



Jeb Bush
Governor

Department of Environmental Protection

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

David B. Struhs
Secretary

CBC 02-154

DEP 02-1373

November 4, 2002

- CERTIFIED MAIL - RETURN RECEIPT REQUESTED -

Pat Venable, Environmental Manager
Florida Crushed Stone Company
10311 Cement Plant Road
Post Office Box 1508
Brooksville, Florida 34605-1508

**RE: Florida Crushed Stone Company Power Plant
Modification to Conditions of Certification
DEP Case Number PA82-171**

ORDER MODIFYING CONDITIONS OF CERTIFICATION

Dear Mr. Venable:

On December 15, 1999, the Department of Environmental Protection (DEP) and Florida Crushed Stone Company entered into a Consent Order, OGC Case No. 98-0093, which required FCS to seek a modification of the Conditions of Certification. FCS filed a request to modify the conditions on February 15, 2000. On May 7, 2001, FCS filed additional information including a Best Management Practices Plan, a Groundwater Monitoring Plan and a Site Water Management Plan for the purpose of supplementing and clarifying their modification request. On February 12, 2002, FCS filed proposed revisions to the conditions. On October 18, 2000, the DEP issued amendments to Title V Air Operation Permit No. 0530021-005-AC and permit PSD-FL-091(D); and on March 28, 2002, the DEP issued amendments to Title V Air Operation Permit No. 0530021-006-AC and permit PSD-FL-091(E).

The Department has reviewed the modification request. On September 13, 2002, all parties to the certification proceeding were provided with notice by certified mail of the Department's intent to modify the Conditions of Certification for this facility, along with a copy of the proposed Order Modifying Conditions of Certification. Additionally, on September 20, 2002, notice of the Department's intent to modify the Conditions of Certification for this facility was published in the Florida Administrative Weekly ("FAW"), and on the Department's internet home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices." Those notices specified that pursuant to Section 403.516, Florida Statutes ("F.S."), and Rule 62-17.211, Florida Administrative

Code ("F.A.C."), all parties to the certification proceeding have 45 days from the issuance of notice by mail to such party's last address of record in which to file a written objection to the modification; that any person who is not already a party to the certification proceeding and whose substantial interests will be affected by the requested modification has 30 days from the date of publication of the public notice in the Florida Administrative Weekly to object in writing; and that the Department will issue an Order Modifying the Conditions of Certification for this facility if no written objections are received by the Department.

No objections to the modification have been received by the Department. The Conditions of Certification for the Florida Crushed Stone Company facility are hereby modified as follows:

I. Air

The construction and operation of the Florida Crushed Stone Company (FCS) steam electric power plant site shall be in accordance with all applicable provisions of the Department of Environmental Protection's (DEP) Rules as found in Chapters 62-296, 62-297, 62-301, 62-302, 62-522, 62-701 and 62-702, Florida Administrative Code (F.A.C.), and permits PSD-FL-090, PSD-FL-091, PSD FL 227, PSD-FL- 227(A) 0530021-006-AC and 0530021-007-AV, as amended. In addition to the foregoing, the permittee licensee shall comply with the following specific eConditions of eCertification:

A. Emission Limitations Power Plant Boiler - Essential Potential to Emit (PTE) Parameters

1. ~~Stack emissions from the power plant boiler only or power boiler and lime plant shall not exceed the following site specific limitations when burning coal:~~

a. ~~SO₂ 1.2 lb. per million Btu heat input, maximum daily average, and 770 lb. per hour, maximum three hour average.~~

b. ~~NO_x 0.7 lb. per million Btu heat input, averaging time per Rule 62-297, FAC, not to exceed 846 lb/hr.~~

c. ~~Particulates (PM/PM₁₀) 0.0135 lb. per million BTU heat input, averaging time per 40 CFR 60.46.~~

d. ~~Visible emissions 10% opacity, 6 minute average, except for one 6 minute period per hour of not more than 17% opacity.~~

2. ~~Stack emissions from the combined cement plant I, lime plant and power plant boiler shall not exceed the following site specific limits:~~

a. ~~SO₂ 1.2 lb. per million Btu heat input, maximum daily average, and 781 lb. per hour, maximum three hour average.~~

b. ~~NO_x 0.7 lb. per million Btu heat input plus 2.9 lb. per ton of kiln feed (dry basis), averaging time per Rule 62-297, FAC, not to exceed 1205 lb/hr.~~

c. ~~PM/PM₁₀ 0.0135 lb. per MMBTU (25.0 lbs per hour at 1,850 MMBTU/hr) plus 0.3 lb. from cement kiln I and 0.1 lb. from clinker cooler I per ton of kiln feed (dry basis), averaging time per 40 CFR 60.46.~~

d. ~~Visible emissions 10 percent opacity, 6 minute average, except for one 6 minute period per hour of not more than 27% opacity.~~

3. ~~Particulate and SO₂ emissions from the boiler, coal and fly ash handling facilities.~~

a. ~~All conveyors and conveyor transfer points will be enclosed to preclude particulate emissions (except those directly associated with the coal stacker/reclaimer or emergency stockout stacker/reclaimer or emergency stockout).~~

b. ~~Inactive coal storage piles will be shaped, compacted and oriented to minimize wind erosion.~~

c. ~~Water sprays or chemical wetting agents and stabilizers will be applied to storage piles, handling equipment, etc. during dry periods and as necessary to all facilities to maintain an opacity of less than or equal to 5 percent, except when adding, moving or removing coal from the coal pile, during which the opacity shall be no more than 20%.~~

d. ~~The fly ash handling system (including transfer and silo storage) will be totally enclosed and vented (including pneumatic system exhaust) through fabric filters; and~~

e. ~~The permittee licensee licensee must submit to the Department within thirty (30) days after it becomes available a copy of the technical data pertaining to the selected particulate and SO₂ emissions control for the coal, and fly ash handling facilities. These data should include, but not be limited to, guaranteed efficiency and emission rates, and major design parameters such as air/cloth ratio and flow rate. The Department may, upon review of these data, disapprove the use of any such device if the Department determines the selected control device to be inadequate to meet the emission limits specified in Condition I.A.5. below. Such disapproval shall be issued within 30 days of receipt of the technical data.~~

4. ~~Particulate emissions from bag filter exhausts from the coal and fly ash handling systems (excluding those facilities covered by Condition I.A.4.e. above) shall be limited to 0.02 gr/acf. Emissions from lime and limestone handling and storage facilities shall not exceed 0.015 gr/acf. A visible emission reading of 5% opacity or less~~

~~may be used to establish compliance with this emission limit. A visible emission reading greater than 5% opacity will not create a presumption that the 0.02 gr/aef emission limit is being violated. However, a visible emission reading greater than 5% opacity will require the permittee licensee licensee to perform a stack test, as set forth in Condition I.C.~~

~~5. Compliance with opacity limits of the facilities listed in Condition I.A.5. will be determined by EPA reference method 9 (Appendix A, 40 CFR 60).~~

~~6. Construction shall reasonably conform to the plans and schedule given in the application.~~

~~7. The permittee shall report any delays in construction and completion of the project which would delay commercial operation by more than 90 days, to the Department's Southwest District Office in Tampa.~~

~~8. Reasonable precautions to prevent fugitive particulate emissions during construction, such as coating or paving of roads and construction sites used by contractors, and regrassing or watering areas of disturbed soils, will be taken by the permittee licensee.~~

~~9. Any fuel oil to be fired in the unit shall be "new oil", which means an oil which has been refined from crude oil and has not been used. The quality of the fuel oil used by the boiler shall not cause the allowable emission limits listed in the table below to be exceeded. Such emissions may be calculated in accordance with AP 42, third edition.~~

~~Allowable Emission Limits~~

Pollutant	Lb/MMBtu
PM	0.015
SO₂	0.31
NO_x	0.16
Visible emissions	Maximum 20% Opacity

~~10. Samples of all fuel oil and coal fired in the boilers shall be taken and an ultimate analysis obtained including the heating value on a moisture free basis. Accordingly, samples shall be taken of each fuel shipment received. Coal sulfur content shall be determined and recorded on a daily basis to demonstrate compliance with the 1.2 lb. Per million Btu SO₂ emission limits in Conditions I.A.1.a. and I.A.2.a. Records of all the analyses shall be kept for public inspection for a minimum of two years after the data are recorded.~~

11. The height of the boiler exhaust stack for the plant shall not be less than 320 ft. above grade.

12. In accordance with Rules 62-210.700(1) and (6), excess emissions resulting from startup, shutdown or malfunction of any source shall be permitted providing (1) best operational practices to minimize emission, 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. In case of excess emissions resulting from malfunctions, the permittee shall notify the Department in accordance with Rule 62-4.130, Florida Administrative Code. A full-written report on the malfunctions shall be submitted in a quarterly report, if requested by the Department.

13. Particulate emissions from the following sources of Chemical Lime Company shall not exceed the following limits:

SOURCE	PERMIT NO.	EMISSIONS (lb/hr)
Kiln	A027-55581	16.0
Hydrator	A027-25269	12.5
Dryer	A027-50400	14.5
Bagging	A027-17352	5.0

14. Particulate emissions from the following sources shall not exceed the following limits:

SOURCE	PERMIT NO	EMISSIONS	
		(T/Yr)	(lb/hr)
Limestone Screening-Baghouse	AC27-091426	1.5	0.4
Limestone Storage Bin	AC27-091427	9.6	2.4
Limestone Storage Bin	AC27-091429	3.2	0.8
Limestone Storage-Silo-B	AC27-091430	1.5	0.4
Limestone Silo-Discharge and Baghouse	AC27-091432	5.1	1.3
Limestone Storage-Silo-A	AC27-091433	2.7	0.7

15. If the preheater kiln technology is selected, stack emissions from Cement Plant II shall not exceed the following site specific limitations for the cement kiln, clinker cooler, raw mill and preheater as given in Permit No. AC27-274892:

(dry basis)- POLLUTANT	Emission Limits- LBS/TON-KILN- FEED	MAX ALLOWABLE EMISSIONS	
		LBS/HR	TONS/YR
Particulate- (Cooler)	0.1	12.7	55.6
Particulate (Kiln)	0.2	25.4	111.3
SO ₂	0.18	22.4	98.2
NO _x	1.83	232.4	1018

If the precalciner technology is selected, stack emissions from Cement Plant II shall not exceed the following site specific limitations for the cement kiln, clinker cooler, raw mill and precalciner as given in Permit No. AC27-274892(A):

(dry basis)- POLLUTANT	Emission Limits- LBS/TON-KILN- FEED	MAX ALLOWABLE EMISSIONS	
		LBS/HR	TONS/YR
Particulate- (Cooler)	0.1	15.9	70
Particulate (Kiln)	0.2	31.9	140
SO ₂	0.15	24.0	105
NO _x	1.83	291.7	1278

The measured emission rates will be the combined rates from the Cement Plant II cement kiln stack. Visible emissions shall not be equal to or greater than 10% opacity, also determined at the Unit II cement plant stack. Permits No. AC27-274892 and AC27-274892(A) also specify:

a. The raw and finished material feed rates and fuel types for cement plant II;

b. The operating conditions required for proper operation and startup/shutdown periods; and

~~e. The testing, monitoring, record keeping, and reporting requirements for cement plant II.~~

~~16. Minor source cement plant II particulate emissions due to the storage and/or use of raw materials, immediate (cement kiln dust) and final (clinker) products will be controlled through the use of silos and/or covered conveyors equipped with fabric filter baghouses designed for outlet grain loading of 0.01 gr/dscf. A visible emission reading of 5% opacity or less may be used to establish compliance with the gr/dscf emission limits for each source given in the permits. A visible emission reading greater than 5% opacity will require the permittee to perform a stack test using EPA Methods contained in 40 CFR 60, Appendix A, with minimum requirements for stack sampling facilities, source sampling and reporting in accordance with 62-297, FAC.~~

1. Permitted Capacity. The heat input rate of the power plant boiler, with or without the cement kiln I operating, shall not exceed the maximum necessary to produce 150 MW (net delivered) of power and shall in no case exceed 1850 MMBtu/hr, maximum three-hour average.

2. Hours of Operation. The power plant boiler is allowed to operate continuously, i.e., 8,760 hours/year.

3. Methods of Operation – Fuels – Power Boiler

a. The primary fuel allowed to be burned is coal.

b. New distillate No. 2 fuel oil is allowed for startup purposes. Any fuel oil to be fired in the unit shall be "new oil", which means an oil which has been refined from crude oil and not been used.

4. Permitted Capacity – Cement Kiln #1

a. For the cement kiln #1, the maximum dry feed rate to the kiln is 127.0 tons/hour (138.0 tons/hour feed rate to the preheater).

b. For the clinker cooler #1, the maximum clinker production rate is 83.0 tons/hour.

c. For the in-line kiln, the maximum processing rate is 138 tons/hour (dry basis).

5. Hours of Operation – Cement Kiln #1

a. The emissions units are allowed to operate continuously, i.e., 8,760 hours/year.

b. Shredded and whole tire (TDF) utilization shall not exceed 8,300 hours/year.

6. Methods of Operation – Kiln #1 Fuels

a. The only fuels allowed to be fired are coal, No. 2 distillate fuel oil, residual fuel oil, "on-specification" used oil, and TDF.

b. The maximum coal consumption in the cement kiln is 10.3 tons/hour.

c. The new No. 2 fuel oil shall be used for the cement kiln's startup/preheating operation.

d. "On-specification" used oil is allowed to be fired as a blend with purchased fuel oil as a startup fuel only. The maximum on-specification used oil in the final storage tank blend of on-specification used oil and purchased oil shall not exceed 15%, by volume.

e. The cement kiln #1's maximum utilization/firing rate of TDF shall not exceed 15.0 percent of the total Btu heat input, or 1.33 tons/hour. The TDF may be introduced at the base of the preheater (i.e., kiln's inlet). The firing of the TDF shall not commence or be conducted unless the kiln has reached an operating temperature, which shall be measured at the cement kiln's inlet, of at least 1400° F for one hour and the oxygen level in the kiln, as measured at the cement plant's induced draft fan, is at least 3 percent (1-hour average).

7. Materials Handling - Permitted Capacity.

a. The maximum process/transfer/throughput rates are:

<u>E.U. ID No.</u>	<u>Brief Description</u>	<u>Maximum Rate</u>
<u>-035/D-38</u>	<u>Limestone Rock Bin with Baghouse</u>	<u>400 tons/hour</u>
<u>-036/D-31</u>	<u>Contaminated Fly Ash & Filter Dust Bin with Baghouse</u>	<u>100 tons/hour</u>
<u>-037/D-39</u>	<u>Limestone Screening System with Baghouse</u>	<u>160 tons/hour</u>
<u>-038/D-13</u>	<u>Limestone Fines Storage Bin with Baghouse</u>	<u>100 tons/hour</u>
<u>-039/Z-31</u>	<u>Lime Dust Storage Bin with Baghouse</u>	<u>30 tons/hour</u>

b. Hours of Operation.

(1) The Limestone Rock Bin and Contaminated Fly Ash & Filter Dust Bin operations are allowed to operate continuously, i.e., 8,760 hours/year.

(2) The Limestone Screening System, Limestone Fines Storage Bin and Lime Dust Storage Bin operations are allowed to operate 7,884 hours/year.

c. Method of Operation. The emissions units either process or transfer materials used in the injection of limestone for SO₂ control for the power boiler. The fly ash handling system (including transfer and silo storage) will be totally enclosed and vented (including pneumatic system exhaust) through fabric filters.

B. Emission Limitations and Standards

1. Any fuel oil to be fired in the power boiler shall be "new oil", which means an oil which has been refined from crude oil and not been used. The quantity of fuel oil used by the boiler shall not cause the allowable emissions limits listed in the table below to be exceeded. Such emissions may be calculated in accordance with the latest edition of AP-42, third edition.

<u>Allowable Emissions Limits</u>	
<u>Pollutant</u>	<u>Lb/MMBtu</u>
<u>Particulate Matter</u>	<u>0.015</u>
<u>Sulfur Dioxide</u>	<u>0.31</u>
<u>Nitrogen Oxides</u>	<u>0.16</u>
<u>Visible Emissions</u>	<u>Maximum 20 % Opacity</u>

{Permitting note.: This table applies when fuel oil is being fired.}

2. Visible Emissions. Visible emissions from the power plant shall not exceed 10 % opacity, 6-minute average, except for one 6-minute period per hour of not more than 17 % opacity.

3. Particulate Matter (PM/PM10)

a. PM/PM10 emissions from the power plant boiler only or the power plant boiler and lime plant when burning coal shall not exceed 0.0135 pound per MMBtu heat input (25.0 pounds per hour at 1850 MMBtu/hr heat input), averaging time per 40 CFR 60.46.

b. PM/PM10 emissions from the combined cement plant #1, lime plant and power plant boiler shall not exceed 0.0135 pound per MMBtu heat input

(25.0 pounds per hour at 1850 MMBtu/hr heat input) plus 0.3 pound from cement kiln #1 and 0.1 pound from clinker cooler I per ton of kiln I's feed (dry basis), averaging time per 40 CFR 60.46.

4. Sulfur Dioxide (SO₂)

a. SO₂ emissions from the power plant boiler or the power plant boiler and lime plant while burning coal shall not exceed 1.2 pounds per MMBtu heat input, maximum two hour average, and 770 pounds per hour, maximum three hour average.

b. SO₂ emissions from the combined cement plant #1, lime plant and power plant boiler shall not exceed 1.2 pounds per MMBtu heat input, maximum two hour average, and 781 pounds per hour, maximum three hour average.

5. Nitrogen Oxides (NO_x)

a. NO_x emissions from the power plant boiler or the power plant boiler and lime plant while burning coal shall not exceed 0.7 pound per MMBtu heat input, averaging time per Chapter 62-297, F.A.C., not to exceed 846 pounds per hour.

b. NO_x emissions from the combined cement plant, lime plant and power plant boiler shall not exceed 0.7 pound per MMBtu heat input plus 2.9 pounds per ton of kiln 1's feed (dry basis), averaging time per Chapter 62-297, F.A.C., not to exceed 1205 pounds per hour.

6. Total Fluorides. Total fluoride emissions from the combined cement plant 1, lime plant and power plant boiler shall not exceed 0.7 pound per hour.

7. Sulfuric Acid Mist. Sulfuric acid mist emissions from the combined cement plant 1, lime plant and power plant boiler shall not exceed 1.7 pounds per hour.

8. Beryllium. Beryllium emissions from the combined cement plant #1, lime plant and power plant boiler shall not exceed 0.0005 pound per hour.

9. Mercury. Mercury emissions from the combined cement plant 1, lime plant and power plant boiler shall not exceed 0.03 pound per hour.

10. Particulate Matter (PM), Sulfur Dioxide (SO₂) and Nitrogen Oxides (NO_x). Based on a maximum preheater feed rate of 138 tons/hr and when only the cement plant #1 is in operation, the allowable pollutant emissions from the cement

kiln #1 and/or clinker cooler #1 (from the main baghouse stack) shall not exceed the following:

<u>Pollutant</u>	<u>Maximum Emission Limits</u>	<u>Maximum Allowable Emission Limits</u>	
	<u>lb/ton of kiln feed</u>	<u>lbs/hr</u>	<u>Tons/yr</u>
<u>PM (kiln I)</u>	<u>0.30</u>	<u>37.1</u>	<u>162</u>
<u>PM (clinker cooler I)</u>	<u>0.10</u>	<u>12.4</u>	<u>54</u>
<u>PM (combined total: kiln I and clinker cooler I)</u>	<u>0.40</u>	<u>49.5</u>	<u>216</u>
<u>SO₂</u>	<u>0.6</u>	<u>50.0</u>	<u>219</u>
<u>NO_x</u>	<u>2.9</u>	<u>359.0</u>	<u>1572</u>

11. Visible Emissions. Visible emissions from the cement kiln #1, clinker cooler 1, or raw mill shall not exceed 10 percent opacity.

12. Sulfur Dioxide - Sulfur Content. The maximum sulfur content of virgin fuel oil and/or the blend of on-specification used oil and purchased fuel oil is 1.5%, by weight, for the purpose of preheating the cement kiln.

13. Dioxins/Furans. No owner or operator of an existing in-line kiln/raw mill shall cause to be discharged into the atmosphere from these affected emissions units, any gases which contain dioxins/furans in excess of 0.40 ng/dscm (1.7×10^{-10} gr/dscf) (TEQ) corrected to seven percent oxygen, when the average of the performance test run average temperatures at the inlet to the particulate control device is 204° C (400° F) or less.

14. Material handling - Emission Limitations

a. Particulate Matter. The maximum allowable particulate matter emissions are:

<u>E.U. ID No.</u>	<u>Brief Description</u>	<u>Maximum Allowable Limits</u>
<u>-035/D-38</u>	<u>Limestone Rock Bin with Baghouse</u>	<u>0.015 gr/acfm; 1.1 lbs/hr; 4.1 TPY</u>
<u>-036/D-31</u>	<u>Contaminated Fly Ash & Filter Dust Bin with Baghouse</u>	<u>0.02 gr/acfm; 1.41 lbs/hr; 5.4 TPY</u>
<u>-037/D-39</u>	<u>Limestone Screening System with Baghouse</u>	<u>0.015 gr/acfm; 0.77 lb/hr; 3.04 TPY</u>
<u>-038/D-13</u>	<u>Limestone Fines Storage Bin with Baghouse</u>	<u>0.015 gr/acfm; 0.77 lb/hr; 3.04 TPY</u>
<u>-039/Z-</u>	<u>Lime Dust Storage Bin with Baghouse</u>	<u>0.015 gr/acfm; 1.16 lbs/hr;</u>

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4.56 TPY

b. Visible emissions shall not exceed 5 percent opacity, since each emissions unit's potential particulate matter emissions are less than 100 TPY and is equipped with a baghouse control system. As long as the visible emissions do not exceed 5 percent opacity, compliance is assumed for the particulate matter limitations established in Specific Condition I.B.14.a.

If the Department has reason to believe that the particulate matter weight emissions standard in Condition I.B.14.a., above, is not being met, it shall require that compliance be demonstrated by the test method specified in Condition I.H.9.

C. Excess Emissions

1. Excess emissions resulting from startup, shutdown, or malfunction of any emissions unit shall be permitted provided (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.

2. Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown or malfunction shall be prohibited.

D. Test Methods and Procedures

1. PM, NO_x, SO₂, and Visible Emissions. In accordance with the written protocol approved in writing by the Department, the licensee shall annually conduct (See Specific Condition D.15.) emission tests on the main stack for PM, NO_x, SO₂, and visible emissions:

a. During normal operations when the power plant and cement plant 1 are operating in combination; and,

b. At or near 1,850 MMBtu/hr heat input when the power plant is operating alone.

2. Visible Emissions. Compliance with the visible emissions limits in Specific Condition B.2. shall be demonstrated in accordance with EPA Method 9 pursuant to 40 CFR 60, Appendix A, and Chapter 62-297, F.A.C.

3. Particulate Matter (PM/PM₁₀). Compliance with the PM/PM₁₀ emissions limits in Specific Condition B.3. shall be demonstrated in accordance with EPA Method 5 or 17 pursuant to 40 CFR 60, Appendix A, and Chapter 62-297, F.A.C.

4. Sulfur Dioxide. Compliance with the SO₂ emissions limits in Specific Condition B.4. shall be demonstrated in accordance with EPA Method 6 or 6C pursuant to 40 CFR 60, Appendix A, and Chapter 62-297, F.A.C.

5. Nitrogen Oxide. Compliance with the NO_x emissions limits in Specific Condition B.5. shall be demonstrated in accordance with EPA Method 7 or 7E pursuant to 40 CFR 60, Appendix A, and Chapter 62-297, F.A.C.

6. Total Fluorides. Compliance with the fluoride emissions limit in Specific Condition B.6. shall be demonstrated, if required by EPA, in accordance with EPA Method 13A or 13B, and 40 CFR 60.8.

7. Sulfuric Acid Mist. Compliance with the sulfuric acid mist emissions limit in Specific Condition B.7. shall be demonstrated, if required by EPA, in accordance with EPA Method 8, and 40 CFR 60.8.

8. Beryllium. Compliance with the beryllium emissions limit in Specific Condition B.8. shall be demonstrated, if required by EPA, in accordance with EPA Method 104, and 40 CFR 60.8.

9. Mercury. Compliance with the mercury emissions limit in Specific Condition B.9. shall be demonstrated, if required by EPA, in accordance with EPA Method 101A, and 40 CFR 60.8.

10. EPA Methods 1 and 2 shall be used for determining stack gas velocity when required in Specific Conditions D.3. through D.9.

11. Performance tests shall be conducted and data reduced in accordance with methods and procedures outlined in 40 CFR 60.46 and Chapter 62-297, F.A.C.

12. Performance tests shall be conducted under such conditions as the Department shall specify based on representative performance of the facility (See Specific Condition D.15.). The licensee shall make available to the Department such records as may be necessary to determine the conditions of the performance tests.

13. The licensee shall provide 30 days notice of the performance tests or 10 working days for stack tests in order to afford the Department the opportunity to have an observer present.

14. Required Number of Test Runs. For mass emission limitations, a compliance test shall consist of three complete and separate determinations of the total air pollutant emission rate through the test section of the stack or duct and three complete

and separate determinations of any applicable process variables corresponding to the three distinct time periods during which the stack emission rate was measured, provided, however, that three complete and separate determinations shall not be required if the process variables are not subject to variation during a compliance test, or if three determinations are not necessary in order to calculate the unit's emission rate. The three required test runs shall be completed within one consecutive five day period. In the event that a sample is lost or one of the three runs must be discontinued because of circumstances beyond the control of the owner or operator, and a valid third run cannot be obtained within the five day period allowed for the test, the Secretary or his or her designee may accept the results of the two complete runs as proof of compliance, provided that the arithmetic mean of the results of the two complete runs is at least 20 percent below the allowable emission limiting standards.

15. Operating Rate During Testing. Testing of emissions shall be conducted with each emissions unit operation at permitted capacity, which is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. If it is impracticable to test at permitted capacity, an emissions unit may be tested at less than the minimum permitted capacity; in this case, subsequent emissions unit operation is limited to 110 percent of the test load until a new test is conducted. Once the emissions 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.

16. Calculation of Emission Rate. The indicated emission rate or concentration shall be the arithmetic average of the emission rate or concentration determined by each of the separate test runs unless otherwise specified in a particular test method or applicable rule.

17. Applicable Test Procedures - Required Sampling Time

a. 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.

b. 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. Exception to these requirements is as follows: 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.

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

d. 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.

e. 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. 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.

18. Required Stack Sampling Facilities. When a mass emissions stack test is required, the licensee shall comply with the requirements contained in Appendix SS-1, Stack Sampling Facilities, attached to this permit.

19. 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. 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 fuel for more than 400 hours other than during startup.

b. The owner or operator of an emissions unit that is subject to any emission limiting standard shall conduct a compliance test that demonstrates compliance with the applicable emission limiting standard prior to obtaining a renewed operation permit. Emissions units that are required to conduct an annual compliance test may submit the most recent annual compliance test to satisfy the requirements of this provision. In renewing an air operation permit pursuant to Rule 62-210.300(2)(a)3.b., c.,

or d., F.A.C., the Department shall not require submission of emission compliance test results for any emissions unit that, during the year prior to renewal:

(1) Did not operate; or

(2) In the case of a fuel burning emissions unit, burned liquid fuel for a total of no more than 400 hours.

c. 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:

(1) Visible emissions, if there is an applicable standard;

(2) 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

(3) Each NESHAP pollutant, if there is an applicable emission standard.

d. 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 fuel, other than during startup, for a total of more than 400 hours.

20. 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.

21. Special Compliance Tests. When the Department, after investigation, has good reason (such as complaints, increased visible-emissions or questionable maintenance of control equipment) to believe that any applicable emission standard contained in a Department rule or in a permit issued pursuant to those rules is being violated, it may require the owner or operator to perform special compliance tests.

22. Construction shall reasonably conform to the plans and schedule given in the application.

23. Reasonable precautions to prevent fugitive particulate emissions during construction, such as coating or paving of roads and construction sites used by contractors, and regrassing or watering areas of disturbed soils, will be taken by the permittee licensee.

24. Samples of all fuel oil and coal fired in the boilers shall be taken and an ultimate analysis obtained including the heating value on a moisture free basis. Accordingly, samples shall be taken of each fuel shipment received. Coal sulfur content shall be determined and recorded on a daily basis to demonstrate compliance with the 1.2 lb. Per million Btu SO₂ emission limits in Conditions I.B.4. Records of all the analyses shall be kept for public inspection for a minimum of two years after the data are recorded.

25. The height of the boiler exhaust stack for the plant shall not be less than 320 ft. above grade.

B E. Air Monitoring Program

1. A flue gas oxygen meter shall be installed for the unit to continuously monitor a representative sample of the flue gas. The oxygen monitor shall be used with automatic feedback or manual controls to continuously maintain air/fuel ratio parameters at an optimum. Performance tests shall be conducted and operating procedures established. The document "Use of Flue Gas Oxygen Meter as BACT for Combustion Controls" may be used as a guide. The ~~permittee~~ licensee shall install and operate continuous monitoring devices for the boiler/Cement Plant ~~11~~ exhaust for sulfur dioxide and opacity to demonstrate compliance with the pound-per-hour SO₂ emission limits and visible emission limits, respectively, in Conditions I.A.1.a. 1.B.4 and I.A.2.a. 1.B.2., respectively. The monitoring devices shall meet the applicable requirements of Chapter 62-297, FAC, and 40 CFR 60.45, and 40 CFR 60.13, including certification of each device. The ~~permittee~~ licensee will provide the department with 30 days notice on each certification.

2. The ~~permittee~~ licensee shall operate ~~two~~ ambient monitoring devices for ~~suspended~~ particulates matter in accordance with a written protocol approved in writing by DEP and in accordance with DEP quality assurance procedures and EPA reference methods in 40 CFR 53. The monitoring devices shall be operated at a location approved by the Department. The frequency of operation of the particulate monitors shall be every six days commencing as specified by the Department. In addition, the ~~permittee~~ licensee shall operate a meteorological station, which includes wind measuring equipment, at a location approved by the Department. These data will be reported with the ambient data.

3. through 6. No change.

C F. ~~Stack~~ Emission Testing

1. Within 60 calendar days after achieving the maximum capacity at which each unit will be operated (but no later than 180 operating days after initial startup) and annually thereafter, the ~~permittee~~ licensee shall conduct ~~performance~~ emission tests

for particulates SO₂, NOX, and visible emissions during normal operations near ~~(+3%)~~ (within 90%-100%) ~~1,234 1850 million Btu per hour heat input when the power plant and cement plant are operating in combination and 1,000 million Btu per hour when the power plant is operating alone,~~ and shall conduct visible emission tests on all coal handling and flyash baghouses. The Department shall be furnished a written report of the results of such ~~performance~~ emission tests within 45 days of completion of the tests. The ~~performance~~ emission tests will be conducted in accordance with the provisions of ~~40- CFR 60.46~~ Rule 62-297, F.A.C.

2. ~~Performance~~ Emission tests shall be conducted and data reduced in accordance with methods and procedures outlined in Rule 62-297, FAC.

3. ~~Performance~~ Emission tests shall be conducted under such conditions as the Department shall specify based on representative performance of the facility. The ~~permittee licensee~~ shall make available to the Department such records as may be necessary to determine the conditions of the ~~performance~~ emission tests.

4. The ~~permittee licensee~~ shall provide 30 days notice of the ~~performance~~ emission tests or 10 working days for ~~stack~~ emission tests in order to afford the Department the opportunity to have an observer present.

5. ~~Stack~~ Emission tests for particulates, NOx, and SO₂ and visible emissions tests shall be performed annually ~~from the date of the first performance tests~~ in accordance with Conditions C.2, 3, and 4 above.

6. Instruments shall be installed, calibrated, and maintained to continuously measure the amounts of coal and limestone used in the boiler, and the material fed to cement the preheater of kiln I ~~and clinker produced by cement kiln I~~. The records of coal and limestone used in the boiler, fuel analysis, daily ~~cement kiln I preheater for Kiln 1 feed and daily clinker produced~~ production shall be reported quarterly to the Department's Southwest District Office.

D G. Reporting

1. ~~Stack~~ Emission monitoring, fuel usage and fuel analysis data shall be reported to the Department's Southwest District Office and to the Hernando County Health Department on a quarterly basis commencing with the start of operation in accordance with 40 CFR 60.7 and Rule 62-297.500, FAC.

2. Utilizing the SAROAD or other format approved in writing by the Department, ambient air monitoring data shall be reported to the Bureau of Air Quality-Management Monitoring and Mobile Sources of the Department quarterly. Commencing on the date of certification, such reports shall be due within 45 days following the

quarterly reporting period. Reports shall be in conformance with 40 CFR, Parts 53 and 58.

~~3. Beginning one month after certification, the permittee licensee shall submit to the Department a monthly status report briefly outlining progress made on engineering design and purchase of major pieces of air pollution control equipment. All reports and information required to be submitted under this condition shall be submitted to the Administrator of Power Plant Siting, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida, 32301.~~

~~E H.~~ No change to text.

~~F I.~~ No change to text.

~~G J.~~ No change to text.

~~H K.~~ No change to text.

II. Water

The facility shall be operated in accordance with DEP Rules 62-301 and 62-302, F.A.C.

A. and B. No change.

C. Water Monitoring Programs

The ~~permittee licensee~~ shall monitor and report to the Department's Southwest District Office or Water Management District the listed parameters on the basis specified herein. The methods and procedures utilized shall be contained in an approved Groundwater Monitoring Plan which shall receive written approval by the Department or in compliance with Chapter 62-160, and Chapter 40D-4, F.A.C. The monitoring program may be reviewed annually by the Department, and a determination may be made as to the necessity and extent of continuation and may be modified in accordance with condition No. XXV.

1. Groundwater Monitoring

a. The groundwater levels shall be monitored continuously in wells as approved by Southwest Florida Water Management District. Chemical analyses shall be made on samples from all monitored wells identified in Conditions II.C.3. below. The location, frequency and selected chemical analyses shall be as given in Condition II.C.3. or as subsequently amended in the approved Groundwater Monitoring Plan.

b. The groundwater monitoring program shall be implemented ~~at least one year prior to operation of the power plant~~ in accordance with the Groundwater Monitoring Plan submitted April 2000, or as later amended by DEP and SWFWMD approval. The chemical analyses shall be in accord with the latest edition of *Standard Methods for the Analysis of Water and Wastewater*. The data shall be submitted within 30 days of collection/analysis to the Southwest Florida Water Management District and to the DEP Southwest District Office.

c. No change.

2. Leachate

a. Compliance

Leachate from the coal storage pile, coal pile runoff collection sump, ash disposal, and ditches shall not contaminate waters of the State (including both surface and groundwaters) in excess of the limitations of Chapters ~~17-3~~ 62-302, 62-520 and 62-550 F.A.C.

b. Monitoring

A monitoring well system shall be used, commencing one year prior to operation, to determine whether or not leachate from the coal pile runoff collection sump, canals, ditches, ash disposal and coal pile is contaminating the groundwater in violation of Chapter ~~17-3~~ 62-520, F.A.C. The ~~permittee~~ licensee shall keep a ~~monthly~~ quarterly record of the monitoring results and shall notify the Southwest District Office of the Department and the Southwest Florida Water Management District when said measurements exceed water quality standards. A quarterly summary of the results of monitoring shall be provided to the Department and SWFWMD using Form ~~17~~ 62-1.216(2). The proposed monitoring well system shall be submitted to the Department for approval prior to installation.

c. Corrective Action

When the leachate monitoring system indicates to the Department violation of the groundwater quality standards of Chapter ~~17-3~~ 62-520, F.A.C., the appropriate ditches, treatment system sump, landfill or coal pile shall be sealed, relocated or closed or the operation of the affected facility shall be altered in such a manner as to assure the Department that no significant contamination of the groundwater will occur.

d. Zone of Discharge

Leachate from the coal storage pile, wastewater ponds, landfill or coal pile runoff collection sump shall not contaminate waters of the State (including both surface and groundwaters) in excess of the limitations of Chapters ~~17-3, FAC, 62-302, 62-520 and 62-550, F.A.C.~~, beyond the boundary of separate and individual zones of discharge extending 50 feet below the ground surface and 100 feet from the edge of each individual pile or pond.

3. Shallow Aquifer Monitoring Wells

After consultation with the ~~DER~~ DEP and SWFWMD, FCS shall install a monitoring well network to adequately monitor groundwater quality horizontally and vertically in the surficial and Floridan aquifers. Groundwater levels and flow directions will be determined twice a year (May and September) at the site through the preparation of seasonal piezometric contour maps. From the maps, the water quality monitoring well network will be located. Monitoring well locations and designs shall be submitted to the Department and SWFWMD for review and approval. Approval or disapproval of the locations and design shall be granted within 60 days. Monitoring wells of adequate design and number shall be installed up gradient and down gradient from each liquid waste sump and each coal pile storage area. Two additional monitoring wells will be placed immediately down gradient of the cooling pond. The water samples collected from each of the monitor wells shall be collected immediately after removal by pumping of a quantity of water equal to two casing volumes. The water quality analyses shall be performed monthly during the year prior to commercial operation and quarterly thereafter. Results shall be submitted to the Department and the SWFWMD by the tenth (10th) day of the month following the month during which such analyses were performed. The Analysis shall follow the methods set forth in the current edition of *Standard Methods for the Examination of Water and Wastewater* by APHA-AWWA-WPCF or *Methods for Chemical Analysis of Water and Wastes* by the U.S. Environmental Protection Agency, with the methods used being specified. Results shall be submitted on the tenth day of the following month. Background water quality data shall be provided with data collected and submitted a minimum of twelve months prior to start-up of the power plant. The District may require further water quality testing if the pH levels decline significantly from ambient (baseline) as established during the pre-operational study period. Testing for the following constituents is initially required and may be modified by the approved Groundwater Monitoring Plan:

TDS	Zinc
Conductance	Copper
PH	Nickel
Sulfate	Selenium
Chloride	Chromium
Iron	Arsenic
Aluminum	Beryllium
Cadmium	Mercury

Silver	Lead
Barium	Manganese
Sodium	Fluorine
Gross Alpha, Ra ²²⁶ (when Gross Alpha activity exceeds 15 pCi/l)	

4. Flow Monitoring

~~An automated flow measurement device shall be installed on the Emergency Relief Spillway for the cooling pond, with data collected and measured in gallons per day and submitted monthly. Automated flow measurement devices shall be installed at all points of inflow to the impoundments, with data collected and measurement in gallons per day and submitted monthly.~~ In the event of any discharge through the Emergency Relief Spillway for the cooling pond, the flow date and estimated daily discharge amounts shall be reported within seven (7) days to the DEP SW District Office.

5. No change.

6. Pond Quality

As a measure to protect groundwater quality, water quality sampling for pH and suspended solids ~~to~~ shall be collected on a monthly basis from a single site in the cooling pond near the emergency spillway within three (3) feet from the bottom of the pond. Background water quality data shall be provided, with data collected and submitted a minimum of 12 months prior to start-up of the power plant. The analysis shall follow the methods set forth in the current edition of *Standard Methods for the Examination of Water and Wastewater* by APHA-AWWA-WPCF or *Methods for Chemical Analysis of Water and Wastes* by the U.S. Environmental Protection Agency, with the methods used being specified. Results shall be submitted on the tenth day of the following month. The District may require further water quality testing if the pH within the cooling pond falls below pH 6.3 for two consecutive months. Any additional water quality analyses required by the Department of Environmental Protection shall be submitted to the DEP SW District Office.

7. No change.

8. Impoundment Dam Construction

Any modifications to existing impoundments or construction of new impoundments must, as a minimum, be designed, constructed, and operated in accordance with Chapter ~~47~~ 62-672, Florida Administrative Code. Before any construction is initiated on impoundments, the Department must review and approve all design plans and parameters relating to embankment construction and water control structures.

9. Dam Inspection

Employees of DEP and the SWFWMD shall have the right to inspect dam embankments and structures at any reasonable time.

10. No change.

11. Dam Inspection Report

An annual inspection report, pertaining to the condition of the impoundments will be submitted to DEP and the SWFWMD by an engineer registered in the State of Florida, who is experienced in the field of construction and maintenance of dams.

D. through H. No change.

I. Water Sampling

The DEP SW District and the SWFWMD reserves the right, at all reasonable times, to collect water samples for analysis. The District may, upon prior notice, collect water samples from any or all withdrawal points listed, or may, at the option of the District, provide mailable containers to Florida Crushed Stone, and require Florida Crushed Stone to forward samples from any or all withdrawal points within a reasonable period of time prescribed

J. through M. No change.

III. Control Measures During Construction

A. Stormwater Runoff

During construction and plant operation, necessary measures shall be used to settle, filter, treat or absorb silt containing or pollutant laden stormwater runoff to limit the suspended solids to 50 mg/l or less at the POD during rainfall periods less than the 10-year, 24-hour rainfall, and to prevent an increase in turbidity to more than ~~50 Jackson~~ 29 Nephelometric Turbidity Units (NTU) above background in waters of the State. Control measures shall consist at the minimum of filters, sediment traps, barriers, berms or vegetative planting. Exposed or disturbed soil shall be protected as soon as possible to minimize silt and sediment laden runoff. The pH shall be kept within the range of 6.0 to 8.5.

B. No change.

C. Environmental Control Program and Best Management Practices

1. An environmental control program shall be established under the supervision of a qualified person to assure that all construction activities conform to good environmental practices and the applicable conditions of certification. The ~~permittee~~ licensee shall notify the Department if unexpected harmful effects or evidence of irreversible environmental damage are detected during construction, shall immediately cease work, and shall provide a analysis of the problem and a plan to eliminate or significantly reduce the harmful effects of damage and to prevent recurrence.

2. The licensee shall implement the Best Management Practices Plan submitted to the Department on May 12, 2000, including the Site Water Management Plan, dated March 15, 2000, and Groundwater Management Plan, dated April 2000, as approved by the Department. The licensee shall submit any proposed revisions to the Management Plans to the Department's Southwest District Office for review and approval.

IV. Solid Wastes

A. Solid wastes resulting from construction or operation shall be disposed of in accordance with the applicable Protections of Chapter, ~~17-7~~ 62-701 and 62-702, F.A.C. Chemical wastes collected from the coal pile runoff sump and water treatment facility shall be disposed of in a landfill with an impervious liner. The plans and specifications for the chemical wastes landfill shall be submitted to the Southwest Florida District Office for review and approval 90 days prior to construction of that landfill.

B. Open burning in connection with land clearing shall be in accordance with Chapter ~~17-5~~ 62-256, F.A.C., and Chapter 5I-2, F.A.C., Uniform Fire Code Section 33.101 Addendum, and any other applicable county regulation. No additional permits shall be required, but the Division of Forestry shall be notified prior to burning. Open burning shall not occur if the Division of Forestry has issued a ban on burning due to fire hazard conditions.

C. Power plant ash shall be contained or stored in facilities designed to prevent infiltration and exfiltration of water. No landfilling of ash may occur without prior approval of the department.

V. through VIII. No change

IX. Construction on Sovereignty Lands

No construction on sovereignty lands shall commence without obtaining lease or title from the ~~Department of Natural Resources~~ DEP or Trustees of the Internal Improvement Trust Fund (TIITF).

X. through XI. No change.

XII. Cooling Pond Perimeter Berms

Construction of cooling pond perimeter berms shall be in conformance with the provisions of Chapter ~~17-9~~, 62-272, F.A.C., regarding earthen dams and shall be inspected regularly as required by Chapter ~~17-9~~, 62-272, F.A.C., and annually by a licensed engineer.

XIII. Transmission Lines, Access Road and Rail Spur

A. General

1. Filling and construction in waters of the State shall be minimized to the extent practicable. No such activities shall take place without obtaining lease or title from the Department of ~~Natural Resources~~ and/or TITF where required. Construction and access roads should avoid wetlands and be located in surrounding uplands.

2. through 9. No change.

B. and C. No change.

D. Archaeological Sites

Any archaeological sites discovered during construction of the transmission lines, access roads or rail spurs shall be disturbed as little as possible and such discovery shall be communicated to the Department of State, Division of ~~Archives, History and Records Management (DAHRM)~~ Historical Resources (DHR). Potentially affected areas will be surveyed, and if a significant site is located, the site shall be avoided, protected, or excavated as directed by ~~DAHRM~~ DHR.

E. through G. No change.

H. Compliance

Construction and maintenance shall comply with applicable rules Protections of the Department and those agencies specified in ~~17~~ 62-17.54(2)(a) and (b), F.A.C.

I. Construction Plans

All proposed transmission line ROW areas, plant access roads and railroad lines which are designed to traverse a stream, lake, pond, canal, swamp, marsh or other natural or artificial system which functions to store or convey water and would require a permit under Chapter 40C-4 or 40C-6, F.A.C., shall have said design plans and specifications reviewed by the SWFWMD ~~or SWFWMD~~ staff. The staff shall determine if such plans are consistent with the Site Certification Application, the Recommended Conditions of Certification and applicable District rules. To determine such consistency, information to include but not be limited to the following item shall be submitted to the District 60 days prior to construction:

1. through 9. No change.

XIV. No change.

XV. Non-Compliance Notification

If, for any reason, the ~~permittee~~ licensee does not comply with or will be unable to comply with any limitation specified in this certification, the permittee licensee shall notify the manager of ~~DEP's DER's~~ SWFWMD District Office by telephone during the working day in which the ~~permittee~~ licensee becomes aware of said non-compliance and shall confirm this situation in writing within seventy-two hours supplying the following information:

A. and B. No change.

XVI. Facilities Operation

~~The permittee shall at All times maintain in good working order and operate at the efficiencies set forth in the design criteria and as necessary to meet emission limitations all treatment or control facilities or systems installed or used by the applicant to achieve compliance with the terms and conditions of this certification. Such systems are not to be bypassed without prior Department approval.~~

A. General Operation

The licensee shall at all times properly operate and maintain the facility and related appurtenances, and systems of treatment and control that are installed and used to achieve compliance with the conditions of this certification, and are 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 approval and when required by Department rules.

B. Malfunction or Shutdown

In the event of a prolonged [thirty (30) days or more] equipment malfunction or shutdown of pollution control equipment, facility operation may be allowed to resume and continue to take place under an appropriate Department order, provided that the licensee demonstrates that such operation will be in compliance with all applicable ambient air quality standards and PSD increments, water quality standards and rules, solid waste rules, domestic wastewater rules and industrial wastewater rules. During such malfunction or shutdown, the operation of the facility shall comply with all other requirements of this certification and all applicable state and federal emission and effluent standards not affected by the malfunction or shutdown.

C. Records Maintained at the Facility

1. These Conditions of Certification or a copy thereof shall be kept at the work site of the approved activity.

2. The licensee shall hold at the facility, or other location designated by this approval, records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation required by this approval, copies of all reports required by this approval, and records of all data used to complete the application for this approval. These materials shall be retained at least three (3) years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule. The licensee shall provide copies of these records to the Department upon request. If the licensee becomes aware of relevant facts that were not submitted or were incorrect in any report to the Department, such facts or information shall be promptly submitted or corrected.

D. Change in Discharge

All discharges or emissions authorized herein shall be consistent with the terms and conditions of this certification. The discharge of any pollutant not identified in the application, or more frequently than, or at a level in excess of that authorized herein, shall constitute a violation of the certification. Any anticipated facility expansions, production increases, or process modifications which may result in new, different or increased discharges or pollutants, change in fuel, or expansion in steam generating capacity must be reported by submission of a new application for amendment or modification pursuant to Chapter 403.516, F.S.

E. Noncompliance Notification

If, for any reason, the licensee does not comply with or is unable to comply with any limitation specified in this certification, the licensee shall notify the Southwest District Office of the Department by telephone during the working day that said noncompliance occurs. After normal business hours, the licensee shall report any condition that poses a public health threat to the State Warning Point at telephone number

(850) 413-9911 or (850) 413-9912. The licensee shall confirm this situation to the DEP District Office in writing within seventy-two (72) hours of becoming aware of such conditions and shall supply the following information:

1. A description of the discharge and cause of noncompliance; and,
2. The period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and,
3. Steps being taken to reduce, eliminate and prevent recurrence of the noncomplying event.

F. Enforcement

1. The terms, conditions, requirements, limitations and restrictions set forth in these Conditions of Certification are the same as "Permit Conditions" and are binding and enforceable pursuant to Sections 403.141, 403.161, and 403.514, F.S. Any noncompliance with a Condition of Certification or condition of a federally delegated or approved permit constitutes a violation of chapter 403, F.S., and is grounds for enforcement action, permit termination, permit revocation, or permit revision. The licensee is placed on notice that the Department will review this approval periodically and may initiate enforcement action for any violation of these conditions.

2. All records, notes, monitoring data and other information relating to the construction or operation of this certified source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the certified source arising under the Florida Statutes or Department rules, except where such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

G. Mining Operations

The licensee shall obtain all necessary Environmental Resource Permits (ERPs) from the Department prior to the initiation of mining in any new area within the certified site.

XVII. No change.

XVIII. Right of Entry

~~The permittee shall allow the Secretary of the Florida Department of Environmental Protection and/or authorized representatives, upon the presentation of credentials:~~

The licensee shall allow authorized Department personnel, including authorized representatives of the Florida Department of Environmental Protection, Southwest Florida Water Management District and/or United States Environmental Protection Agency, 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:

A. To enter upon the ~~permittee~~ licensee's premises where an effluent source is located or in which records are required to be kept under the terms and conditions of this permit; and

B. To have access to and to make copies of all records required to be kept under the conditions of this certification; and

C. To inspect and test any monitoring equipment or monitoring method required in this certification and to sample any discharge or pollutants; and

D. To assess any damage to the environment or violation of ambient standards, and to sample or monitor any substances or parameters at any location necessary to assure compliance with these Conditions or Department rules.

XIX. through XXII. No change.

XXIII. Definitions

The meaning of terms used herein shall be governed by the definitions contained in Chapter 403., F.S., and any regulation adopted pursuant thereto. In the event of any dispute over the meaning of a term used in these general or special conditions which is not defined in such statutes or Protections, such dispute shall be resolved by reference to the most relevant definitions contained in any other state or federal statute or Protection or, in the alternative, by the use of the commonly accepted meaning as determine by the Department. pursuant thereto. As used herein:

A. "DCA" shall mean the Florida Department of Community Affairs.

B. "DEP" or "Department" shall mean the Florida Department of Environmental Protection.

C. "DHR" shall mean the Florida Department of State, Division of Historical Resources.

D. "Feasible" or "practicable" shall mean reasonably achievable considering a balance of land use impacts, environmental impacts, engineering constraints, and costs.

E. "FFWCC" shall mean the Florida Fish and Wildlife Conservation Commission.

F. "Licensee/permittee" shall mean an applicant which has obtained a certification order for the subject electrical power plant.

G. "NPDES permit" shall mean the federal National Pollutant Discharge Permit System permit issued in accordance with the federal Clean Water Act.

H. "Power plant", "facility", or "project" shall mean the electrical power generating plant as defined in Section 403.503(12), F.S.

I. "PSD permit" shall mean the federal Prevention of Significant Deterioration air emissions permit issued in accordance with the federal Clean Air Act.

J. "Title V permit" shall mean the federal permit issued in accordance with Title V of the federal Clean Air Act.

K. "SWFWMD" shall mean the Southwest Florida Water Management District.

XXIV. through XXVI. No change.

XXVII. Noise

To mitigate the effects of noise produced by the steam blowout of steam boiler tubes, ~~FCS~~ the licensee shall conduct public awareness campaigns prior to such activities to forewarn the public of the estimated time and duration of the noise.

Any party to the this Order has a right to seek judicial review of it pursuant to Section 120.68, Florida Statutes by filing a Notice of Appeal, pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department of Environmental Protection in the Office of General Counsel, 3900 Commonwealth Boulevard, M.S. 35, Tallahassee, Florida 32399-3000, and by filing a copy of the Notice of Appeal, accompanied by the applicable filing fees, with the appropriate District Court of Appeal. The Notice of Appeal must be filed within thirty days from the date this Order is filed with the Clerk of the Department of Environmental Protection.

Executed in Tallahassee, Florida.



Hamilton S. Oven, P.E.
Administrator, Siting Coordination Office

Florida Crushed Stone Company
Order Modifying Conditions of Certification
DEP Case Number PA 82-17I
November 4, 2002

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

Janda F. Korkos 11/4/02
Clerk Date

CC by U.S. mail:

Lynn Capehart, Esquire
Lawrence N. Curtin, Esquire
Bob Elias, Esquire
William H. Green, Esquire
Gerald Kissel
John R. Lawson, Esquire
Martha A. Moore, Esquire
Colin Roopnarine, Esquire
Robert Bruce Snow, Esquire