



Jeb Bush
Governor

Department of Environmental Protection

DEP06-1083

Twin Towers Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

July 12, 2006

Colleen M. Castille
Secretary

- CERTIFIED MAIL - RETURN RECEIPT REQUESTED -

Mr. A.K. (Ben) Sharma, P.E.
Vice President of Power Supply
Kissimmee Utility Authority
Post Office Box 423219
Kissimmee, FL 34742-3219

**RE: Kissimmee Utility Authority/Florida Municipal Power Agency Cane Island Power Park
Modification to Conditions of Certification
DEP Case Number PA98-38D
OGC Case Number 06-1158**

FINAL ORDER MODIFYING CONDITIONS OF CERTIFICATION

Dear Mr. Sharma:

The Siting Board authorized the construction and operation of **Kissimmee Utility Authority/Florida Municipal Power Agency Cane Island Power Park** on November 23, 1999 (PA98-38). The Department has modified the Conditions of Certification by Final Order on 3 other occasions. The Department has issued a Final Title V Operation Permit (0970043-013-AV) that would constitute a change to the Conditions of Certification, necessitating a modification.

On or before May 30, 2006, 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 May 30, 2006, notice of the Department's intent to modify the Conditions of Certification for this facility was published on the Department's internet home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices." 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; that failure to act within the time frame constitutes a waiver of the right to become a party; 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 Kissimmee Utility Authority/Florida Municipal Power Agency Cane Island Power Park are hereby modified as follows:

XIII. AIR

A. General and Administrative Requirements

1. Regulating Agencies: All documents related to applications for permits to construct, operate or modify an emissions unit should be submitted to the Bureau of Air Regulation (BAR), Florida Department of Environmental Protection (FDEP), at 2600 Blairstone Road, Mail Station 23, Tallahassee, Florida 32399-2400 and telephone number (850)488-0114. All documents related to reports, tests, and notifications should be submitted to the DEP Central District Office, 3319 Maguire Boulevard, Suite 232, Orlando, Florida 32803-3767 and telephone number 407/894-7555.

2. General Conditions: ~~The owner and operator is subject to and shall operate under General Permit Conditions G.1 through G.15, which are listed in Appendix GC of Permit PSD FL 254. General Permit Conditions are binding and enforceable pursuant to Chapter 403 of the Florida Statutes. [Rule 62-4.160, F.A.C.]~~

~~3. Terminology: The terms used in the permit have specific meanings as defined in the corresponding chapters of the Florida Administrative Code.~~

~~4. Forms and Application Procedures: The permittee shall use the applicable forms listed in Rule 62-210.900, F.A.C. and follow the application procedures in Chapter 62-4, F.A.C. [Rule 62-210.900, F.A.C.]~~

~~5. Modifications: The permittee shall give written notification to the Department when there is any modification to this facility. This notice shall be submitted sufficiently in advance of any critical date involved to allow sufficient time for review, discussion, and revision of plans, if necessary. Such notice shall include, but not be limited to, information describing the precise nature of the change; modifications to any emission control system; production capacity of the facility before and after the change; and the anticipated completion date of the change. [Chapters 62-210 and 62-212, F.A.C.]~~

~~6. Expiration: Approval to construct shall become invalid if construction is not commenced within 18 months after receipt of such approval, or if construction is discontinued for a period of 18 months or more, or if construction is not completed within a~~

reasonable time. The Department may extend the 18 month period upon a satisfactory showing that an extension is justified. [40 CFR 52.21(r)(2)]

7. BACT Determination: In conjunction with extension of the 18 month periods to commence or continue construction, or extension of the December 31, 2002 permit expiration date, the permittee may be required to demonstrate the adequacy of any previous determination of best available control technology for the source. [40 CFR 52.21(j)(4)]

8. Permit Extension: The permittee, for good cause, may request that this PSD permit be extended. Such a request shall be submitted to the Bureau of Air Regulation prior to 60 days before the expiration of the permit (Rule 62-4.080, F.A.C.).

9. Application for Title IV Permit: An application for a Title IV Acid Rain Permit, must be submitted to the U.S. Environmental Protection Agency Region IV office in Atlanta, Georgia, and a copy to the DEP's Bureau of Air Regulation in Tallahassee, Florida, 24 months before the date on which the new unit begins serving an electrical generator (greater than 25 MW). [40 CFR 72]

10. Application for Title V Permit: An application for a Title V operating permit, pursuant to Chapter 62-213, F.A.C., must be submitted to the DEP's Bureau of Air Regulation, and a copy to the Department's Central District Office. [Chapter 62-213, F.A.C.]

11. New or Additional Conditions: Pursuant to Rule 62-4.080, F.A.C., 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.]

12. Annual Reports: Pursuant to Rule 62-210.370(2), F.A.C., Annual Operation Reports, the permittee is required to submit annual reports on the actual operating rates and emissions from this facility. Annual operating reports shall be sent to the DEP's Central District Office by March 1st of each year.

13. Stack Testing Facilities: Stack sampling facilities shall be installed in accordance with Rule 62-297.310(6), F.A.C.

14. Quarterly Reports: Quarterly excess emission reports, in accordance with 40 CFR 60.7 (a)(7) (c) (1997 version), shall be submitted to the DEP's Central District Office.

B. Applicable Standards And Regulations

1. Unless otherwise indicated in the permit, the construction and operation of the subject emission unit(s) 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 Florida Administrative Code Chapters ~~62-4, 62-17, 62-204, 62-210, 62-212, 62-213, 62-214, 62-296, and 62-297~~; and the applicable requirements of the Code of Federal Regulations Section 40, Parts 52, 60, 72, 73, and 75.

_____ 2. _____ Issuance of the permit does not relieve the facility owner or operator from compliance with any applicable federal, state, or local permitting requirements or regulations. [Rule ~~62-210.300~~, F.A.C.]

_____ 3. _____ These emission units shall comply with all applicable requirements of 40CFR60, 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

_____ 4. _____ ARMS Emissions Unit 003. Direct Power Generation, consisting of a nominal 167 megawatt combustion turbine electrical generator, shall comply with all applicable provisions of 40CFR60, Subpart GG, Standards of Performance for Stationary Gas Turbines, adopted by reference in Rule ~~62-204.800(7)(b)~~, F.A.C. The Subpart GG requirement to correct test data to ISO conditions applies. However, such correction is not used for compliance determinations with the BACT standard(s).

_____ 5. _____ ARMS Emission Unit 004. Fuel Storage, consisting of a 1.0 million gallon distillate fuel oil storage tank shall comply with all applicable provisions of 40CFR60, Subpart Kb, Standards of Performance for Volatile Organic Liquid Storage Vessels, adopted by reference in Rule ~~62-204.800~~, F.A.C.

_____ 6. _____ ARMS Emission Unit 005. Steam Power Generation, consisting of a supplementally fired heat recovery steam generator equipped with a natural gas fired 44 mmBTU/hr duct burner (HHV) and 80-90 MW steam electrical generator shall comply with all applicable provisions of 40CFR60, Subpart Dc, Standards of Performance for Small Industrial Commercial-Institutional Steam-Generating Units Which Construction is Commenced After September June 9, 1989, adopted by reference in Rule ~~62-204.800(7)~~, F.A.C.

_____ 7. _____ ARMS Emission Unit 006. Cooling Tower, is an unregulated emission unit. The Cooling Tower is not subject to a NESHAP because Chromium-based chemical treatment is not used.

8. All notifications and reports required by the above specific conditions shall be submitted to the DEP's Central District Office.

C. General Operation Requirements

1. Fuels: Only pipeline natural gas or maximum 0.05 percent sulfur fuel oil No. 2 or superior grade of distillate fuel oil shall be fired in this unit. [Applicant Request, Rule 62-210.200, F.A.C. (Definitions - Potential Emissions)]

2. Combustion Turbine Capacity: The maximum heat input rates, based on the lower heating value (LHV) of each fuel to this Unit at ambient conditions of 19°F temperature, 55% relative humidity, 100% load, and 14.7 psi pressure shall not exceed 1,696 million Btu per hour (mmBtu/hr) when firing natural gas, nor 1,910 mmBtu/hr when firing No. 2 or superior grade of distillate fuel oil. These maximum heat input rates will vary depending upon ambient conditions and the combustion turbine characteristics. Manufacturer's curves corrected for site conditions or equations for correction to other ambient conditions shall be provided to the Department of Environmental Protection (DEP) within 45 days of completing the initial compliance testing. [Design, Rule 62-210.200, F.A.C. (Definitions - Potential Emissions)]

3. Heat Recovery Steam Generator equipped with Duct Burner: The maximum heat input rate of the natural gas fired duct burner shall not exceed 44 mmBtu/hour (HHV). [Applicant Request, Rule 62-210.200, F.A.C. (Definitions - Potential Emissions)]

4. 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.

5. Plant Operation Problems: If temporarily unable to comply with any of the conditions of due to breakdown of equipment or destruction by fire, wind or other cause, the owner or operator shall notify the DEP Central District office as soon as possible, but at least within (1) working day, excluding weekends and holidays. The notification shall include: pertinent information as to the cause of the problem; the 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 the permit and the regulations. [Rule 62-4.130, F.A.C.]

6. Operating Procedures: Operating procedures shall include good operating practices and proper training of all operators and supervisors. The good operating practices shall meet the guidelines and procedures as established by the equipment manufacturers. All operators (including supervisors) of air pollution control devices shall be properly trained in plant specific equipment. [Rule 62-4.070(3), F.A.C.]

~~7. Circumvention: The owner or operator shall not circumvent the air pollution control equipment or allow the emission of air pollutants without this equipment operating properly. [Rules 62-210.650, F.A.C.]~~

~~8. Maximum allowable hours of operation for the 250 MW Combined Cycle Plant are 8760 hours per year while firing natural gas. Fuel oil firing of the combustion turbine is permitted for a maximum of 720 hours per year. [Applicant Request, Rule 62-210.200, F.A.C. (Definitions—Potential Emissions)]~~

~~9. Simple Cycle Operation: The plant may be operated in simple cycle mode. Different limits apply depending upon whether simple cycle operation is of an intermittent nature (such as operation due to maintenance of equipment following the combustion turbine or temporary electrical demand fluctuations) or of a longer term nature (such as a decision to not install the heat recovery steam generator or long term electrical demand situations).~~

~~D. Control Technology~~

~~1. Dry Low NO_x (DLN) combustors shall be installed on the stationary combustion turbine to comply with the simple cycle NO_x emissions limits listed in Condition XIII.E.1. [Design, Rules 62-4.070 and 62-212.400, F.A.C.]~~

~~2. A water injection system shall be installed for use when firing No. 2 or superior grade distillate fuel oil for control of NO_x emissions. [Design, Rules 62-4.070 and 62-212.400, F.A.C.]~~

~~3. The permittee shall install a selective catalytic reduction system to comply with the combined cycle NO_x limits listed in Condition XIII.E1. [Rules 62-212.400 and 62-4.070, F.A.C.]~~

~~4. The permittee shall design these units to accommodate adequate testing and sampling locations for compliance with the applicable emission limits (per each unit) listed in Conditions XIII.E.1. through E.6. [Rule 62-4.070, Rule 62-204.800, F.A.C., and 40 CFR 60.40a(b)]~~

~~5. The permittee shall provide manufacturer's emissions performance versus load diagrams for the DLN and wet injection systems prior to their installation. DLN systems shall each be tuned upon initial operation to optimize emissions reductions and shall be maintained to minimize simple cycle NO_x emissions and CO emissions. [Rules 62-4.070, and 62-210.650 F.A.C.]~~

~~6. Drift eliminators shall be installed on the cooling tower to reduce PM/PM₁₀ emissions.~~

----- E. ----- Emission Limits and Standards

----- 1. ----- Nitrogen Oxides (NO_x) Emissions:

----- a. ----- Combined Cycle Operation

----- i. ----- The concentration of NO_x in the stack exhaust gas, with the combustion turbine operating on gas (fuel oil) and the duct burner on or off shall not exceed 3.5 (15) ppmvd at 15% O₂ (on a 3-hr block average). Compliance shall be determined by the continuous emission monitor (CEMS). Emissions of NO_x calculated as NO₂ in the stack exhaust gas (at ISO conditions) with the combustion turbine operating shall not exceed 26 (108) pounds per hour (lb/hr) with the duct burner on or off to be demonstrated by initial stack test. [Applicant request on November 9, 1999]

----- ii. ----- The concentration of ammonia in the exhaust gas from each combustion turbine shall not exceed 5 ppmvd @ 15% O₂. The compliance procedures are described in Condition XIII.I.9. [Rules 62-212.400, and 62-4.070, F.A.C.]

----- iii. ----- When NO_x monitoring data is not available, substitution for missing data shall be handled as required by Title IV (40 CFR 75) to calculate any specified average time.

----- b. ----- Intermittent Simple Cycle Operation

----- i. ----- The concentration of NO_x in the stack exhaust gas, with the combustion turbine operating on gas (fuel oil) shall not exceed 12 (42) ppmvd at 15% O₂ (24-hr block average). Emissions of NO_x in the stack exhaust gas (at ISO conditions) with the combustion turbine operating shall not exceed 86 (310) pounds per hour (lb/hr). [Rule 62-212.400, F.A.C.]

----- ii. ----- Notwithstanding the applicable NO_x limit during simple cycle operation, reasonable measures shall be implemented to maintain the concentration of NO_x in the exhaust gas at 9 ppmvd at 15% O₂ or lower. Any tuning of the combustors for Dry Low NO_x operation while firing gas shall result in initial concentrations of 9 ppmvd @ 15% O₂ or lower. [Rules 62-212.400 and 62-4.070, F.A.C.]

----- iii. ----- When NO_x monitoring data is not available, substitution for missing data shall be handled as required by Title IV (40 CFR 75) to calculate any specified average time.

----- c. ----- Continuous Simple Cycle Operation

_____. i. _____ The concentration of NO_x in the stack exhaust gas with the combustion turbine operating on gas (fuel oil) shall not exceed 9 (42) ppmvd at 15% O₂ (24-hr block average). Emissions of NO_x in the stack exhaust gas (at ISO conditions) with the combustion turbine operating shall not exceed 65 (310) pounds per hour (lb/hr). [Rule 62-212.400, F.A.C.]

_____. ii. _____ Notwithstanding the applicable NO_x limit during simple cycle operation, reasonable measures shall be implemented to maintain the concentration of NO_x in the exhaust gas at 9 ppmvd at 15% O₂ or lower. Any tuning of the combustors for Dry Low NO_x operation while firing gas shall result in initial concentrations of 9 ppmvd @ 15% O₂ or lower. [Rules 62-212.400 and 62-4.070, F.A.C.]

_____. iii. _____ When NO_x monitoring data is not available, substitution for missing data shall be handled as required by Title IV (40 CFR 75) to calculate any specified average time.

_____. 2. _____ Carbon Monoxide (CO) Emissions

_____. Emissions of CO in the stack exhaust gas (at ISO conditions) with the combustion turbine operating on gas (fuel oil) shall exceed neither 12 (20) ppm nor 43 (71) lb/hr with the duct burner off and neither 20 (30) ppm nor 71 (108) lb/hr with the duct burner on to be demonstrated by stack test using EPA Method 10. [Rule 62-212.400, F.A.C.]

_____. 3. _____ Volatile Organic Compounds (VOC) Emissions

_____. Emissions of VOC in the stack exhaust gas (at ISO conditions) with the combustion turbine operating on gas (fuel oil) shall exceed neither 1.4 (10) ppm nor 3 (21.4) lb/hr with the duct burner off and neither 4 (10) ppm nor 8.5 (21.4) lb/hr with the duct burner on to be demonstrated by initial stack test using EPA Method 18, 25 or 25A. [Rule 62-212.400, F.A.C.]

_____. 4. _____ Sulfur Dioxide (SO₂) emissions

_____. SO₂ emissions shall be limited by firing pipeline natural gas (sulfur content less than 20 grains per 100 standard cubic foot) or by firing No. 2 or superior grade distillate fuel oil with a maximum 0.05 percent sulfur for 720 hours per year. Compliance with this requirement in conjunction with implementation of the Custom Fuel Monitoring Schedule in Specific Conditions XIII.I.5 and I.6 will demonstrate compliance with the applicable NSPS SO₂ emissions limitations from the duct burner or the combustion turbine. Emissions of SO₂ shall not exceed 38.1 tons per year. [40CFR60 Subpart GG and Rules 62-4.070, 62-212.400, and 62-204.800(7), F.A.C. to avoid PSD Review]

_____. 5. _____ Visible emissions (VE)

~~VE emissions shall serve as a surrogate for PM/PM₁₀ emissions from the combustion turbine operating with or without the duct burner and shall not exceed 10 percent opacity from the stack in use. [Rules 62-4.070, 62-212.400, and 62-204.800(7), F.A.C.]~~

~~F. Excess Emissions~~

~~1. Excess emissions resulting from startup, shutdown, or malfunction shall be permitted provided that best operational practices are adhered to and the duration of excess emissions shall be minimized. Excess emissions occurrences shall in no case exceed two hours in any 24-hour period except during both "cold start-up" to or shutdowns from combined cycle plant operation. During start-up to simple cycle operation, up to one hour of excess emissions are allowed. During cold start-up to combined cycle operation, up to four hours of excess emissions are allowed. During shutdowns from combined cycle operation, up to three hours of excess emissions are allowed. Cold start-up is defined as a startup to combined cycle operation following a complete shutdown lasting at least 48 hours. [Applicant Request, G.E. Combined Cycle Startup Curves Data and Rule 62-210.700, F.A.C.]~~

~~2. Excess emissions 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 pursuant to Rule 62-210.700, F.A.C. These emissions shall be included in the 24-hr average for NO_x.~~

~~3. Excess Emissions Report: If excess emissions occur for more than two hours due to malfunction, the owner or operator shall notify DEP's Central District office 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. Pursuant to the New Source Performance Standards, all excess emissions shall also be reported in accordance with 40 CFR 60.7, Subpart A. Following this format, 40 CFR 60.7, periods of startup, shutdown, malfunction, shall be monitored, recorded, and reported as excess emissions when emission levels exceed the permitted standards listed in Condition XIII.E.1. [Rules 62-4.130, 62-204.800, 62-210.700(6), F.A.C., and 40 CFR 60.7 (1998 version)].~~

~~G. Compliance Determination~~

~~1. Allowable Emission Limiting Standards~~

~~Compliance with the allowable emission limiting standards shall be determined within 60 days after achieving the maximum production rate, but not later than 180 days after initial operation of the unit, and annually thereafter as indicated in the permit, by using the following reference methods as described in 40 CFR 60, Appendix A (1998 version), and adopted by reference in Chapter 62-204.800, F.A.C.~~

2. Initial (I) Performance Tests

Initial (I) performance tests (for both fuels) shall be performed by the deadlines in Condition XIII.G.1. Initial tests shall also be conducted after any substantial modifications (and shake down period not to exceed 100 days after re-starting the CT) of air pollution control equipment such as installation of SCR or change of combustors. Annual (A) compliance tests shall be performed during every federal fiscal year (October 1 – September 30) pursuant to Rule 62-297.310(7), F.A.C., on these units as indicated. The following reference methods shall be used. No other test methods may be used for compliance testing unless prior DEP approval is received in writing.

EPA Reference Method 9, “Visual Determination of the Opacity of Emissions from Stationary Sources” (I, A).
EPA Reference Method 10, “Determination of Carbon Monoxide Emissions from Stationary Sources” (I, A).
EPA Reference Method 20, “Determination of Oxides of Nitrogen Oxide, Sulfur Dioxide and Diluent Emissions from Stationary Gas Turbines.” Test must be conducted with the duct burner on and with the duct burner off.
EPA Reference Method 18, 25 and/or 25A, “Determination of Volatile Organic Concentrations.” Initial test only.
EPA Method 26A (modified) for ammonia sample collection.
EPA Draft Method 206 for ion chromatographic analysis for ammonia.

3. Continuous Compliance with the NO_x Emission Limits

Continuous compliance with the NO_x emission limits shall be demonstrated with the CEM system on. Based on CEMS data, a separate compliance determination is conducted at the end of each 3-hr period and a new average emission rate is calculated from the arithmetic average of all valid hourly emission rates from the previous 3-hr period. Valid hourly emission rates shall not include periods of start up, shutdown, or malfunction unless prohibited by 62-210.700 F.A.C. A valid hourly emission rate shall be calculated for each hour in which at least two NO_x concentrations are obtained at least 15 minutes apart. These excess emissions periods shall be reported as required in Condition XIII.F.3. [Rules 62-4.070 F.A.C., 62-210.700, F.A.C., 40 CFR 75 and BACT]

4. Compliance with the SO₂ and PM/PM₁₀ Emission Limits

Notwithstanding the requirements of Rule 62-297.340, F.A.C., the use of pipeline natural gas is the method for determining compliance for SO₂ and PM₁₀. For the purposes of demonstrating compliance with the 40 CFR 60.333 SO₂ standard, ASTM methods D4084-82 or D3246-81 (or equivalent) for sulfur content of gaseous fuel shall be utilized in accordance with the EPA approved custom fuel monitoring schedule or natural gas supplier data

~~may be submitted or the natural gas sulfur content referenced in 40 CFR 75 Appendix D may be utilized. However, the applicant is responsible for ensuring that the procedures in 40 CFR 60.335 or 40 CFR 75 are used when determination of fuel sulfur content is made. Analysis may be performed by the owner or operator, a service contractor retained by the owner or operator, the fuel vendor, or any other qualified agency pursuant to 40 CFR 60.335(e) (1998 version).~~

~~5. Compliance with CO Emission Limit~~

~~An initial test for CO, shall be conducted concurrently with the initial NO_x test, as required. The initial NO_x and CO test results shall be the average of three valid one-hour runs. Annual compliance testing for CO may be conducted at less than capacity when compliance testing is conducted concurrent with the annual RATA testing for the NO_x CEMS required pursuant to 40 CFR 75. Alternatively to annual testing in a given year, periodic tuning data may be provided to demonstrate compliance in the year the tuning is conducted.~~

~~6. Compliance with the VOC Emission Limit~~

~~An initial test is required to demonstrate compliance with the VOC emission limit. Thereafter, the CO emission limit and periodic tuning data will be employed as surrogate and no annual testing is required.~~

~~7. Testing Procedures~~

~~Testing of emissions shall be conducted with the combustion turbine operating at permitted capacity. Permitted capacity is defined as 95-100 percent of the maximum heat input rate allowed by the permit, corrected for the average ambient air temperature during the test (with 100 percent represented by a curve depicting heat input vs. ambient temperature). If it is impracticable to test at permitted capacity, the source may be tested at less than permitted capacity. In this case, subsequent operation is limited by adjusting the entire heat input vs. ambient temperature curve downward by an increment equal to the difference between the maximum permitted heat input (corrected for ambient temperature) and 105 percent of the value reached during the test 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 purposes of additional compliance testing to regain the permitted capacity. Procedures for these tests shall meet all applicable requirements (i.e., testing time frequency, minimum compliance duration, etc.) of Chapters 62-204 and 62-297, F.A.C.~~

~~8. Test Notification~~

~~The DEP's Central District office shall be notified, in writing, at least 30 days prior to the initial performance tests and at least 15 days before annual compliance test(s).~~

~~9. Special Compliance Tests~~

_____ The DEP may request a special compliance test pursuant to Rule 62-297.310(7), F.A.C., when, after investigation (such as complaints, increased visible emissions, or questionable maintenance of control equipment), there is reason to believe that any applicable emission standard is being violated.

_____ 10. _____ Test Results

_____ Compliance test results shall be submitted to the DEP's Central District office no later than 45 days after completion of the last test run. [Rule 62-297.310(8), F.A.C.].

_____ H. _____ Notification, Reporting, And Record Keeping

_____ 1. _____ Records

_____ All measurements, records, and other data required to be maintained by KUA shall be recorded in a permanent form and retained for at least five (5) years following the date on which such measurements, records, or data are recorded. These records shall be made available to DEP representatives upon request.

_____ 2. _____ Compliance Test Reports

_____ 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), F.A.C.

_____ I. _____ Monitoring Requirements

_____ 1. _____ Continuous Monitoring System

_____ The permittee shall install, calibrate, maintain, and operate a continuous emission monitor in the stack to measure and record the nitrogen oxides emissions from these units. Periods when NO_x emissions (ppmvd @ 15% oxygen) are above the BACT standards, listed in Condition XIII.E.1., shall be reported to the DEP Central District Office within one working day (verbally) followed up by a written explanation not later than three (3) working days (alternatively by facsimile within one working day). [Rules 62-204.800, 62-210.700, 62-4.130, 62-4.160(8), F.A.C. and 40 CFR 60.7 (1998 version)].

_____ 2. _____ CEMS for Reporting Excess Emissions

_____ The NO_x CEMS shall be used in lieu of the requirement for reporting excess emissions in accordance with 40 CFR 60.334(c)(1), Subpart GG (1998 version). Upon

request from DEP, the CEMS emission rates for NO_x on the CT shall be corrected to ISO conditions to demonstrate compliance with the NO_x standard established in 40 CFR 60.332. [EPA Approval dated February 10, 1999]

----- 3. ----- CEMS in lieu of Water to Fuel Ratio

----- The NO_x CEMS shall be used in lieu of the water/fuel monitoring system for reporting excess emissions in accordance with 40 CFR 60.334(c)(1), Subpart GG (1998 version). Subject to EPA approval, the calibration of the water/fuel monitoring device required in 40 CFR 60.335 (c)(2) (1998 version) will be replaced by the 40 CFR 75 certification tests of the NO_x CEMS. Upon request from DEP, the CEMS emission rates for NO_x on this Unit shall be corrected to ISO conditions to demonstrate compliance with the NO_x standard established in 40 CFR 60.332. [EPA Approval dated February 10, 1999]

----- 4. ----- Continuous Monitoring System Reports

----- The monitoring devices shall comply with the certification and quality assurance, and any other applicable requirements of Rule 62-297.520, F.A.C., 40 CFR 60.13, including certification of each device in accordance with 40 CFR 60, Appendix B, Performance Specifications and 40 CFR 60.7(a)(5) or 40 CFR Part 75. Quality assurance procedures must conform to all applicable sections of 40 CFR 60, Appendix F or 40 CFR 75. The monitoring plan, consisting of data on CEM equipment specifications, manufacturer, type, calibration and maintenance needs, and its proposed location shall be provided to the DEP Emissions Monitoring Section Administrator and EPA for review no later than 45 days prior to the first scheduled certification test pursuant to 40 CFR 75.62.

----- 5. ----- Natural Gas Monitoring Schedule

----- A custom fuel monitoring schedule pursuant to 40 CFR 75 Appendix D for natural gas may be used in lieu of the daily sampling requirements of 40 CFR 60.334 (b)(2) provided the following requirements are met:

----- a. ----- The permittee shall apply for an Acid Rain permit within the deadlines specified in 40 CFR 72.30.

----- b. ----- The permittee shall submit a monitoring plan, certified by signature of the Designated Representative, that commits to using a primary fuel of pipeline supplied natural gas (sulfur content less than 20 gr/100 scf pursuant to 40 CFR 75.11(d)(2)).

----- c. ----- Each unit shall be monitored for SO₂ emissions using methods consistent with the requirements of 40 CFR 75 and certified by the USEPA.

~~_____ This custom fuel monitoring schedule will only be valid when pipeline natural gas is used as a primary fuel. If the primary fuel for these units is changed to a higher sulfur fuel, SO₂ emissions must be accounted for as required pursuant to 40 CFR 75.11(d).~~

~~_____ 6. _____ Fuel Oil Monitoring Schedule~~

~~_____ The following monitoring schedule for No. 2 or superior grade fuel oil shall be followed: For all bulk shipments of No. 2 fuel oil received at this facility an analysis which reports the sulfur content and nitrogen content of the fuel shall be provided by the fuel vendor. The analysis shall also specify the methods by which the analyses were conducted and shall comply with the requirements of 40 CFR 60.335(d).~~

~~_____ 7. _____ Determination of Process Variables~~

~~_____ The permittee shall operate and maintain equipment and/or instruments necessary to determine process variables, such as process weight input or heat input, when such data is needed in conjunction with emissions data to determine the compliance of the emissions unit with applicable emission limiting standards.~~

~~_____ Equipment and/or instruments used to directly or indirectly determine such process variables, including devices such as belt scales, weigh 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.]~~

~~_____ 8. _____ Subpart Dc Monitoring and Record keeping Requirements~~

~~_____ The permittee shall comply with all applicable requirements of this Subpart [40CFR60, Subpart Dc].~~

~~_____ 9. _____ Selective Catalytic Reduction System (SCR) Compliance Procedures~~

~~_____ a. _____ An initial stack emission test for nitrogen oxides and ammonia from the CGT/HRSG pair shall be conducted: 1) for natural gas firing and 2) for distillate oil firing. The ammonia injection rate necessary to comply with the NO_x standard shall be established during the initial performance tests.~~

~~_____ b. _____ The SCR shall operate at all times that the turbine is operating except during turbine start-up and shutdown periods. During turbine start-up, permittee shall begin use of SCR (i.e., commence ammonia injection) within two (2) hours of the initial turbine firing or when the temperature of the catalytic bed reaches a suitable predetermined temperature level, whichever occurs first. During turbine shutdown, permittee shall discontinue use of the SCR (i.e., discontinue ammonia injection) when the catalyst bed drops below the predetermined~~

levels, but no more than one hour prior to the time at which the fuel feed to the turbine is discontinued. Suitable temperature for activation and deactivation of the SCR shall be established during performance testing. The permittee shall, whenever possible, operate the facility in a manner so as to optimize the effectiveness of the SCR unit while minimizing the ammonia slip to below the emission limit.

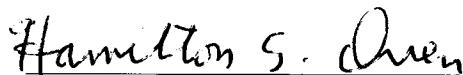
~~_____ c. _____~~ The permittee shall install and operate an ammonia flow meter to measure and record the ammonia injection rate to the SCR system of the CGT/HRSG set. It shall be maintained and calibrated according to the manufacturer's specifications. During the stack test, the permittee, at each load condition, shall determine the minimum ammonia flow rate required to meet the emission limitations. During NOx CEM downtimes or malfunctions, the permittee shall operate at greater or equal to 100% of the ammonia injection rate determined during the stack test.

~~_____ J. _____~~ Cane Island Power Park Units 1, 2 & 3 Conditions

2. Title V Air Operation Permit Number 0970043-013-AV, is incorporated by reference herein as part of this Certification. Units 1,2 & 3 shall operate in conformance with DEP Permit No. 0970043-04013-AV attached as Appendix 1. The provisions of Title V Air Operation Permit Number 0970043-013-AV shall be conditions of this certification. The licensee shall comply with the substantive provisions and limitations set forth in Title V Air Operation Permit Number 0970043-013-AV as part of these Conditions of Certification, and as those provisions may be modified, amended, or renewed in the future by the Department. Such provisions shall be fully enforceable as conditions of this certification. Any violation of such provisions shall be a violation of these Conditions of Certification.

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.



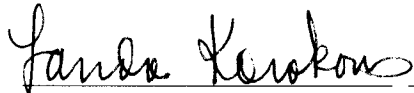
Hamilton S. Oven, P.E.

Administrator, Siting Coordination Office

FILING AND ACKNOWLEDGMENT
FILED, on this date, pursuant to §120.52

July 12, 2006
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Florida Statutes, with the designated
Department Clerk, receipt of which is
hereby acknowledged.

 7-12-06
Clerk Date

cc:

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