DEP 05-1261

Department of Environmental Protection

Jeb Bush
Governor

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

David B. Struhs
Secretary

January 7, 2005

- CERTIFIED MAIL - RETURN RECEIPT REQUESTED -

Ms. Jeanette D. Curtis
Environmental Services Administrator
City of Tallahassee
300 South Adams Street
Tallahassee, Florida 32301

**RE: Arvah B. Hopkins Generating Station Unit 2, PA 74-03K & L
OGC No. 04-1795**

ORDER MODIFYING CONDITIONS OF CERTIFICATION

Dear Ms. Curtis:

The Florida Pollution Control Board issued the Site Certification for Arvah B. Hopkins Generating Station Unit 2 on May 20, 1975. This certification authorized the construction and operation of a 238 megawatt (MW) steam electric power plant and ancillary facilities. The Department of Environmental Protection has subsequently modified the Conditions of Certification on eight different occasions by final orders.

On August 13, 2004, the City of Tallahassee submitted an amendment to the application for site certification for the Arvah B. Hopkins power plant site requesting permission to construct an operate two natural gas-fired combustion turbines. On October 28, 2004, the Department issued DEP Permit 070003-05-AC for the Arvah B. Hopkins Generating Station. Pursuant to Rule 62-17.211(4), the Department is required to modify the Conditions of Certification for this facility to conform them to the federal PSD Permit. On November 10 and 14, 2004, the City of Tallahassee submitted an amendment to the requesting the stormwater permit conditions be modified to allow a Conservation Area be granted to Leon County for wetland mitigation purposes.

On or before November 23, 2004, 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 Modification L for this facility, along with a copy of the proposed Order Modifying Conditions of Certification. On or before November 5, 2004, 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 Modification K for this facility, along with a copy of the proposed Order Modifying Conditions of Certification. Additionally, on November 24, 2004, and December 10, 2004, notices of the Department's intent to modify the Conditions of Certification for this facility was published on the Department's website and on the Department's internet home page at http://www.dep.state.fl.us/ under the link or button titled "Official Notices" regarding this Intent to Modify the Conditions of Certification. Those notices specified that pursuant to Section 403.516, F.S., and Rule 62-17.211, F.A.C., all parties to the certification proceeding have 45 days from the issuance of the notice by mail to such party's last address of record in which file a written objection to the modification; that failure of any of the parties to file a response will constitute a waiver of objection to the modification; and 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 to object in writing.

No objections to the modification have been received by the Department. The Conditions of Certification for the Arvah B. Hopkins Generating Station Unit 2 are hereby modified as follows:

I. ~~1.~~ Air

A. – H. No change.

I. Emission Units 031 – 032- General Electric LM 6000 Sprint Combustion Turbines capable of inlet chilling to 48°F.

1. BACT Determinations: The emission unit addressed in this section is subject to a Best Available Control Technology (BACT) determination for nitrogen oxides (NO_X), sulfur dioxide (SO_2), sulfuric acid mist (SAM) and particulate matter (PM_{10}). [Rule 62-212.400, F.A.C.]

2. NSPS Requirements: The combustion turbine shall comply with all applicable requirements of 40 CFR 60, adopted by reference in Rule 62-204.800(7) (b), F.A.C.

3. Combustion Turbines: The permittee is authorized to install, tune, operate and maintain two new inlet chilled combustion turbines with electrical generator sets (General Electric Model LM6000PC SPRINT). Each unit is designed to produce approximately 50 MW of electrical power.

4. Permitted Capacity: The heat input to each combustion turbine from firing natural gas shall not exceed 445 MMBtu per hour based on the following: 100% base load, a lower heating value (LHV) for natural gas and a compressor inlet air temperature of 29° F. The heat input to each combustion turbine from firing No. 2 fuel oil shall not exceed

434 MMBtu per hour based on the following: 100% base load, LHV and a compressor inlet air temperature of 29° F. The permittee shall provide manufacturer's performance curves (or equations) that correct for site conditions to the Permitting and Compliance Authorities within 45 days of completing the initial compliance testing. Heat input rates will vary depending upon compressor conditions and the combustion turbine characteristics. Operating data may be adjusted for the appropriate site conditions in accordance with the performance curves on file with the Department. [Design, Rule 62-210.200, F.A.C. (Definition - PTE)]

5. Simple Cycle, Intermittent Operation: Each combustion turbine shall operate only in simple cycle mode not to exceed the permitted hours of operation allowed by this certification. This restriction is based on the permittee's request, which formed the basis of the PSD applicability and BACT determination and resulted in the emission standards specified in this certification. For any request to convert this unit to combined cycle operation by installing/connecting to heat recovery steam generators or increasing the allowable hours of operation, including changes to the fuel quality or quantity which may cause an increase in short or long-term emissions, the permittee may be required submit a full PSD permit application complete with a new proposal of the best available control technology as if the unit had never been built. [Rules 62-212.400(2) (g) and 62-212.400(6) ~~(b), F.A.C.~~]

6. Allowable Fuels: Each combustion turbine shall only be fired with natural gas containing no more than 2 grains of sulfur per 100 dry standard cubic feet of gas (monthly average) and 0.05% sulfur distillate oil (or superior). The permittee shall demonstrate compliance with the fuel sulfur limit by keeping the records specified in this certification. [Applicant Request, Rule 62-210.200, F.A.C.

7. Hours of Operation: Each combustion turbine shall operate no more than 5840 hours during any consecutive 12-month period, 4000 of which may be on distillate fuel oil. The permittee shall install, calibrate, operate and maintain a monitoring system to measure and accumulate the hours of operation. [Rule 62-212.400, F.A.C. (BACT); Rule 62-210.200, F.A.C. (PTE)]

8. Operating Procedures: The Best Available Control Technology (BACT) determinations established by this certification rely on "good operating practices" to minimize emissions. Therefore, all operators and supervisors shall be properly trained to operate and maintain the combustion turbine and pollution control systems in accordance with the guidelines and procedures established by the manufacturer. The training shall include good operating practices as well as methods of minimizing excess emissions. [Applicant Request; Rule 62-4.070(3); Rule 62-212.400, F.A.C. (BACT)]

9. Plant Operation - Problems: If temporarily unable to comply with any of the conditions of the certification due to breakdown of equipment or destruction by fire, wind or other cause, the permittee shall notify the Compliance Authority as soon as possible, but at least within one working day, excluding weekends and holidays. The notification shall

include: pertinent information as to the cause of the problem; steps being taken to correct the problem and prevent future recurrence; and, where applicable, the owner's intent toward reconstruction of destroyed facilities. Such notification does not release the permittee from any liability for failure to comply with the conditions of this certification or the regulations. [Rule 62-4.130, F.A.C.]

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

11. Water Injection Technology: The permittee shall install, calibrate, tune, operate, and maintain a water injection system for the unit. The system shall be designed and operated so as to ensure that NO_X emissions prior to the SCR are sufficient to achieve the NOx emission limits in Condition I.I.12. below. [Applicant request; Rule 62-4.070(3); Rule 62-212.400, F.A.C. (BACT)]

12. SCR/Oxidation Catalyst: To control NO_X and CO emissions, the combustion turbine shall include an SCR system and an oxidation catalyst. The catalyst systems shall be designed in order to achieve the following emissions, regardless of fuel being combusted: 5 ppmvd NO_X @ 15% O_2 and 6 ppmvd CO @ 15% O_2. [Design and Rule 62-212.400, F.A.C.]

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

14. Summary: The following table summarizes the emissions standards for each pollutant and total emissions in lb/hr and TPY for informational and convenience purposes (PTE) only. This table does not supersede any of the terms or conditions of this certification.

Pollutant	**Emission Standard**	**CT Emissions (lb/hr)**		**One CT (lb/year)**	**TPY for 2 CT's**
		OIL	**GAS**		
NO_X	5 ppmvd @ 15% O_2	8.67	8.62	50,541	50.5
CO	6 ppmvd @ 15% O_2	6.35	6.27	36,937	36.9
SO_2	NG & 0.05% S oil	10.31	1.13	43,319	43.4
PM_{10}	VE	14.94	2.45	64,268	64.2
PM	VE	14.94	2.45	64,268	64.2
VOC	3 ppmvd @ 15% O_2	2.66	1.79	13,934	13.9
SAM	NG & 0.05% S oil	9.66	1.15	40,756	40.8

Note: Annual emissions, for the purposes of this table only, are based on 4000 hours of oil operation and 1840 hours of natural gas operation.

15. Carbon Monoxide (CO): CO emissions from the combustion turbine shall not exceed 6.0 ppmvd corrected to 15% oxygen for each fuel. The permittee shall

demonstrate compliance with this standard by conducting performance tests and emissions monitoring in accordance with EPA Method 10 and the requirements of this certification. [Rule 62-212.400, F.A.C. (PSD Avoidance)]

16. Nitrogen Oxides (NO_X): NO_X emissions from the combustion turbine shall not exceed 5.0 ppmvd corrected to 15% oxygen for each fuel. The permittee shall demonstrate compliance with this standard by conducting performance tests and emissions monitoring in accordance with 40 CFR Part 60 Subpart GG and based on a 24-hour block average for data collected from the continuous emissions monitor. The ammonia slip rate shall be limited to 10 ppmvd @ 15% O_2. [Rule 62-212.400, F.A.C. (BACT)]

17. Particulate Matter (PM/PM_{10}), Sulfuric Acid Mist (SAM) and Sulfur Dioxides (SO_2)

(a) Fuel Specifications. Emissions of PM, PM_{10}, SAM, and SO_2 shall be limited by the use of pipeline-quality natural gas containing no more than 2 grain per standard cubic feet, the use of 0.05% Sulfur oil and good combustion techniques as specified in this certification. The permittee shall demonstrate compliance with the fuel sulfur limit by maintaining the records specified by this certification. [Rule 62-212.400, F.A.C. (PSD Applicability)].

(b) VE Standard. Visible emissions from the combustion turbine shall not exceed 10% opacity, based on a 6-minute average. This work practice standard is established as a means of ensuring the non-applicability of BACT. The permittee shall demonstrate compliance with this standard by conducting tests in accordance with EPA Method 9 and the performance testing requirements of this certification. [Rule 62-212.400, F.A.C. (PSD Applicability)]

18. Volatile Organic Compounds (VOC): VOC emissions from the combustion turbine shall not exceed 3.0 ppmvd corrected to 15% oxygen for each fuel. The VOC emissions shall be measured and reported in terms of methane. The permittee shall demonstrate compliance with these standards by conducting initial tests in accordance with EPA Methods 25 and/or 25A and the performance testing requirements of this certification. Optional testing in accordance with EPA Method 18 may be conducted to account for the actual methane fraction of the measured VOC emissions. [Application, Design, Rule 62-4.070(3), F.A.C.]

19. Excess Emissions Prohibited: Excess emissions caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure that may reasonably be prevented during startup, shutdown or malfunction, shall be prohibited. These emissions shall be included in the calculation of the 24-hour averages to demonstrate compliance with the continuous NO_X emissions standard. [Rule 62-210.700(4), F.A.C.]

20. Excess Emissions Allowed: Providing the permittee adheres to best operational practices to minimize the amount and duration of excess emissions, the following conditions shall apply:

a. During startup and shutdown, visible emissions excluding water vapor shall not exceed 20% opacity for more than 2 hours in any 24-hour period. [Design; Rule 62-210.700(1) and (5), F.A.C.]

b. During all startups, shutdowns, and malfunctions, the continuous emissions monitor (CEM) shall monitor and record emissions. However, up to 2 hours of monitoring data during any 24-hour period may be excluded from continuous compliance demonstrations as a result of startups, shutdowns, and documented malfunctions. A documented malfunction means a malfunction that is documented within one working day of detection by contacting the Compliance Authority by telephone, facsimile, or electronic mail. In case of malfunctions, the permittee shall notify the Compliance Authorities within one working day. A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Department. [Design; Rules 62-210.700(1), (5), and 62-4.130, F.A.C.]

21. Sampling Facilities: The permittee shall design the combustion turbine stack to accommodate adequate testing and sampling locations in order to determine compliance with the applicable emission limits specified by this certification. Permanent stack sampling facilities shall be installed in accordance with Rule 62-297.310(6), F.A.C. [Rules 62-4.070 and 62-204.800, F.A.C., and 40 CFR 60.40a (b)]

22. Performance Test Methods: Compliance tests shall be performed in accordance with the following reference methods as described in 40 CFR 60, Appendix A, and adopted by reference in Chapter 62-204.800, F.A.C.

(a) EPA Method 9 - Visual Determination of the Opacity of Emissions from Stationary Sources;

(b) EPA Method 10 - Determination of Carbon Monoxide Emissions from Stationary Sources;

(c) EPA Method 7e - Determination of Nitrogen Oxides Emissions from Stationary Sources (Instrumental Analyzer Procedure); or EPA Method 20 - Determination of Oxides of Nitrogen Oxide, Sulfur Dioxide and Diluent Emissions from Stationary Gas Turbines; or ASTM D6522-00 Standard Test Method for Determination of Nitrogen Oxides, Carbon Monoxide and Oxygen Concentrations in Emissions from Natural Gas-Fired Reciprocating Engines, Combustion Turbines, Boilers and Process Heaters Using Portable Analyzers, as specified in 40 CFR 60.335;

(d) EPA Method 25 or 25A - Determination of Volatile Organic Concentrations. (EPA Method 18 may be conducted to account for the non-regulated methane portion of the VOC emissions); and

(e) Conditional Test Method 027 – Measurement of Ammonia Slip

(f) No other test methods may be used for compliance testing unless prior DEP approval is received, in writing, from the DEP Emissions Monitoring

Section Administrator in accordance with an alternate sampling procedure specified in Rule 62-297.620, F.A.C.

23. Test Notification: The permittee shall notify the Compliance Authority in writing at least 30 days prior to initial NSPS performance tests and at least 15 days prior to any other required tests. [40 CFR 60.7, 40 CFR 60.8 and Rule 62-297.310(7) (a) 9. F.A.C.]

24. Initial Tests Required: Initial performance tests to demonstrate compliance with the emission standards specified in this certification shall be conducted within 60 days after achieving at least 90% of permitted capacity, but not later than 180 days after initial operation of the emissions unit. Initial performance tests shall be conducted for CO, NO_X, VOC, ammonia slip and visible emissions while combusting each fuel. Initial NO_X performance tests shall be conducted in accordance with the requirements of NSPS Subpart GG and shall also be converted into units of the NSPS emissions standard. [Rule 62-297.310(7) (a) 1. F.A.C.]

25. Annual Performance Tests: To demonstrate compliance with the emission standards specified in this certification, the permittee shall conduct annual performance tests for NO_X, CO, and visible emissions from the combustion turbine for each fuel. Testing for ammonia slip is required during the first scheduled annual performance tests after the cumulative hours of operation on each combustion turbine exceed 1,500 hours of oil firing or 5,000 hours of gas firing starting from the initial installation of the SCR catalysts. Thereafter, ammonia testing is required during the first scheduled annual performance tests after subsequent cumulative 1,500 hours of oil firing and 5,000 hours of gas firing in each combustion turbine or after regeneration, replacement or addition to the SCR catalyst system. If conducted at permitted capacity, NO_X emissions data collected during the annual NO_X continuous monitor RATA required pursuant to 40 CFR 75 may be substituted for the required annual performance test. Tests required on an annual basis shall be conducted at least once during each federal fiscal year (October 1st to September 30th). In the event that the operation of the CT is less than 400 hours per year on natural gas or distillate oil, annual testing is not required for that year and that fuel. [Rule 62-297.310(7) (a), F.A.C.]

26. Tests Prior to Permit Renewal: Prior to renewing the air operation permit, the permittee shall conduct performance tests for CO, NO_X, and visible emissions from the combustion turbine. VOC emission tests are not required prior to permit renewal provided the CO emission standards are met. Testing for ammonia slip meeting the requirements of Condition 25, Annual Performance Tests will meet the requirements of this condition. These tests shall be conducted within the 12-month period prior to renewing the air operation permit. For pollutants required to be tested annually, the permittee may submit the most recent annual compliance test to satisfy the requirements of this provision. [Rule 62-297.310(7) (a) 3. F.A.C.]

27. Tests After Major Repairs or Replacements: The Department may require that additional compliance testing be conducted within 90 days after major repairs or replacements are performed. [Rule 62-297.310(7) (a) 4. F.A.C.]

28. Combustion Turbine Testing Capacity: Initial performance tests shall be conducted in accordance with 40 CFR 60.8 and 40 CFR 60.335 for pollutants subject to a New Source Performance Standard (NSPS) in Subpart GG for stationary gas turbines. Other required performance tests for compliance with standards specified in this certification shall be conducted with the combustion turbine operating at permitted capacity. Permitted capacity is defined as 90-100 percent of the maximum heat input rate allowed by the certification, 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. However, 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 inlet temperature) and 110 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. Emissions performance tests shall meet all applicable requirements of Chapters 62-204 and 62-297, F.A.C. [Rule 62-297.310(2), F.A.C.]

29. Calculation of Emission Rate: For each emissions performance test, the indicated emission rate or concentration shall be the arithmetic average of the emission rate or concentration determined by each of the three separate test runs unless otherwise specified in a particular test method or applicable rule. [Rule 62-297.310(3), F.A.C.]

30. Applicable Test Procedures

(a) Required Sampling Time.

i. 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. [Rule 62-297.310(4) (a) 1. F.A.C.]

ii. The minimum observation period for a visible emissions compliance test shall be sixty (60) minutes. The observation period shall include the period during which the highest opacity can reasonably be expected to occur. [Rule 62-297.310(4) (a) 2. F.A.C.]

(b) Minimum Sample Volume. Unless otherwise specified in the applicable rule or test method, the minimum sample volume per run shall be 25 dry standard cubic feet. [Rule 62-297.310(4) (b), F.A.C.]

(c) Calibration of Sampling Equipment. Calibration of the sampling train equipment shall be conducted in accordance with the schedule shown in Table 297.310-1, F.A.C. [Rule 62-297.310(4) (d), F.A.C.]

31. Determination of Process Variables

(a) Required Equipment. The owner or operator of an emissions unit for which compliance tests are required shall install, operate, and maintain equipment or instruments necessary to determine process variables, such as process weight input or heat input, when such data are needed in conjunction with emissions data to determine the compliance of the emissions unit with applicable emission limiting standards. [Rule 62-297.310(5) (a), F.A.C.]

(b) Accuracy of Equipment. Equipment or instruments used to directly or indirectly determine process variables, including devices such as belt scales, weight hoppers, flow meters, and tank scales, shall be calibrated and adjusted to indicate the true value of the parameter being measured with sufficient accuracy to allow the applicable process variable to be determined within 10% of its true value. [Rule 62-297.310(5) (b), F.A.C.]

32. Special Compliance Tests: When the Department, after investigation, has good reason (such as complaints, increased visible emissions or questionable maintenance of control equipment) to believe that any applicable emission standard contained in a Department rule or in a permit issued pursuant to those rules is being ~~violated~~, it shall require the owner or operator of the emissions unit to ~~conduct~~ compliance tests which identify the nature and quantity of pollutant emissions from the emissions unit and to ~~provide~~ a re~~port on~~ the results of said tests to the Department. [Rule 62-297.310(7) (b), F.A.C.]

33. NO_X CEMS: The permittee shall install, calibrate, operate, and maintain ~~a~~ CEMS to measure and record NO_X and oxygen concentrations in the combustion turbine exhaust stack. A monitor for carbon dioxide may be used in place of the oxygen monitor, but the system shall be capable of correcting the emissions to 15% oxygen. The NO_X monitoring devices shall comply with the requirements of 40 CFR 60.334(b) for 40 CFR Part 75 monitoring systems. A monitoring plan shall be provided to the Department's Emissions Monitoring Section Administrator, EPA Region 4, and the Compliance Authority for review ~~no~~ later than 45 days prior to the first scheduled certification test pursuant to 40 CFR 75.62. The plan shall consist of data on CEM equipment specifications, manufacturer, type, calibration and maintenance needs, and its proposed location. [Rule 62-212.400, F.A.C. (BACT) and 40 CFR 75]

34. NO_X CEMS Data Requirements:

(a) Installation. The CEMS shall be installed, calibrated, and properly functioning prior to the initial performance tests. Each device shall comply with the applicable monitoring system requirements of 40 CFR 60.7(a) (5), 40 CFR 60.13, and 40 CFR 60.334(b).

(b) Data Collection. Emissions shall be monitored and recorded at all times including startup, operation, shutdown, and malfunction except for continuous monitoring system breakdowns, repairs, calibration checks, and zero and span adjustments. Each valid 1-hour average shall be calculated using at least two valid data points at least 15 minutes apart.

(c) Data Reporting: Data collected by the CEMS shall be used to demonstrate compliance with the emissions standards specified for each 24-hour block average. Emissions shall be reported in units of ppmvd corrected to 15% oxygen for each hour of operation. The compliance averages shall be determined by calculating the arithmetic average of a 24-hour block of valid hourly emission rates. When a monitoring system reports emissions in excess of the standards allowed by this certification, the permittee shall notify the Compliance Authority within one (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. The Department may request a written report summarizing the excess emissions incident. The permittee shall also report excess emissions in a quarterly report as required in specific condition 39 of this certification

(d) Data Exclusion. Unless prohibited by 62-210.700 F.A.C., valid hourly emission rates shall not include periods of start up, shutdown, or documented malfunction as described under the excess emissions requirements of this certification. [Rules 62-4.130, 62-4.160(8), 62-204.800, 62-210.700, 62-297.520, F.A.C and 40 CFR 60.7].

35. Records Retention: All measurements, records, and other data required by this certification shall be documented in a permanent, legible format and retained for at least five (5) years following the date on which such measurements, records, or data are recorded. Records shall be made available to the Department upon request. [Rules 62-4.160(14) and 62-213.440(1) (b) 2., F.A.C.]

36. Fuel Records: The permittee shall demonstrate compliance with the fuel sulfur limits for natural gas and fuel oil specified in this certification by maintaining records required by 40 CFR 60.334 and 60.335. [Rules 62-4.070(3) and 62-4.160(15), F.A.C.]

37. Monthly Operations Summary: By the fifth calendar day of each month, the permittee shall record the hours of operation and amount of each fuel fired for the combustion turbine. The information shall be recorded in a written or electronic log and shall summarize the previous month of operation and the previous 12 months of operation. All hours of operation shall be included in the demonstration of compliance with the 12-month fuel usage limitations. Information recorded and stored as an electronic file shall be available for inspection and/or printing within at least one day of a request from the Compliance Authority. [Rule 62-4.160(15), F.A.C.]

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

39. Excess Emissions Reporting and Semi-annual Reports: If excess NO_X or visible emissions occur due to malfunction, the permittee shall notify the Compliance Authority within (1) working day of: the nature, extent, and duration of the excess emissions; the cause of the excess emissions; and the actions taken to correct the problem. In addition, the Department may request a written summary report of the incident. Following the NSPS format in 40 CFR 60.7(c), Subpart A, periods of startup, shutdown and malfunction, shall be monitored, recorded and reported as excess emissions when emission levels exceed the standards specified in this certification. Within thirty (30) days following each calendar semi-annual period, the permittee shall submit a report on any periods of excess emissions that occurred during the previous semi-annual to the Compliance Authority. [Rules 62-4.130, 62-204.800, 62-210.700(6), F.A.C., and 40 CFR 60.7]

40. Annual Operating Report: The permittee shall submit an annual report that summarizes the actual operating rates and emissions from this facility. Annual operating reports shall be submitted to the Compliance Authority by March 1st of each year. [Rule 62-210.370(2), F.A.C.]

J. Emission Unit 033 – 750 KW Emergency Diesel Generator.

The Emergency diesel generator (EU 033) is subject to a federal exemption provided:

1. No emergency generator on site is subject to the Federal Acid Rain Program; and

2. Total fuel consumption by all such emergency generators within the facility is limited to 32,000 gallons per year of diesel fuel, 4,000 gallons per year of gasoline, 4.4 million standard cubic feet per year of natural gas or propane, or an equivalent prorated amount if multiple fuels are used.

3. Additionally, an emissions unit or pollutant-emitting activity that is not entitled to a categorical exemption pursuant to paragraph 62-210.300(3)(a), F.A.C., shall be exempt from the permitting requirements of this chapter, Chapters 62-212 and 62-4, F.A.C., if it meets all of the following criteria:

a. It would be subject to no unit-specific applicable requirement.

b. It would neither emit nor have the potential to emit:

i. 500 pounds per year or more of lead and lead compounds expressed as lead;

ii. 1,000 pounds per year or more of any hazardous air pollutant;

iii. 2,500 pounds per year or more of total hazardous air pollutants; or

iv. 5.0 tons per year or more of any other regulated pollutant.

c. Its emissions, in combination with the emissions of other units and activities at the facility, would not cause the facility to emit or have the potential to emit any pollutant in such amount as to make the facility a Title V source.

d. In the case of a proposed new emissions unit at an existing facility, the emissions of such unit, in combination with the emissions of any other proposed new or modified units and activities at the facility, would not result in a modification subject to the preconstruction review requirements of subparagraph 62-204.800(10)(d)2., Rule 62-212.400 or 62-212.500, F.A.C.

e. In the case of a proposed new pollutant-emitting activity, such activity would not constitute a modification of any existing non-exempt emissions unit at a non-Title V source or any existing non-insignificant emissions unit at a Title V source. [Rule 62-210.300(3) (a)20 and Rule 62-210.300(3) (b)1, F.A.C.]

II. ~~2.~~ Water - no change

III. ~~3.~~ Ground Water Monitoring – no change

IV. ~~4.~~ Archeological Sites

V. ~~5.~~ Site Drainage and Erosion Control

A. – C. No change

D. Stormwater Discharge

1. The existing Hopkins Generating Station surface water management system is permitted to discharge stormwater under the terms and conditions imposed by the FDEP's storm water general permit. The facility's identification number is FLR05B822. The City of Tallahassee is required to continue to update the Hopkins Station's Storm Water Pollution Prevention Plan (SWPPP) annually, as required by the general permit; and to implement the annual changes to the SWPPP.

2. Construction of the Project on the Hopkins site must meet the requirements of Chapter 62-25 and 62-621.300 (4) of the Florida Administrative Code, the design requirements presented in the Site Certification Modification for the Project, and be consistent with the "Environmental Management Act", Article VII, Chapter 10 of the Leon County Land Development Code. The new storm water facilities associated with the Project will not become operational until an engineer practicing in the State of Florida in compliance with Section 471.003 (2) (d) Florida Statutes, and with the appropriate experience in surface

water design, certifies that these facilities have been constructed in accordance with the design as approved by the FDEP and Leon County's Department of Growth and Environmental Management (Leon County).

3. FDEP and Leon County representatives shall be allowed reasonable escorted access to the power plant site to inspect and observe activities associated with the Project construction and/or operation and/or maintenance of the surface water management system in order to determine compliance with the conditions of this certification. The City of Tallahassee Shall not refuse immediate entry or access, upon reasonable notice, to any FDEP or Leon county representative who requests entry for the above noted inspection and presents appropriate credentials.

4. The Landscaping requirements under Chapter 10 of the Leon County Land Development code shall not apply.

5. The storm water facilities for the project will be incorporated into the (SWPPP) and will be operated and maintained in -accordance with-the SWPPP--and the-approved-design. Every three (3) years, the City shall provide written certification to Leon County that the storm water facilities for the project have been operated in accordance with these requirements and are compliant with state water quality standards.

~~E.~~ Conservation Area

The parcel of land described as follows shall be maintained in perpetuity as a Conservation Area on the terms and conditions hereinafter set forth:

1. Conservation Area

A parcel of land lying in and being a part of that map or plat of Arvah B. Hopkins Plant as recorded in Plat Book 11, Pages 23A through 23C, inclusive of the Public Records of Leon County, Florida, being more particularly described as follows:

COMMENCING at St. Joe Paper Company monument marking the Southeast Corner of Section 26, Township 1 North, Range 2 West as shown on that map or plat of Arvah B. Hopkins Plant as recorded in Plat Book 11, Pages 23A through 23C, inclusive, of the Public Records of Leon County, Florida; thence North 89 degrees 02 minutes 45 seconds West, along the South boundary of Arvah B. Hopkins Plat, a distance of 1318.75 feet to a St. Joe Paper Company monument; thence North 00 degrees 30 minutes 17 seconds West, along the East boundary of said Arvah B. Hopkins Plant, South 89 degrees 29 minutes 43 seconds West a distance of 20.00 feet to a set iron rod and cap (LB #6816) marking the POINT OF BEGINNING of the herein described conservation area. From said POINT OF BEGINNING, thence continue South 89 degrees 29 minutes 43 seconds West a distance of 160.00 feet to a set iron rod and cap (LB #6816); thence North 00 degrees 30 minutes 17 seconds West, a distance of 400.00 feet to a set iron rod and cap

(LB #6816); thence North 45 degrees 30 minutes 17 seconds West a distance of 180.00 feet to a set iron rod and cap (LB #6816); thence North 00 degrees 30 minutes 17 seconds West a distance of 39.25 feet to a set iron rod and cap (LB #6816); thence North 89 degrees 29 minutes 43 seconds East a distance of 287.28 feet to a line lying 20.00 feet West and parallel to the East boundary of said Arvah B. Hopkins Plant; thence South 00 degrees 30 minutes 17 seconds East, along said line lying 20.00 West of and parallel to said East boundary of Arvah B. Hopkins Plat, a distance of 566.53 feet to the POINT OF BEGINNING of the herein described conservation area.

Said parcel containing 2.38 acres, more or less.

2. Conservation Terms and Conditions

a. The above-described Conservation Area shall be maintained in a natural condition.

b. The following activities are prohibited within this Conservation Area:

(i) Construction or placing of buildings, ~~roads,~~ signs, billboards or other advertising, utilities, or other structures above or on the ground.

(ii) Dumping or placing of soil or other substance or material as landfill, or dumping or placing of trash, waste, or unsightly or offensive materials.

(iii) Removal or destruction of trees, shrubs, or other vegetation.

(iv) Excavation, dredging, or removal of loam, peat, gravel, soil, rock, or other material substance in such matter as to affect the surface.

(v) Surface use except for purposes that permit the land or water area to remain predominantly in its natural condition.

(vi) Activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation, or fish and wildlife conservation habitat preservation.

(vii) Acts or uses detrimental to such retention of land or water areas.

(viii) Acts or uses detrimental to the preservation of the structural integrity or physical appearance of sites or properties of historical, architectural, archeological, or cultural significance.

c. Leon County shall be entitled to enter the above-described Conservation Area in a reasonable manner and at reasonable times to assure compliance with the requirements of this condition of certification.

VI. ~~6.~~ Delegation - Modification of Special Provisions – no change

VII. ~~7.~~ Polychlorinated Biphenyl Compounds – no change

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

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

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

Sandra Korokous 1-10-05
Clerk Date

cc:

James V. Antista, Esquire
Florida Fish and Wildlife Conservation Commission
620 South Meridian Street
Tallahassee, FL 32399-1600

Mary Ann Helton, Esquire
Division of Legal Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Craig Varn, Esquire
Florida Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100

Parwaz Alam
Leon County Administrator
Leon county Court House
310 S. Monroe Street
Tallahassee, Florida 32301

Sheauchang Yu, Esquire
Assistant General Council
Florida Department of Transportation
650 Suwannee Street, Mail Station 58
Tallahassee, FL 32399-0450

Gary P. Sams, Esq.
Angela R. Morrison, Esq.
Hopping Green & Sams, P.A.
P.O. Box 6526
Tallahassee, Florida 32317

Scott Goorland, Esq.
Florida Department of Environmental Protection
3000 Commonwealth Blvd
Tallahassee, Fl 32399-3000