using a control (0% effluent) and a minimum of five dilutions: 100%, 50%, 25%, 12.5%, and 6.25% effluent. The permitee may modify the dilution series in the second additional follow-up test to more accurately bracket the toxicity such that at least two dilutions above and two dilutions below the target concentration and a control (0% effluent) are run. All test results shall be analyzed according to the procedures in EPA-821-R-02-014.

(3) In the event of three valid test failures (whether routine or additional follow-up tests) within a 12-month period, the permitee shall notify the Department within 21 days after the last day of the third test failure.
   (a) The permitee shall submit a plan for correction of the effluent toxicity within 60 days after the last day of the third test failure.
   (b) The Department shall review and approve the plan before initiation.
   (c) The plan shall be initiated within 30 days following the Department's written approval of the plan.
   (d) Progress reports shall be submitted quarterly to the Department at the address above.

(e) During the implementation of the plan, the permitee shall conduct quarterly routine whole effluent toxicity tests in accordance with 7.d. Additional follow-up tests are not required while the plan is in progress. Following completion or termination of the plan, the frequency of monitoring for routine and additional follow-up tests shall return to the schedule established in 7.b.(1). If a routine test is invalid according to the acceptance criteria in EPA-821-R-02-014, a repeat test shall be initiated within 21 days after the last day of the invalid routine test.

(f) Upon completion of four consecutive quarterly valid routine tests that demonstrate compliance with the effluent limitation in 7.a.(1) above, the permitee may submit a written request to the Department to terminate the plan. The plan shall be terminated upon written verification by the Department that the facility has passed at least four consecutive quarterly valid routine whole effluent toxicity tests. If a test within the sequence of the four is deemed invalid, but is replaced by a repeat valid test initiated within 21 days after the last day of the invalid test, the invalid test will not be counted against the requirement for four consecutive quarterly valid routine tests for the purpose of terminating the plan.

(4) If chronic toxicity test results indicate greater than 50% mortality within 96 hours in an effluent concentration equal to or less than the effluent concentration specified as the acute toxicity limit in 7.(a)(2), the Department may revise this permit to require acute definitive whole effluent toxicity testing.

(5) The additional follow-up testing and the plan do not preclude the Department taking enforcement action for acute or chronic whole effluent toxicity failures.

[62-4.241, 62-620.620(3)]

8. The discharge shall not contain components that settle to form putrescent deposits or float as debris, scum, oil, or other matter. *[62-302.500(1)(a)]*

9. Discharges from Outfall D-013 are subject to thermal limitations established by Rule 62-302.520(1), F.A.C.

10. During the period beginning on the issuance date and lasting through the expiration date of this permit, the permittee is authorized to discharge intake screen wash water from Outfall D-009. Discharge of intake screen wash water is permitted without limitation or monitoring requirements.

B. Internal Outfalls

1. During the period beginning on the issuance date and lasting through the expiration date of this permit, the permitee is authorized to discharge **Auxiliary Equipment Cooling Water** from Outfall I-015 to the OTCW conduits and hence to Outfall D-013. Such discharge shall be limited and monitored by the permitee as specified below and reported in accordance with Permit Condition I.C.3:

			Effluent Limitations		Monitoring Requirements			
Parameter	Units	Max/Min	Limit	Statistical Basis	Frequency of Analysis	Sample Type	Monitoring Site Number	Notes
Flow	MGD	Max Max	Report Report	Daily Maximum Monthly Average	Continuous	Calculated	FLW-2	
Chlorination Duration	min/day	Max	1440	Instant. Maximum	Daily; 24 hours	Calculated	OUI-1	

2. Effluent samples shall be taken at the monitoring site locations listed in Permit Condition I.B.1. and as described below:

Monitoring Site Number	Description of Monitoring Site
FLW-2	Flow calculation for auxiliary equipment cooling water for Unit 5
OUI-1	At the point of chlorine addition for Unit 5 AECW

3. During the period beginning on the issuance date and lasting through the expiration date of this permit, the permitee is authorized to discharge **Plant/Equipment Drain Wastewater** from I-016 to OTCW conduits and hence to Outfall D-013. Such discharge shall be limited and monitored by the permitee as specified below and reported in accordance with Permit Condition I.C.3.:

			Effluent Limitations		Monitoring Requirements			
Parameter	Units	Max/Min	Limit	Statistical Basis	Frequency of Analysis	Sample Type	Monitoring Site Number	Notes
Flow	MGD	Max Max	Report Report	Daily Maximum Monthly Average	Monthly	Calculated	FLW-3	
Oil and Grease	mg/L	Max Max	15.0 20.0	Monthly Average Daily Maximum	Monthly	Grab	OUI-2	
Solids, Total Suspended	mg/L	Max Max	30.0 100.0	Monthly Average Daily Maximum	Monthly	Grab	OUI-2	
pH	s.u.	Min Max	6.0 9.0	Instant. Minimum Instant. Maximum	Monthly	Grab	OUI-2	

4. Effluent samples shall be taken at the monitoring site locations listed in Permit Condition I.B.3 and as described below:

Monitoring Site Number	Description of Monitoring Site
FLW-3	Flow calculation for Plant/Equipment Drain Wastewater
OUI-2	At the point of discharge to the OTCW conduits

5. During the period beginning on the issuance date and lasting through the expiration date of this permit, the permitee is authorized to discharge **Water Treatment Plant Wastewater** from I-017 to the OTCW conduits and hence to Outfall D-013. Such discharge shall be limited and monitored by the permitee as specified below and reported in accordance with Permit ConditionI.C.3.:

			Effluent Limitations		Monitoring Requirements			
Parameter	Units	Max/ Min	Limit	Statistical Basis	Frequency of Analysis	Sample Type	Monitoring Site Number	Notes
Flow	MGD	Max Max	Report Report	Daily Maximum Monthly Average	2/month	Pump Logs	FLW-4	
Solids, Total Suspended	mg/L	Max Max	30.0 100.0	Monthly Average Daily Maximum	2/month	Composite	OUI-3	See I.B.7
Oil and Grease	mg/L	Max Max	15.0 20.0	Monthly Average Daily Maximum	2/month	Grab	OUI-3	
pH	s.u.	Min Max	6.0 9.0	Instant. Minimum Instant. Maximum	2/month	Grab	OUI-3	

6. Effluent samples shall be taken at the monitoring site locations listed in Permit Condition I.B.5. and as described below:

Monitoring Site Number	Description of Monitoring Site
FLW-4	Flow calculation for Water Treatment Plant Wastewater
OUI-3	At the point of discharge to the OTCW conduits and prior to mixing with any other wastewater stream.

7. The composite sample shall be consists of grab samples taken at the beginning, middle and end of the Backwash Basin discharge period.

8. During the period beginning on the issuance date and lasting through the expiration date of this permit, the permitee is authorized to discharge **Heat Recovery Steam Generator Blowdown** from I-018 to the OTCW conduits and hence to Outfall D-013. Such discharge shall be limited and monitored by the permitee as specified below and reported in accordance with Permit Condition I.C.3.:

			Effluent Limitations		Monitoring Requirements			
Parameter	Units	Max/ Min	Limit	Statistical Basis	Frequency of Analysis	Sample Type	Monitoring Site Number	Notes
Flow	MGD	Max Max	Report Report	Daily Maximum Monthly Average	Monthly	Logs	FLW-4	
Oil and Grease	mg/L	Max Max	15.0 20.0	Monthly Average Daily Maximum	Monthly	Grab	OUI-4	
Solids, Total Suspended	mg/L	Max Max	30.0 100.0	Monthly Average Daily Maximum	Monthly	Grab	OUI-4	

9. Effluent samples shall be taken at the monitoring site locations listed in Permit Condition I.B.8. and as described below:

Monitoring Site Number	Description of Monitoring Site
FLW-5	Flow calculation for Heat Recovery Steam Generator Blowdown
OUI-4	At the point of discharge to the OTCW conduits

C. Other Limitations and Monitoring and Reporting Requirements

1. The sample collection, analytical test methods, and method detection limits (MDLs) applicable to this permit shall be conducted using a sufficiently sensitive method to ensure compliance with applicable water quality standards and effluent limitations and shall be in accordance with Rule 62-4.246, Chapters 62-160 and 62-601, F.A.C., and 40 CFR 136, as appropriate. The list of Department established analytical methods, and corresponding MDLs (method detection limits) and PQLs (practical quantitation limits), which is titled "FAC 62-4 MDL/PQL Table (April 26, 2006)" is available at http://www.dep.state.fl.us/labs/library/index.htm. The MDLs and PQLs as described in this list shall constitute the minimum acceptable MDL/PQL values and the Department shall not accept results for which the laboratory's MDLs or PQLs are greater than those described above unless alternate MDLs and/or PQLs have been specifically approved by the Department for this permit. Any method included in the list may be used for reporting as long as it meets the following requirements:

   a. The laboratory's reported MDL and PQL values for the particular method must be equal or less than the corresponding method values specified in the Department's approved MDL and PQL list;

   b. The laboratory reported MDL for the specific parameter is less than or equal to the permit limit or the applicable water quality criteria, if any, stated in Chapter 62-302, F.A.C. Parameters that are listed as "report only" in the permit shall use methods that provide an MDL, which is equal to or less than the applicable water quality criteria stated in 62-302, F.A.C.; and

c. If the MDLs for all methods available in the approved list are above the stated permit limit or applicable water quality criteria for that parameter, then the method with the lowest stated MDL shall be used.

When the analytical results are below method detection or practical quantitation limits, the permitee shall report the actual laboratory MDL and/or PQL values for the analyses that were performed following the instructions on the applicable discharge monitoring report.

Where necessary, the permitee may request approval of alternate methods or for alternative MDLs or PQLs for any approved analytical method. Approval of alternate laboratory MDLs or PQLs are not necessary if the laboratory reported MDLs and PQLs are less than or equal to the permit limit or the applicable water quality criteria, if any, stated in Chapter 62-302, F.A.C. Approval of an analytical method not included in the above-referenced list is not necessary if the analytical method is approved in accordance with 40 CFR 136 or deemed acceptable by the Department. *[62-4.246, 62-160]*

2. The permitee shall provide safe access points for obtaining representative influent and effluent samples which are required by this permit. *[62-620.320(6)]*

3. Monitoring requirements under this permit are effective on the first day of the second month following permit issuance. Until such time, the permitee shall continue to monitor and report in accordance with previously effective permit requirements, if any. During the period of operation authorized by this permit, the permitee shall complete and submit to the Department Discharge Monitoring Reports (DMRs) in accordance with the frequencies specified by the REPORT type (i.e. monthly, quarterly, semiannual, annual, etc.) indicated on the DMR forms attached to this permit. Monitoring results for each monitoring period shall be submitted in accordance with the associated DMR due dates below.

REPORT Type on DMR	Monitoring Period	Due Date
Monthly	first day of month - last day of month	28th day of following month
Quarterly	January 1 - March 31 April 1 - June 30 July 1 - September 30 October 1 - December 31	April 28 July 28 October 28 January 28
Semiannual	January 1 - June 30 July 1 - December 30	July 28 January 28
Annual	January 1 - December 31	January 28

DMRs shall be submitted for each required monitoring period including months of no discharge. The permitee may submit either paper or electronic DMR form(s). If submitting paper DMR form(s), the permitee shall make copies of the attached DMR form(s). If submitting electronic DMR form(s), the permitee shall use a Department-approved electronic DMR system.

The electronic submission of DMR forms shall be accepted only if approved in writing by the Department. For purposes of determining compliance with this permit, data submitted in electronic format is legally equivalent to data submitted on signed and certified paper DMR forms.

The permitee shall submit the completed DMR form(s) to the Department by the twenty-eighth (28th) of the month following the month of operation at the addresses specified below:

Florida Department of Environmental Protection
Wastewater Compliance Evaluation Section, Mail Station 3551
Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

And

Florida Department of Environmental Protection
Southeast District Office
400 N. Congress Ave.
West Palm Beach, Florida 33416
Phone Number - (561) 681-6600

[62-620.610(18)]

4. The permitee shall not submit DMR forms that alter the original format or content of the attached DMR forms without written approval from the Department's Southeast District Office at the address specified below:

   Florida Department of Environmental Protection
   Southeast District Office
   400 N. Congress Ave.
   West Palm Beach, Florida 33416
   Fax Number - (561) 681-6760

5. Unless specified otherwise in this permit, all reports and other information required by this permit, including 24-hour notifications shall be submitted to or reported to, as appropriate, the Department's Southeast District Office at the address specified above. All reports and other information shall be signed in accordance with the requirements of Rule 62-620.305, F.A.C. *[62-620.305]*

6. If there is no discharge from the facility on a day when the facility would normally sample, the sample shall be collected on the day of the next discharge. *[62-620.320(6)]*

7. The Permitee shall develop a Plan of Study (POS), subject to Department review and approval, to monitor compliance with Rule 62-302.520(1), F.A.C. pursuant to the schedule in Item VI.2, including a proposed implementation schedule, designed to determine any effects on biological communities from the discharge to the Lake Worth Lagoon. The plan may include biological sampling prior to start-up of the RBEC Unit 5 in order to establish baseline biological conditions within the receiving waters. The plan shall address monitoring of aquatic species as necessary, including frequency of sampling. The POS shall incorporate relevant existing data developed by the Permitee and other sources as well as any necessary additional monitoring to be conducted by the Permitee.

8. The permitee shall develop a plan in accordance with the schedule in Condition VI.3 to return live fish, shellfish, and other aquatic organisms collected or trapped on the plant intake screens to their natural habitat. Other material shall be removed from the intake screens and disposed of in accordance with all existing Federal, State and /or local laws and regulations that apply to waste disposal. Such material shall not be returned to the receiving waters.

9. The permitee shall maintain plant intake traveling screen practices so as to assure that the screens are cycled at least twice during each 24 hours of continuous operation unless precluded by repair or maintenance requirements.

10. The plant intake through-screen velocity shall be maintained at or below levels that existed prior to plant conversion.

11. There shall be no discharge of polychlorinated biphenyl compounds such as those commonly used for transformer fluid. The permittee shall dispose of all known PCB equipment, articles, and wastes either in accordance with: a) Department-issued permits governing soil thermal treatment (Chapter 62-713, F.A.C.) or Department-approved landfills provided the PCB concentrations meet the Florida landfill's permitted limit when concentrations are less than 50 ppm; or b)40 CFR 761 when concentrations are greater than or equal to50 ppm. *[40 CFR Part 423.12(b)(2)]*

12. The Permitee shall continue compliance with the facility's Manatee Protection Plan approved by the Department on December 21, 2000, and the amendment approved on May 8, 2003, and as amended thereafter.

13. Discharge of any product registered under the Federal Insecticide, Fungicide, and Rodenticide Act to any waste stream which ultimately may be released to waters of the State is prohibited unless specifically authorized elsewhere in this permit. This requirement is not applicable to products used for lawn and agricultural purposes or to the use of herbicides if used in accordance with labeled instructions and any applicable State permit.

    The company shall notify the Department in writing no later than six (6) months prior to instituting use of any biocide or chemical (except chlorine as authorized elsewhere in this permit) used in the cooling systems or any other portion of the treatment system which may be toxic to aquatic life. Such notification shall include:

    a. Name and general composition of biocide or chemical
    b. Frequencies of use
    c. Quantities to be used
    d. Proposed effluent concentrations
    e. Acute and/or chronic toxicity data (laboratory reports shall be prepared according to Section 12 of EPA document no. EPA/600/4-90/027 entitled, <u>Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters for Freshwater and Marine Organisms</u>, or most current addition.)
    f. Product data sheet
    g. Product label
    h. The Department shall review the above information to determine if a major or minor permit revision is necessary. Discharge associated with the use of such biocide or chemical is not authorized without a permit revision by the Department. Permit revisions shall be processed in accordance with the requirements of Chapter 62-620, F.A.C.

II. SLUDGE MANAGEMENT REQUIREMENTS

1. The permitee shall be responsible for proper treatment, management, use, and disposal of its sludge. *[62-620.320(6)]*

2. Decay vegetation and materials removed from intake screens and vegetation, sediments and sludge excavated from the settling basins, cooling tower basins and percolation basins must be properly stored onsite until they are disposed in accordance with requirements in chapter 62-701, F.A.C. and other applicable State and Federal requirements.

III. GROUND WATER REQUIREMENTS

There are no ground water monitoring requirements included in this permit.

IV. ADDITIONAL LAND APPLICATION REQUIREMENTS

There are no land application discharges at this facility.

V. CONSTRUCTION, OPERATION AND MAINTENANCE REQUIREMENTS

A. General Operation and Maintenance Requirements

1. During the period of operation authorized by this permit, the wastewater facilities shall be operated under the supervision of a person who is qualified by formal training and/or practical experience in the field of water pollution control. *[62-620.320(6)]*

2. The permitee shall maintain the following records and make them available for inspection on the site of the permitted facility.

a. Records of all compliance monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, including, if applicable, a copy of the laboratory certification showing the certification number of the laboratory, for at least three years from the date the sample or measurement was taken;

b. Copies of all reports required by the permit for at least three years from the date the report was prepared;

c. Records of all data, including reports and documents, used to complete the application for the permit for at least three years from the date the application was filed;

d. Records of all disposal of vegetation and materials removed from intake screens and vegetation, sediments and sludge removed from stormwater basins

e. A copy of the current permit;

f. A copy of any required record drawings; and

g. Copies of the logs and schedules showing plant operations and equipment maintenance for three years from the date of the logs or schedules.

[62-620.350]

B. Storm Water Requirements

The discharge of storm water runoff from this facility to surface waters of the state is not authorized under this Permit.

VI. SCHEDULES

1. If the permitee wishes to continue operation of this wastewater facility after the expiration date of this permit, the permitee shall submit an application for renewal no later than one-hundred and eighty days (180) prior to the expiration date of this permit. Application shall be made using the appropriate forms listed in Rule 62-620.910, F.A.C., including submittal of the appropriate processing fee set forth in Rule 62-4.050, F.A.C. *[62-620.335(1) and (2)*

2. At least 18 months prior to the planned commercial operation date of the RBEC, the Permitee shall meet with the Department to discuss the content of a Plan of Study (POS) for biological monitoring in accordance with the requirements of Item I.C.7, and shall submit the POS At least 12 months prior to the planned commercial operation date of the RBEC. The Department will review the POS and provide written comments to the permitee as needed. The permitee shall implement the POS in accordance with the approved implementation schedule.

3. Within six months after the final 316(b) rule for existing facilities becomes effective, the permitee shall schedule a meeting with the Department to discuss the contents of the aquatic organism return plan in accordance with Condition I.C.8 and shall submit the plan to the Department within 6 months thereafter. The plan shall be implemented within 24 months of the plan being approved by the Department.

4. The permitee shall submit a copy of the Manatee Protection Plan, including any amendments, with the permit renewal application to each of the following agencies no later than one-hundred and eighty days (180) prior to the expiration date of this permit:

   Florida Department of Environmental Protection
   Industrial Wastewater Section, Mail Station 3545
   Bob Martinez Center
   2600 Blair Stone Road
   Tallahassee, Florida 32399-2400

   Florida Fish and Wildlife Conservation Commission
   Bureau of Protected Species Management

620 South Meridian Street
OES-BPS
Tallahassee, Florida 32399-1600

And

US Fish and Wildlife Service
Jacksonville Field Office
7915 Baymeadows Way, Suite 200
Jacksonville, Florida 32256-7517

VII. BEST MANAGEMENT PRACTICES/STORMWATER POLLUTION PREVENTION PLANS

This permit does not authorize storm water discharges.

VIII. OTHER SPECIFIC CONDITIONS

A. Specific Conditions Applicable to All Permits

1. Where required by Chapter 471 or Chapter 492, F.S., applicable portions of reports that must be submitted under this permit shall be signed and sealed by a professional engineer or a professional geologist, as appropriate. *[62-620.310(4)]*

2. The permitee shall provide verbal notice to the Department's Southeast District Office as soon as practical after discovery of a sinkhole or other karst feature within an area for the management or application of wastewater, or wastewater sludges. The permitee shall immediately implement measures appropriate to control the entry of contaminants, and shall detail these measures to the Department's Southeast District Office in a written report within 7 days of the sinkhole discovery. *[62-620.320(6)]*

B. Duty to Reapply

1. The permitee is not authorized to discharge to waters of the State after the expiration date of this permit, unless:

   a. the permitee has applied for renewal of this permit at least 180 days before the permit expiration date (January 28, 2015) using the appropriate forms listed in Rule 62-620.910, F.A.C., and in the manner established in the Department of Environmental Protection Guide to Permitting Wastewater Facilities or Activities Under Chapter 62-620, F.A.C., including submittal of the appropriate processing fee set forth in Rule 62-4.050, F.A.C.; or

   b. the permitee has made complete the application for renewal of this permit before the permit expiration date.

   [62-620.335(1)-(4), F.A.C.]

2. When publishing Notice of Draft and Notice of Intent in accordance with Rules 62-110.106 and 62-620.550, F.A.C., the permittee shall publish the notice at its expense in a newspaper of general circulation in the county or counties in which the activity is to take place either

   a. Within thirty days after the permittee has received a notice; or

   b. Within thirty days after final agency action.

   Failure to publish a notice is a violation of this permit. *[62-620.335(1)-(4), F.A.C.]*

C. Specific Conditions Related to Existing Manufacturing, Commercial, Mining, and Silviculture Wastewater Facilities or Activities

1. Existing manufacturing, commercial, mining, and silvicultural wastewater facilities or activities that discharge into surface waters shall notify the Department as soon as they know or have reason to believe:

   a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following levels;

      (1) One hundred micrograms per liter,

      (2) Two hundred micrograms per liter for acrolein and acrylonitrile; five hundred micrograms per liter for 2, 4-dinitrophenol and for 2-methyl-4, 6-dinitrophenol; and one milligram per liter for antimony, or

      (3) Five times the maximum concentration value reported for that pollutant in the permit application; or

   b. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following levels;

      (1) Five hundred micrograms per liter,

      (2) One milligram per liter for antimony, or

      (3) Ten times the maximum concentration value reported for that pollutant in the permit application.

   [62-620.625(1)]

D. Reopener Clauses

1. The permit shall be revised, or alternatively, revoked and reissued in accordance with the provisions contained in Rules 62-620.325 and 62-620.345 F.A.C., if applicable, or to comply with any applicable effluent standard or limitation issued or approved under Sections 301(b)(2)(C) and (D), 304(b)(2) and 307(a)(2) of the Clean Water Act (the Act), as amended, if the effluent standards, limitations, or water quality standards so issued or approved:

   a. Contains different conditions or is otherwise more stringent than any condition in the permit/or;

   b. Controls any pollutant not addressed in the permit.

   The permit as revised or reissued under this paragraph shall contain any other requirements then applicable.

2. The permit may be reopened to adjust effluent limitations or monitoring requirements should future Water Quality Based Effluent Limitation determinations, water quality studies, DEP approved changes in water quality standards, EPA established Total Maximum Daily Loads (TMDLs), or other information show a need for a different limitation or monitoring requirement.

3. The Department or EPA may develop a TMDL during the life of the permit. Once a TMDL has been established and adopted by rule, the Department shall revise this permit to incorporate the final findings of the TMDL.

4. The permit may be reopened for revision as appropriate to address new information that was not available at the time of this permit issuance or to comply with requirements of new regulations, standards, or judicial decisions relating to CWA 316(b).

IX. GENERAL CONDITIONS

1. The terms, conditions, requirements, limitations and restrictions set forth in this permit are binding and enforceable pursuant to Chapter 403, Florida Statutes. Any permit noncompliance constitutes a violation of Chapter 403, Florida Statutes, and is grounds for enforcement action, permit termination, permit revocation and reissuance, or permit revision. *[62-620.610(1)]*

2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviations from the approved drawings, exhibits, specifications or conditions of this permit constitutes grounds for revocation and enforcement action by the Department. *[62-620.610(2)]*

3. As provided in subsection 403.087(7), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor authorize any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit or authorization that may be required for other aspects of the total project which are not addressed in this permit. *[62-620.610(3)]*

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. *[62-620.610(4)]*

5. This permit does not relieve the permitee from liability and penalties 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; nor does it allow the permitee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department. The permitee shall take all reasonable steps to minimize or prevent any discharge, reuse of reclaimed water, or residuals use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment. It shall not be a defense for a permitee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. *[62-620.610(5)]*

6. If the permitee wishes to continue an activity regulated by this permit after its expiration date, the permitee shall apply for and obtain a new permit. *[62-620.610(6)]*

7. The permitee shall at all times properly operate and maintain the facility and systems of treatment and control, and related appurtenances, that are installed and used by the permitee to achieve compliance with the conditions of this permit. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to maintain or achieve compliance with the conditions of the permit. *[62-620.610(7)]*

8. This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permitee for a permit revision, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition. *[62-620.610(8)]*

9. The permitee, by accepting this permit, specifically agrees to allow authorized Department personnel, including an authorized representative of the Department and authorized EPA personnel, when applicable, upon presentation of credentials or other documents as may be required by law, and at reasonable times, depending upon the nature of the concern being investigated, to:

   a. Enter upon the permitee's premises where a regulated facility, system, or activity is located or conducted, or where records shall be kept under the conditions of this permit;

   b. Have access to and copy any records that shall be kept under the conditions of this permit;

   c. Inspect the facilities, equipment, practices, or operations regulated or required under this permit; and

   d. Sample or monitor any substances or parameters at any location necessary to assure compliance with this permit or Department rules.

[62-620.610(9)]

10. In accepting this permit, the permitee 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 as such use is proscribed by Section 403.111, F.S., or Rule 62-620.302, F.A.C. Such evidence shall only be used to the extent that it is consistent with the Florida Rules of Civil Procedure and applicable evidentiary rules. *[62-620.610(10)]*

11. When requested by the Department, the permitee shall within a reasonable time provide any information required by law which is needed to determine whether there is cause for revising, revoking and reissuing, or terminating this permit, or to determine compliance with the permit. The permitee shall also provide to the Department upon request copies of records required by this permit to be kept. If the permitee becomes aware of relevant facts that were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be promptly submitted or corrections promptly reported to the Department. *[62-620.610(11)]*

12. Unless specifically stated otherwise in Department rules, the permitee, in accepting this permit, agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permitee does not waive any other rights granted by Florida Statutes or Department rules. A reasonable time for compliance with a new or amended surface water quality standard, other than those standards addressed in Rule 62-302.500, F.A.C., shall include a reasonable time to obtain or be denied a mixing zone for the new or amended standard. *[62-620.610(12)]*

13. The permitee, in accepting this permit, agrees to pay the applicable regulatory program and surveillance fee in accordance with Rule 62-4.052, F.A.C. *[62-620.610(13)]*

14. This permit is transferable only upon Department approval in accordance with Rule 62-620.340, F.A.C. The permitee shall be liable for any noncompliance of the permitted activity until the transfer is approved by the Department. *[62-620.610(14)]*

15. The permitee shall give the Department written notice at least 60 days before inactivation or abandonment of a wastewater facility or activity and shall specify what steps will be taken to safeguard public health and safety during and following inactivation or abandonment. *[62-620.610(15)]*

16. The permitee shall apply for a revision to the Department permit in accordance with Rules 62-620.300, F.A.C., and the Department of Environmental Protection Guide to Permitting Wastewater Facilities or Activities Under Chapter 62-620, F.A.C., at least 90 days before construction of any planned substantial modifications to the permitted facility is to commence or with Rule 62-620.325(2), F.A.C., for minor modifications to the permitted facility. A revised permit shall be obtained before construction begins except as provided in Rule 62-620.300, F.A.C. *[62-620.610(16)]*

17. The permitee shall give advance notice to the Department of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. The permitee shall be responsible for any and all damages which may result from the changes and may be subject to enforcement action by the Department for penalties or revocation of this permit. The notice shall include the following information:

    a. A description of the anticipated noncompliance;

    b. The period of the anticipated noncompliance, including dates and times; and

    c. Steps being taken to prevent future occurrence of the noncompliance.

    [62-620.610(17)]

18. Sampling and monitoring data shall be collected and analyzed in accordance with Rule 62-4.246 and Chapters 62-160, 62-601, and 62-610, F.A.C., and 40 CFR 136, as appropriate.

    a. Monitoring results shall be reported at the intervals specified elsewhere in this permit and shall be reported on a Discharge Monitoring Report (DMR), DEP Form 62-620.910(10), or as specified elsewhere in the permit.

    b. If the permitee monitors any contaminant more frequently than required by the permit, using Department approved test procedures, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR.

    c. Calculations for all limitations which require averaging of measurements shall use an arithmetic mean unless otherwise specified in this permit.

    d. Except as specifically provided in Rule 62-160.300, F.A.C., any laboratory test required by this permit shall be performed by a laboratory that has been certified by the Department of Health Environmental Laboratory Certification Program (DOH ELCP). Such certification shall be for the matrix, test method and analyte(s) being measured to comply with this permit. For domestic wastewater facilities, testing for parameters listed in Rule 62-160.300(4), F.A.C., shall be conducted under the direction of a certified operator.

    e. Field activities including on-site tests and sample collection shall follow the applicable standard operating procedures described in DEP-SOP-001/01 adopted by reference in Chapter 62-160, F.A.C.

    f. Alternate field procedures and laboratory methods may be used where they have been approved in accordance with Rules 62-160.220, and 62-160.330, F.A.C.

    [62-620.610(18)]

19. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule detailed elsewhere in this permit shall be submitted no later than 14 days following each schedule date. *[62-620.610(19)]*

20. The permitee shall report to the Department's Tallahassee office any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permitee becomes aware of the circumstances. A written submission shall also be provided within five days of the time the permitee becomes aware of the circumstances. The written submission shall contain: a description of the noncompliance and its cause; the period of noncompliance including exact dates and time, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

    a. The following shall be included as information which must be reported within 24 hours under this condition:
        (1) Any unanticipated bypass which causes any reclaimed water or effluent to exceed any permit limitation or results in an unpermitted discharge,
        (2) Any upset which causes any reclaimed water or the effluent to exceed any limitation in the permit,
        (3) Violation of a maximum daily discharge limitation for any of the pollutants specifically listed in the permit for such notice, and
        (4) Any unauthorized discharge to surface or ground waters.

    b. Oral reports as required by this subsection shall be provided as follows:
        (1) For unauthorized releases or spills of treated or untreated wastewater reported pursuant to subparagraph (a)4. that are in excess of 1,000 gallons per incident, or where information indicates that public health or the environment will be endangered, oral reports shall be provided to the STATE WARNING POINT TOLL FREE NUMBER (800) 320-0519, as soon as practical, but no later than 24 hours from the time the permitee becomes aware of the discharge. The permitee, to the extent known, shall provide the following information to the State Warning Point:
            (a) Name, address, and telephone number of person reporting;
            (b) Name, address, and telephone number of permitee or responsible person for the discharge;
            (c) Date and time of the discharge and status of discharge (ongoing or ceased);

(d) Characteristics of the wastewater spilled or released (untreated or treated, industrial or domestic wastewater);
(e) Estimated amount of the discharge;
(f) Location or address of the discharge;
(g) Source and cause of the discharge;
(h) Whether the discharge was contained on-site, and cleanup actions taken to date;
(i) Description of area affected by the discharge, including name of water body affected, if any; and
(j) Other persons or agencies contacted.

(2) Oral reports, not otherwise required to be provided pursuant to subparagraph b.1 above, shall be provided to the Department's Tallahassee office within 24 hours from the time the permitee becomes aware of the circumstances.

c. If the oral report has been received within 24 hours, the noncompliance has been corrected, and the noncompliance did not endanger health or the environment, the Department's Tallahassee office shall waive the written report.

[62-620.610(20)]

21. The permitee shall report all instances of noncompliance not reported under Permit Conditions IX.17, 18 or 19 of this permit at the time monitoring reports are submitted. This report shall contain the same information required by Permit Condition IX.20 of this permit. *[62-620.610(21)]*

22. Bypass Provisions.

a. "Bypass" means the intentional diversion of waste streams from any portion of a treatment works.

b. Bypass is prohibited, and the Department may take enforcement action against a permitee for bypass, unless the permitee affirmatively demonstrates that:
(1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage; and
(2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
(3) The permitee submitted notices as required under Permit Condition IX. 22. b. of this permit.

c. If the permitee knows in advance of the need for a bypass, it shall submit prior notice to the Department, if possible at least 10 days before the date of the bypass. The permitee shall submit notice of an unanticipated bypass within 24 hours of learning about the bypass as required in Permit Condition IX. 20. of this permit. A notice shall include a description of the bypass and its cause; the period of the bypass, including exact dates and times; if the bypass has not been corrected, the anticipated time it is expected to continue; and the steps taken or planned to reduce, eliminate, and prevent recurrence of the bypass.

d. The Department shall approve an anticipated bypass, after considering its adverse effect, if the permitee demonstrates that it will meet the three conditions listed in Permit Condition IX. 22. a. 1 through 3 of this permit.

e. A permitee may allow any bypass to occur which does not cause reclaimed water or effluent limitations to be exceeded if it is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Permit Condition IX. 22. a. through c. of this permit.

[62-620.610(22)]

23. Upset Provisions.

a. "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based effluent limitations because of factors beyond the reasonable control of the permitee.

(1) An upset does not include noncompliance caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, careless or improper operation.
(2) An upset constitutes an affirmative defense to an action brought for noncompliance with technology based permit effluent limitations if the requirements of upset provisions of Rule 62-620.610, F.A.C., are met.

b. A permitee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed contemporaneous operating logs, or other relevant evidence that:
(1) An upset occurred and that the permitee can identify the cause(s) of the upset;
(2) The permitted facility was at the time being properly operated;
(3) The permitee submitted notice of the upset as required in Permit Condition IX.5. of this permit; and
(4) The permitee complied with any remedial measures required under Permit Condition IX. 5. of this permit.

c. In any enforcement proceeding, the burden of proof for establishing the occurrence of an upset rests with the permitee.

d. Before an enforcement proceeding is instituted, no representation made during the Department review of a claim that noncompliance was caused by an upset is final agency action subject to judicial review.

[62-620.610(23)]

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENTOF
ENVIRONMENTAL PROTECTION

____

Mark P. Thomasson, P.E.
Director
Division of Water Resource Management
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

DEPARTMENT OF ENVIRONMENTAL PROTECTION DISCHARGE MONITORING REPORT - PART A

When Completed mail this report to: Department of Environmental Protection, Wastewater Compliance Evaluation Section, MS 3551, 2600 Blair Stone Road, Tallahassee, FL 32399-2400

PERMITTEE NAME:	Florida Power & Light (FPL)	PERMIT NUMBER:	FL0001546-006-IW1S		
MAILING ADDRESS:	700 Universe Blvd JES/JB Juno Beach, Florida 33408				
		LIMIT:	Final	REPORT FREQUENCY:	Monthly
		CLASS SIZE:	MA	PROGRAM:	Industrial
FACILITY:	Riviera Beach Energy Center	MONITORING GROUP NUMBER:	D-013		
LOCATION:	200 - 300 Broadway Riviera Beach, FL 33404	MONITORING GROUP DESCRIPTION:	OTCW Discharge from Unit 5		
		RE-SUBMITTED DMR: ☐			
		NO DISCHARGE FROM SITE: ☐			
COUNTY:	Palm Beach	MONITORING PERIOD From:	________ To: ________		
OFFICE:	Southeast District				

Parameter		Quantity or Loading		Units	Quality or Concentration			Units	No. Ex.	Frequency of Analysis	Sample Type
Flow	Sample Measurement										
PARM Code 50050 1 Mon. Site No. FLW-1	Permit Requirement	Report (Mo Avg.)	Report (Inst Max.)	MGD						Continuous	Calculated
Chlorination Duration	Sample Measurement										
PARM Code 78739 P Mon. Site No. OTH-1	Permit Requirement						120 (Inst Max.)	min/day		Daily, 24 hours	Calculated
Oxidants, Total Residual	Sample Measurement										
PARM Code 34044 1 Mon. Site No. EFF-1	Permit Requirement					0.01 (Mo Avg.)	0.01 (Day Max.)	mg/L		Weekly	Grab
Temp. Diff. between Intake and Discharge	Sample Measurement										
PARM Code 61576 1 Mon. Site No. EFF-1	Permit Requirement				Report (Day Avg.)	Report (Mo Avg.)		Deg F		6/Day	Meter
Temperature (F), Water	Sample Measurement										
PARM Code 00011 1 Mon. Site No. EFF-1	Permit Requirement				Report (Day Avg.)	Report (Mo Avg.)		Deg F		6/Day	Meter
Copper, Total Recoverable	Sample Measurement										
PARM Code 01119 1 Mon. Site No. EFF-1	Permit Requirement					3.7 (Mo Avg.)	3.7 (Day Max.)	ug/L		Monthly	24-hr FPC
Copper, Total Recoverable	Sample Measurement										
PARM Code 01119 Q Mon. Site No. INT-1	Permit Requirement					Report (Mo Avg.)	Report (Day Max.)	ug/L		Monthly	24-hr FPC

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

NAME/TITLE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT	TELEPHONE NO	DATE (mm/dd/yyyy)

COMMENT AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here):

ISSUANCE/REISSUANCE DATE:

DISCHARGE MONITORING REPORT - PART A (Continued)

FACILITY: Riviera Beach Energy Center

MONITORING GROUP NUMBER: D-013

MONITORING PERIOD From: __________ To: __________

PERMIT NUMBER: FL0001546-006-IW1S

Parameter		Quantity or Loading		Units	Quality or Concentration			Units	No. Ex.	Frequency of Analysis	Sample Type
Iron, Total Recoverable	Sample Measurement										
PARM Code 00980 1 Mon. Site No. EFF-1	Permit Requirement					0.3 (Mo Avg.)	0.3 (Day Max.)	mg/L		Monthly	24-hr FPC
Iron, Total Recoverable	Sample Measurement										
PARM Code 00980 Q Mon. Site No. INT-1	Permit Requirement					Report (Mo Avg.)	Report (Day Max.)	mg/L		Monthly	24-hr FPC
Thallium, Total Recoverable	Sample Measurement										
PARM Code 00982 1 Mon. Site No. EFF-1	Permit Requirement					6.3 (Mo Avg.)	6.3 (Day Max.)	ug/L		Monthly	24-hr FPC
Thallium, Total Recoverable	Sample Measurement										
PARM Code 00982 Q Mon. Site No. INT-1	Permit Requirement					Report (Mo Avg.)	Report (Day Max.)	ug/L		Monthly	24-hr FPC

ISSUANCE/REISSUANCE DATE:

DEPARTMENT OF ENVIRONMENTAL PROTECTION DISCHARGE MONITORING REPORT - PART A

When Completed mail this report to: Department of Environmental Protection, Wastewater Compliance Evaluation Section, MS 3551, 2600 Blair Stone Road, Tallahassee, FL 32399-2400

PERMITTEE NAME: Florida Power & Light (FPL)
MAILING ADDRESS: 700 Universe Blvd JES/JB
Juno Beach, Florida 33408

FACILITY: Riviera Beach Energy Center
LOCATION: 200 - 300 Broadway
Riviera Beach, FL 33404

COUNTY: Palm Beach
OFFICE: Southeast District

PERMIT NUMBER: FL0001546-006-IW1S

LIMIT: Final
CLASS SIZE: MA
MONITORING GROUP NUMBER: D-013
MONITORING GROUP DESCRIPTION: OTCW Discharge from Unit 5
RE-SUBMITTED DMR: ☐
NO DISCHARGE FROM SITE: ☐
MONITORING NOT REQUIRED: ☐
MONITORING PERIOD From: ______ To: ______

REPORT FREQUENCY: Quarterly
PROGRAM: Industrial

Parameter		Quantity or Loading		Units	Quality or Concentration			Units	No. Ex.	Frequency of Analysis	Sample Type
7-DAY CHRONIC STATRE Americamysis bahia(Routine)	Sample Measurement										
PARM Code TRP3E P Mon Site No EFF-1	Permit Requirement				100 (Min.)			percent		Quarterly	24-hr TPC
7-DAY CHRONIC STATRE Americamysis bahia(Additional)	Sample Measurement										
PARM Code TRP3E Q Mon Site No EFF-1	Permit Requirement				100 (Min.)			percent		As needed	As required by the permit
7-DAY CHRONIC STATRE Americamysis bahia(Additional)	Sample Measurement										
PARM Code TRP3E R Mon Site No EFF-1	Permit Requirement				100 (Min.)			percent		As needed	As required by the permit
7-DAY CHRONIC STATRE Menidia beryllina(Routine)	Sample Measurement										
PARM Code TRP6B P Mon Site No EFF-1	Permit Requirement				100 (Min.)			percent		Quarterly	24-hr TPC
7-DAY CHRONIC STATRE Menidia beryllina(Additional)	Sample Measurement										
PARM Code TRP6B Q Mon Site No EFF-1	Permit Requirement				100 (Min.)			percent		As needed	As required by the permit
7-DAY CHRONIC STATRE Menidia beryllina(Additional)	Sample Measurement										
PARM Code TRP6B R Mon Site No EFF-1	Permit Requirement				100 (Min.)			percent		As needed	As required by the permit

*ENTER "MNR" IN THE RESULTS COLUMN FOR EACH TEST THAT IS NOT REQUIRED.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

NAME/TITLE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT	TELEPHONE NO	DATE (mm/dd/yyyy)

COMMENT AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here):

ISSUANCE/REISSUANCE DATE:

DEPARTMENT OF ENVIRONMENTAL PROTECTION DISCHARGE MONITORING REPORT - PART A

When Completed mail this report to: Department of Environmental Protection, Wastewater Compliance Evaluation Section, MS 3551, 2600 Blair Stone Road, Tallahassee, FL 32399-2400

PERMITTEE NAME:	Florida Power & Light (FPL)	PERMIT NUMBER:	FL0001546-006-IW1S		
MAILING ADDRESS:	700 Universe Blvd JES/JB Juno Beach, Florida 33408	LIMIT:	Final	REPORT FREQUENCY:	Monthly
		CLASS SIZE:	MA	PROGRAM:	Industrial
FACILITY:	Riviera Beach Energy Center	MONITORING GROUP NUMBER:	I-015		
LOCATION:	200 - 300 Broadway Riviera Beach, FL 33404	MONITORING GROUP DESCRIPTION:	Auxiliary Equipment Cooling Water		
		RE-SUBMITTED DMR: ☐			
COUNTY:	Palm Beach	NO DISCHARGE FROM SITE: ☐			
OFFICE:	Southeast District	MONITORING PERIOD From:	________	To:	________

Parameter		Quantity or Loading		Units	Quality or Concentration			Units	No. Ex.	Frequency of Analysis	Sample Type
Flow	Sample Measurement										
PARM Code 50050 1 Mon. Site No. FLW-2	Permit Requirement	Report (Mo Avg.)	Report (Day Max.)	MGD						Continuous	Calculated
Chlorination Duration	Sample Measurement										
PARM Code 78739 P Mon. Site No. OUI-1	Permit Requirement						1440 (Inst Max.)	min/day		Daily, 24 hours	Calculated

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NAME/TITLE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT	TELEPHONE NO	DATE (mm/dd/yyyy)

COMMENT AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here):

ISSUANCE/REISSUANCE DATE:

DEPARTMENT OF ENVIRONMENTAL PROTECTION DISCHARGE MONITORING REPORT - PART A

When Completed mail this report to: Department of Environmental Protection, Wastewater Compliance Evaluation Section, MS 3551, 2600 Blair Stone Road, Tallahassee, FL 32399-2400

PERMITTEE NAME:	Florida Power & Light (FPL)	PERMIT NUMBER:	FL0001546-006-IW1S		
MAILING ADDRESS:	700 Universe Blvd JES/JB Juno Beach, Florida 33408	LIMIT:	Final	REPORT FREQUENCY:	Monthly
		CLASS SIZE:	MA	PROGRAM:	Industrial
FACILITY:	Riviera Beach Energy Center	MONITORING GROUP NUMBER:	I-016		
LOCATION:	200 - 300 Broadway Riviera Beach, FL 33404	MONITORING GROUP DESCRIPTION:	Plant/Equipment Drain Wastewater		
		RE-SUBMITTED DMR: ☐			
		NO DISCHARGE FROM SITE: ☐			
COUNTY:	Palm Beach	MONITORING PERIOD From:	______ To: ______		
OFFICE:	Southeast District				

Parameter		Quantity or Loading		Units	Quality or Concentration			Units	No. Ex.	Frequency of Analysis	Sample Type
Flow	Sample Measurement										
PARM Code 50050 1 Mon. Site No. FLW-3	Permit Requirement	Report (Mo Avg.)	Report (Day Max.)	MGD						Monthly	Calculated
Oil and Grease	Sample Measurement										
PARM Code 00556 P Mon. Site No. OUI-2	Permit Requirement					15.0 (Mo Avg.)	20.0 (Day Max.)	mg/L		Monthly	Grab
Solids, Total Suspended	Sample Measurement										
PARM Code 00530 P Mon. Site No. OUI-2	Permit Requirement					30.0 (Mo Avg.)	100.0 (Day Max.)	mg/L		Monthly	Grab
pH	Sample Measurement										
PARM Code 00400 P Mon. Site No. OUI-2	Permit Requirement				6.0 (Inst Min.)		9.0 (Inst Max.)	s.u.		Monthly	Grab

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NAME/TITLE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT	TELEPHONE NO	DATE (mm/dd/yyyy)

COMMENT AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here):

ISSUANCE/REISSUANCE DATE:

DEPARTMENT OF ENVIRONMENTAL PROTECTION DISCHARGE MONITORING REPORT - PART A

When Completed mail this report to: Department of Environmental Protection, Wastewater Compliance Evaluation Section, MS 3551, 2600 Blair Stone Road, Tallahassee, FL 32399-2400

PERMITTEE NAME: Florida Power & Light (FPL)
MAILING ADDRESS: 700 Universe Blvd JES/JB
Juno Beach, Florida 33408

FACILITY: Riviera Beach Energy Center
LOCATION: 200 - 300 Broadway
Riviera Beach, FL 33404

COUNTY: Palm Beach
OFFICE: Southeast District

PERMIT NUMBER: FL0001546-006-IW1S

LIMIT: Final
CLASS SIZE: MA
MONITORING GROUP NUMBER: I-017
MONITORING GROUP DESCRIPTION: Water Treatment Plant Wastewater
RE-SUBMITTED DMR: ☐
NO DISCHARGE FROM SITE: ☐
MONITORING PERIOD From: ________ To: ________

REPORT FREQUENCY: Monthly
PROGRAM: Industrial

Parameter		Quantity or Loading		Units	Quality or Concentration			Units	No. Ex.	Frequency of Analysis	Sample Type
Flow	Sample Measurement										
PARM Code 50050 I Mon. Site No. FLW-4	Permit Requirement	Report (Mo Avg.)	Report (Day Max.)	MGD						2/Month	Pump Logs
Oil and Grease	Sample Measurement										
PARM Code 00556 P Mon. Site No. OUI-3	Permit Requirement					15.0 (Mo Avg.)	20.0 (Day Max.)	mg/L		2/Month	Composite
Solids, Total Suspended	Sample Measurement										
PARM Code 00530 P Mon. Site No. OUI-3	Permit Requirement					30.0 (Mo Avg.)	100.0 (Day Max.)	mg/L		2/Month	Grab
pH	Sample Measurement										
PARM Code 00400 P Mon. Site No. OUI-3	Permit Requirement				6.0 (Inst Min.)		9.0 (Inst Max.)	s.u.		2/Month	Grab

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

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COMMENT AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here):

ISSUANCE/REISSUANCE DATE:

DEPARTMENT OF ENVIRONMENTAL PROTECTION DISCHARGE MONITORING REPORT - PART A

When Completed mail this report to: Department of Environmental Protection, Wastewater Compliance Evaluation Section, MS 3551, 2600 Blair Stone Road, Tallahassee, FL 32399-2400

PERMITTEE NAME: Florida Power & Light (FPL)
MAILING ADDRESS: 700 Universe Blvd JES/JB
Juno Beach, Florida 33408

FACILITY: Riviera Beach Energy Center
LOCATION: 200 - 300 Broadway
Riviera Beach, FL 33404

COUNTY: Palm Beach
OFFICE: Southeast District

PERMIT NUMBER: FL0001546-006-IW1S

LIMIT: Final
CLASS SIZE: MA
MONITORING GROUP NUMBER: I-018
MONITORING GROUP DESCRIPTION: Heat Recovery Steam Generator Blowdwon
RE-SUBMITTED DMR: ☐
NO DISCHARGE FROM SITE: ☐
MONITORING PERIOD From: ____________ To: ____________

REPORT FREQUENCY: Monthly
PROGRAM: Industrial

Parameter		Quantity or Loading		Units	Quality or Concentration			Units	No. Ex.	Frequency of Analysis	Sample Type
Flow	Sample Measurement										
PARM Code 50050 1 Mon Site No FLW-5	Permit Requirement	Report (Mo Avg.)	Report (Day Max.)	MGD						Monthly	Pump Logs
Oil and Grease	Sample Measurement										
PARM Code 00556 P Mon Site No OUI-4	Permit Requirement					15.0 (Mo Avg.)	20.0 (Day Max.)	mg/L		Monthly	Grab
Solids, Total Suspended	Sample Measurement										
PARM Code 00530 P Mon Site No OUI-4	Permit Requirement					30.0 (Mo Avg.)	100.0 (Day Max.)	mg/L		Monthly	Grab

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

NAME/TITLE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT	TELEPHONE NO	DATE (mm/dd/yyyy)

COMMENT AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here):

ISSUANCE/REISSUANCE DATE:

INSTRUCTIONS FOR COMPLETING THE WASTEWATER DISCHARGE MONITORING REPORT

Read these instructions before completing the DMR. Hard copies and/or electronic copies of the required parts of the DMR were provided with the permit. All required information shall be completed in full and typed or printed in ink. A signed, original DMR shall be mailed to the address printed on the DMR by the 28th of the month following the monitoring period. The DMR shall not be submitted before the end of the monitoring period.

The DMR consists of three parts--A, B, and D--all of which may or may not be applicable to every facility. Facilities may have one or more Part A's for reporting effluent or reclaimed water data. All domestic wastewater facilities will have a Part B for reporting daily sample results. Part D is used for reporting ground water monitoring well data.

When results are not available, the following codes should be used on parts A and D of the DMR and an explanation provided where appropriate. Note: Codes used on Part B for raw data are different.

CODE	DESCRIPTION/INSTRUCTIONS
ANC	Analysis not conducted.
DRY	Dry Well
FLD	Flood disaster.
IFS	Insufficient flow for sampling.
LS	Lost sample.
MNR	Monitoring not required this period.

CODE	DESCRIPTION/INSTRUCTIONS
NOD	No discharge from/to site.
OPS	Operations were shutdown so no sample could be taken.
OTH	Other. Please enter an explanation of why monitoring data were not available.
SEF	Sampling equipment failure.

When reporting analytical results that fall below a laboratory's reported method detection limits or practical quantification limits, the following instructions should be used:

1. Results greater than or equal to the PQL shall be reported as the measured quantity.
2. Results less than the PQL and greater than or equal to the MDL shall be reported as the laboratory's MDL value. These values shall be deemed equal to the MDL when necessary to calculate an average for that parameter and when determining compliance with permit limits.
3. Results less than the MDL shall be reported by entering a less than sign ("<") followed by the laboratory's MDL value, e.g. < 0.001. A value of one-half the MDL or one-half the effluent limit, whichever is lower, shall be used for that sample when necessary to calculate an average for that parameter. Values less than the MDL are considered to demonstrate compliance with an effluent limitation.

PART A -DISCHARGE MONITORING REPORT (DMR)

Part A of the DMR is comprised of one or more sections, each having its own header information. Facility information is preprinted in the header as well as the monitoring group number, whether the limits and monitoring requirements are interim or final, and the required submittal frequency (e.g. monthly, annually, quarterly, etc.). Submit Part A based on the required reporting frequency in the header and the instructions shown in the permit. The following should be completed by the permittee or authorized representative:

Resubmitted DMR: Check this box if this DMR is being re-submitted because there was information missing from or information that needed correction on a previously submitted DMR. The information that is being revised should be clearly noted on the re-submitted DMR (e.g. highlight, circle, etc.)
No Discharge From Site: Check this box if no discharge occurs and, as a result, there are no data or codes to be entered for all of the parameters on the DMR for the entire monitoring group number; however, if the monitoring group includes other monitoring locations (e.g., influent sampling), the "NOD" code should be used to individually denote those parameters for which there was no discharge.
Monitoring Period: Enter the month, day, and year for the first and last day of the monitoring period (i.e. the month, the quarter, the year, etc.) during which the data on this report were collected and analyzed.
Sample Measurement: Before filling in sample measurements in the table, check to see that the data collected correspond to the limit indicated on the DMR (i.e. interim or final) and that the data correspond to the monitoring group number in the header. Enter the data or calculated results for each parameter on this row in the non-shaded area above the limit. Be sure the result being entered corresponds to the appropriate statistical base code (e.g. annual average, monthly average, single sample maximum, etc.) and units.
No. Ex.: Enter the number of sample measurements during the monitoring period that exceeded the permit limit for each parameter in the non-shaded area. If none, enter zero.
Frequency of Analysis: The shaded areas in this column contain the minimum number of times the measurement is required to be made according to the permit. Enter the actual number of times the measurement was made in the space above the shaded area.
Sample Type: The shaded areas in this column contain the type of sample (e.g. grab, composite, continuous) required by the permit. Enter the actual sample type that was taken in the space above the shaded area.
Signature: This report must be signed in accordance with Rule 62-620.305, F.A.C. Type or print the name and title of the signing official. Include the telephone number where the official may be reached in the event there are questions concerning this report. Enter the date when the report is signed.
Comment and Explanation of Any Violations: Use this area to explain any exceedances, any upset or by-pass events, or other items which require explanation. If more space is needed, reference all attachments in this area.

PART B - DAILY SAMPLE RESULTS

Monitoring Period: Enter the month, day, and year for the first and last day of the monitoring period (i.e. the month, the quarter, the year, etc.) during which the data on this report were collected and analyzed.
Daily Monitoring Results: Transfer all analytical data from your facility's laboratory or a contract laboratory's data sheets for all day(s) that samples were collected. Record the data in the units indicated. Table 1 in Chapter 62-160, F.A.C., contains a complete list of all the data qualifier codes that your laboratory may use when reporting analytical results. However, when transferring numerical results onto Part B of the DMR, only the following data qualifier codes should be used and an explanation provided where appropriate.

CODE	DESCRIPTION/INSTRUCTIONS
<	The compound was analyzed for but not detected.
A	Value reported is the mean (average) of two or more determinations.
J	Estimated value, value not accurate.
Q	Sample held beyond the actual holding time.
Y	Laboratory analysis was from an unpreserved or improperly preserved sample.

To calculate the monthly average, add each reported value to get a total. For flow, divide this total by the number of days in the month. For all other parameters, divide the total by the number of observations.
Plant Staffing: List the name, certificate number, and class of all state certified operators operating the facility during the monitoring period. Use additional sheets as necessary.

PART D - GROUND WATER MONITORING REPORT

Monitoring Period: Enter the month, day, and year for the first and last day of the monitoring period (i.e. the month, the quarter, the year, etc.) during which the data on this report were collected and analyzed.
Date Sample Obtained: Enter the date the sample was taken. Also, check whether or not the well was purged before sampling.
Time Sample Obtained: Enter the time the sample was taken.
Sample Measurement: Record the results of the analysis. If the result was below the minimum detection limit, indicate that.
Detection Limits: Record the detection limits of the analytical methods used.
Analysis Method: Indicate the analytical method used. Record the method number from Chapter 62-160 or Chapter 62-601, F.A.C., or from other sources.
Sampling Equipment Used: Indicate the procedure used to collect the sample (e.g. airlift, bucket/bailer, centrifugal pump, etc.)
Samples Filtered: Indicate whether the sample obtained was filtered by laboratory (L), filtered in field (F), or unfiltered (N).
Signature: This report must be signed in accordance with Rule 62-620.305, F.A.C. Type or print the name and title of the signing official. Include the telephone number where the official may be reached in the event there are questions concerning this report. Enter the date when the report is signed.
Comments and Explanation: Use this space to make any comments on or explanations of results that are unexpected. If more space is needed, reference all attachments in this area.

SPECIAL INSTRUCTIONS FOR LIMITED WET WEATHER DISCHARGES

Flow (Limited Wet Weather Discharge): Enter the measured average flow rate during the period of discharge or divide gallons discharged by duration of discharge (converted into days). Record in million gallons per day (MGD).
Flow (Upstream): Enter the average flow rate in the receiving stream upstream from the point of discharge for the period of discharge. The average flow rate can be calculated based on two measurements; one made at the start and one made at the end of the discharge period. Measurements are to be made at the upstream gauging station described in the permit.
Actual Stream Dilution Ratio: To calculate the Actual Stream Dilution Ratio, divide the average upstream flow rate by the average discharge flow rate. Enter the Actual Stream Dilution Ratio accurate to the nearest 0.1.
No. of Days the SDF > Stream Dilution Ratio: For each day of discharge, compare the minimum Stream Dilution Factor (SDF) from the permit to the calculated Stream Dilution Ratio. On Part B of the DMR, enter an asterisk (*) if the SDF is greater than the Stream Dilution Ratio on any day of discharge. On Part A of the DMR, add up the days with an "*" and record the total number of days the Stream Dilution Factor was greater than the Stream Dilution Ratio.
$CBOD_5$: Enter the average $CBOD_5$ of the reclaimed water discharged during the period shown in duration of discharge.
TKN: Enter the average TKN of the reclaimed water discharged during the period shown in duration of discharge.
Actual Rainfall: Enter the actual rainfall for each day on Part B. Enter the actual cumulative rainfall to date for this calendar year and the actual total monthly rainfall on Part A. The cumulative rainfall to date for this calendar year is the total amount of rain, in inches, that has been recorded since January 1 of the current year through the month for which this DMR contains data.
Rainfall During Average Rainfall Year: On Part A, enter the total monthly rainfall during the average rainfall year and the cumulative rainfall for the average rainfall year. The cumulative rainfall for the average rainfall year is the amount of rain, in inches, which fell during the average rainfall year from January through the month for which this DMR contains data.
No. of Days LWWD Activated During Calendar Year: Enter the cumulative number of days that the limited wet weather discharge was activated since January 1 of the current year.
Reason for Discharge: Attach to the DMR a brief explanation of the factors contributing to the need to activate the limited wet weather discharge.