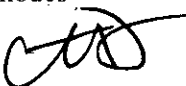


Florida Department of
Environmental Protection

Memorandum

TO: Howard L. Rhodes

THRU: Clair Fancy 
Al Linero 

FROM: Jeff Koerner 

DATE: August 15, 2000

SUBJECT: Final Permit No. PSD-FL-182I
Project No. 0970043-008-AC
KUA Cane Island Plant
Unit 2 Inlet Air Fogging System

The Final Permit is attached for your approval and signature of a project to add an inlet air fogging system to existing Unit 2 at the KUA Cane Island Plant in Osceola County, Florida. During periods of peak demand and high temperatures, the fogging system will provide evaporative cooling to allow the existing gas turbine to operate at lower inlet compressor temperatures with an increase in power output. Based on the past operating history and the information in the application, this project is not subject to PSD.

The Public Notice of Intent to Issue Permit was published in the July 12th issue of The Orlando Sentinel. As stated in the attached Final Determination, no comments on the Draft Permit were received from the public, the Central District Office, EPA Region 4, National Park Service, Fish and Wildlife, or the applicant. Only minor typographical changes were made to the Draft Permit.

I recommend your approval and signature. Day 90 for this project is November 1, 2000.

Attachments

CHF/AAL/jfk

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF FINAL PERMIT

In the Matter of an
Application for Permit by:

Kissimmee Utility Authority (KUA)
P.O. Box 423219
Kissimmee, FL 34742-3219

Permit No. 0970043-008-AC
PSD Permit No. PSD-FL-1821
KUA Cane Island Plant
Unit 2 Inlet Air Fogging System

Authorized Representative:

A.K. Sharma, Director of Power Supply

Osceola County, Florida

Enclosed is Final Permit No. PSD-FL-1821, which authorizes the installation of an inlet air fogging system for Unit No. 2 at KUA's Cane Island Plant. As noted in the Final Determination (attached), no comments were received and only minor typographical changes to the Draft Permit were made. This permit is issued pursuant to Chapter 403, Florida Statutes.

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

Executed in Tallahassee, Florida.


C. H. Fancy, P.E., Chief
Bureau of Air Regulation

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Notice of Final Permit (including the Final Permit and Final Determination) was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on 8/21/00 to the person(s) listed:

Mr. A.K. Sharma, KUA*
Mr. Jerome Guidry, Perigree Technical Services, Inc.
Mr. Len Kozlov, Central District Office DEP
Mr. Scott Sheplak, BAR - Title V Section

Mr. Gregg Worley, EPA Region 4
Mr. John Bunyak, NPS

Clerk Stamp

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


(Clerk) 8/21/00 (Date)

FINAL DETERMINATION

KUA Cane Island Unit 2 Inlet Air Fogging System

INTRODUCTION

The Department distributed a public notice package on July 3, 2000 to allow the applicant to add an inlet air fogging system to Unit No. 2, an existing 75 MW gas turbine. The project is located at Kissimmee Utility Authority's Cane Island Plant in Osceola County at 6075 Old Tampa Highway in Intercession City, Florida. The applicant published the Public Notice in the July 12th issue of The Orlando Sentinel.

COMMENTS/CHANGES

Comments from the Public and the Department's Central District Office: The Department received no comments regarding the Draft Permit.

Comments from EPA Region 4, National Park Service, and Fish and Wildlife: The Department received no comments regarding the Draft Permit.

Comments from the Applicant: The Department received no comments regarding the Draft Permit.

CONCLUSION

The final action of the Department is to issue the Final Permit with only minor typographical changes.



Jeb Bush
Governor

Department of Environmental Protection

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

David B. Struhs
Secretary

PERMITTEE

Kissimmee Utility Authority (KUA)
P.O. Box 423219
Kissimmee, FL 34742-3219

Authorized Representative:

A.K. Sharma, Director of Power Supply

Plant Site:	Cane Island Power Park
Facility ID No.	0970043
SIC No.	4911
Project No.	0970043-008-AC
Project:	Inlet Air Fogging System
Permit No.	PSD-FL-1821
Expires:	July 1, 2001

PROJECT AND LOCATION

This permit is for the installation of a high-pressure direct spray inlet air fogging system on an existing 120 MW combined cycle combustion turbine (Emissions Unit 002) at KUA's Cane Island Power Park. The plant is located in Osceola County at 6075 Old Tampa Highway in Intercession City, Florida 34758. The UTM map coordinates are Zone 17, 449.8 km East, 3127.9 km North. This permit is issued pursuant to the preconstruction review requirements of Chapter 62-212, F.A.C. The facility is an electric power generating plant and major source of air pollution with respect to Rule 62-212.400, F.A.C., the Prevention of Significant Deterioration (PSD) of Air Quality program. The proposed project will increase actual emissions of an existing combustion turbine. However, the net emissions increases have been determined to be less than the significant emission rates specified in Table 62-212.400-2, F.A.C. Therefore, PSD does not apply to this project.

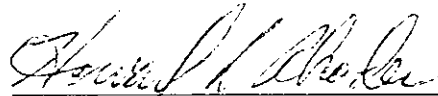
STATEMENT OF BASIS

This air pollution construction permit is issued under the provisions of Chapter 403 of the Florida Statutes (F.S.), and Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297 of the Florida Administrative Code (F.A.C.). The permittee is authorized to install the proposed equipment in accordance with the conditions of this permit and as described in the application, approved drawings, plans, and other documents on file with the Department. This permit does not alter any requirements from previously issued air permits for the subject emissions unit.

APPENDICES

The following appendices are attached as part of this permit.

- Appendix A - Terminology
- Appendix B - Summary of the PSD Applicability Determination
- Appendix GC - Construction Permit General Conditions


Howard L. Rhodes, Director
Division of Air Resources Management

8/17/00
Date

"More Protection. Less Process"

Printed on recycled paper.

SECTION I. FACILITY INFORMATION

FACILITY DESCRIPTION

This facility consists of one 40 MW simple cycle combustion turbine, one 120 MW combined cycle combustion turbine, and two distillate oil storage tanks. The facility also has an air construction permit to install a 250 MW combined cycle combustion turbine, a natural gas-fired (44mmBTU/hour) heat recovery steam generator (HRSG), a cooling tower and a third distillate oil storage tank.

PROJECT

The proposed project adds an inlet air fogging system to the following existing emissions unit.

ARMS ID No.	EMISSION UNIT DESCRIPTION
002	Unit 2 – A 120 MW combined cycle combustion turbine

REGULATORY CLASSIFICATION

Power Plant Siting (PPS): The facility is subject to a PPS certification.

Title III – HAP: Based on the initial Title V permit, this facility is a major source of hazardous air pollutants (HAPs).

Title IV - Acid Rain: Emissions units at this facility are subject to the Federal Acid Rain Program.

Title V – Major Source: The facility is classified as a “major” source of air pollution with respect to Title V of the Clean Air Act because emissions of at least one regulated criteria air pollutant exceeds 100 tons per year.

PSD Major Source: Because facility emissions of at least one criteria pollutant are greater than 250 tons per year, the facility is “major facility” with respect to the Prevention of Significant Deterioration (PSD) of Air Quality. Pursuant to Rule 62-212.400, F.A.C., each modification to a PSD major source requires a PSD applicability determination. The Department determined that PSD did not apply to the project as permitted.

NSPS: The existing combined cycle combustion turbine is subject to 40 CFR 60, Subpart GG, the New Source Performance Standards for stationary gas turbines.

RELEVANT DOCUMENTS

- Permit application received June 6, 2000.
- Additional information received on June 15, 2000.
- Intent to Issue Permit package mailed on July 3, 2000.
- Public Notice published in the July 12th issue of The Orlando Sentinel.
- Proof of publication received August 9, 2000.

SECTION II. ADMINISTRATIVE REQUIREMENTS

GENERAL AND ADMINISTRATIVE REQUIREMENTS

1. Permitting Authority: All documents related to applications for permits to construct or modify this emissions unit shall be submitted to the Bureau of Air Regulation (BAR), Florida Department of Environmental Protection (DEP), at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400 and phone number 850/488-0114. Copies of these documents shall be submitted to each Compliance Authority.
2. Compliance Authorities: All documents related to compliance activities such as reports, tests, and notifications should be submitted to the Central District Office at 3319 Maguire Boulevard, Suite 232 in Orlando, Florida 32803-3767. The phone number is 407/894-7555 and the fax number is 407/897-2966.
3. Terminology: The terms used in this permit have specific meanings as defined in the applicable chapters of the Florida Administrative Code. *Appendix A* lists frequently used abbreviations and explains the format used to cite rules and regulations in this permit.
4. PSD Applicability Determination: *Appendix B* summarizes the Department's determination of PSD applicability for this project.
5. General Conditions: The owner and operator are subject to, and shall operate under, the attached General Conditions listed in *Appendix GC* of this permit. General Conditions are binding and enforceable pursuant to Chapter 403 of the Florida Statutes. [Rule 62-4.160, F.A.C.]
6. Applicable Regulations, Forms and Application Procedures: Unless otherwise indicated in this permit, the construction and operation of this project shall be in accordance with the capacities and specifications stated in the application. The facility is subject to all applicable provisions of: Chapter 403 of the Florida Statutes (F.S.); Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-296, and 62-297 of the Florida Administrative Code (F.A.C.). 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. Issuance of this permit does not relieve the facility owner or operator from compliance with any applicable federal, state, or local permitting or regulations. [Rules 62-204.800, 62-210.300 and 62-210.900, F.A.C.]
7. Permit Expiration: For good cause, the permittee may request that this air construction permit be extended. Such a request shall be submitted to the Department's Bureau of Air Regulation at least sixty (60) days prior to the expiration of this permit. [Rules 62-4.070(4), 62-4.080, and 62-210.300(1), F.A.C.]
8. New or Additional Conditions: For good cause shown and after notice and an administrative hearing, if requested, the Department may require the permittee to conform to new or additional conditions. The Department shall allow the permittee a reasonable time to conform to the new or additional conditions, and on application of the permittee, the Department may grant additional time. [Rule 62-4.080, F.A.C.]
9. Modifications: No emissions unit or facility subject to this permit shall be constructed or modified without obtaining an air construction permit from the Department. Such permit shall be obtained prior to beginning construction or modification. [Rules 62-210.300(1) and 62-212.300(1)(a), F.A.C.]
10. Title V Permit: This permit authorizes construction of the proposed project and initial operation to determine compliance with Department rules. Upon completion of construction of this project, a Title V operation permit revision is required for regular operation of the new equipment. The permittee shall apply for and receive a revised Title V operation permit prior to expiration of this permit. To apply for a Title V operation permit, the applicant shall submit the appropriate application form, compliance test results, and such additional information as the Department may by law require. The application shall be submitted to the Department's Central District Office at 3319 Maguire Boulevard, Suite 232 in Orlando, Florida 32803-3767. [Rules 62-4.030, 62-4.050, 62-4.220, and Chapter 62-213, F.A.C.]

SECTION III. EMISSIONS UNIT SPECIFIC CONDITIONS

EU 002 – 120 MW COMBINED CYCLE COMBUSTION TURBINE

The proposed project adds an inlet air fogging system to the following existing emissions unit.

ARMS ID No.	EMISSION UNIT DESCRIPTION
002	Unit No. 2 is a combined cycle gas turbine consisting of an 80 MW General Electric Model PG 7111(EA) with an unfired heat recovery steam generator (HRSG) providing an additional 40 MW. The maximum heat input is 869 mmBTU/hr when firing natural gas and 928 mmBTU/hr when firing low sulfur distillate oil. Nitrogen oxide emissions are controlled by dry low-NOx combustion design for gas firing and by water injection for oil firing. Emissions exhaust through a stack that is 75 feet above ground level. An inlet air fogging system provides evaporative cooling of the compressor inlet air.

ADMINISTRATIVE REQUIREMENTS

1. Previous Permit Conditions: This permit authorizes the installation of a new inlet air fogging system designed to lower the inlet air compressor temperature of Unit 2. The following conditions are in addition to those of original PSD Permit No. PSD-FL-182 issued for the combined cycle gas turbine. Issuance of this permit *does not* alter any requirements from any previously issued air construction or Title V operation permits.

INSTALLATION OF EQUIPMENT

2. Inlet Air Fogging System: The permittee is authorized to install a PowerFog™ high pressure, direct water spray fogging system manufactured by Caldwell Energy & Environmental, Inc. (or equivalent). The proposed equipment will inject up to 26 gpm from spray nozzles to provide evaporative cooling of the compressor inlet air to Unit 2. Based on an inlet air mass flow rate of 2,077,077 pounds per hour, the inlet air fogging system shall be designed to achieve a 25° F cooling reduction from an ambient temperature of 95° F to cooled compressor inlet air temperature of 70° F. [Design, Applicant Request]

Permitting Note: Typically, the inlet air fogging system will operate during periods of peak power demand and high ambient temperatures. Fogging provides evaporative cooling of the inlet air to the compressor, which allows a higher mass flow rate with a corresponding increase in power production of up to 8 MW for the given ambient conditions. The increased power production is realized by firing additional fuel, which results in increased actual emissions. However, there are no increases in the maximum heat input rates, power production, or emissions levels, which are established under the coldest expected ambient temperatures. Fogging simply allows improved performance of the combustion turbine at a lower temperature than the existing ambient conditions.

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

PERFORMANCE REQUIREMENTS

4. Hours of Operation: Operation of the inlet air fogging system is not restricted (8760 hours per year). This is based on the PSD applicability review as summarized in Appendix B. [Design; Rule 62-212.400, F.A.C. (BACT); Rule 62-210.200, F.A.C. (Definitions - PTE)]
5. Plant Operation - Problems: If temporarily unable to comply with any of the conditions of this permit due to breakdown of equipment or destruction by fire, wind or other cause, the owner or operator shall notify the Compliance Authority as soon as possible, but at least within one (1) working day, excluding weekends

SECTION III. EMISSIONS UNIT SPECIFIC CONDITIONS
EU 002 – 120 MW COMBINED CYCLE COMBUSTION TURBINE

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 this permit and the regulations. [Rule 62-4.130, F.A.C.]

6. Circumvention: The permittee shall not circumvent any air pollution control equipment or allow the emission of air pollutants without this equipment operating properly. [Rule 62-210.650, F.A.C.]
7. 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. Excess emissions from the combustion turbine caused entirely or in part by the operation of the inlet air fogging system shall also be prohibited. [Rule 62-210.700, F.A.C.]

EMISSIONS PERFORMANCE TESTING

8. Special Compliance Tests: The existing Unit 2 combustion turbine remains subject to all performance testing provisions specified in any previously issued air construction and Title V operation permits. When the Department, after investigation, has good reason (such as complaints, increased visible emissions or questionable maintenance of control equipment) to believe that any applicable emission standard contained in a Department rule or in a permit issued pursuant to those rules is being violated, it shall require the owner or operator of the emissions unit to conduct compliance tests which identify the nature and quantity of pollutant emissions from the emissions unit and to provide a report on the results of said tests to the Department. [Rule 62-297.310(7)(b), F.A.C.]

REPORTS

9. Excess Emissions Reporting: If excess 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. [Rules 62-4.130 and 62-210.700(6), F.A.C.]
10. 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.]

SECTION IV.

APPENDIX A - TERMINOLOGY

ABBREVIATIONS AND ACRONYMS

°F	- Degrees Fahrenheit
DEP	- State of Florida, Department of Environmental Protection
DARM	- Division of Air Resource Management
EPA	- United States Environmental Protection Agency
F.A.C.	- Florida Administrative Code
F.S.	- Florida Statute
SOA	- Specific Operating Agreement
UTM	- Universal Transverse Mercator
CT	- Combustion Turbine
DB	- Duct Burner
HRSG	- Heat Recovery Steam Generator
DLN	- Dry Low-NOx Combustion Technology
SCR	- Selective Catalytic Reduction
OC	- Oxidation Catalyst Technology for CO Control

RULE CITATIONS

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

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

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

Where: 62 - refers to Title 62 of the Florida Administrative Code (F.A.C.)
62-213 - refers to Chapter 62-213, F.A.C.
62-213.205 - refers to Rule 62-213.205, F.A.C.

Facility Identification (ID) Number:

Example: Facility ID No. 099-0001

Where: 099 - 3 digit number indicates that the facility is located in Palm Beach County
0221 - 4 digit number assigned by state database identifies specific facility

New Permit Numbers:

Example: Permit No. 099-2222-001-AC or 099-2222-001-AV

Where: AC - identifies permit as an Air Construction Permit
AV - identifies permit as a Title V Major Source Air Operation Permit
099 - 3 digit number indicates that the facility is located in Palm Beach County
2222 - 4 digit number identifies a specific facility
001 - 3 digit sequential number identifies a specific permit project

Old Permit Numbers:

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

Where: AC - identifies permit as an Air Construction Permit
AO - identifies permit as an Air Operation Permit
123456 - 6 digit sequential number identifies a specific permit project

APPENDIX B - SUMMARY OF THE PSD APPLICABILITY DETERMINATION

Project Description: The applicant requested a permit authorizing installation of an inlet air fogging system on the existing Unit 2 combined cycle combustion turbine at KUA's Cane Island Power Park. The project would provide an increase power output of up to 8 MW depending on the given ambient conditions. With inlet air fogging, a series of high-pressure spray nozzles add a fine mist to the compressor inlet air of the combustion turbine. The fine water droplets evaporate, absorbing heat from the air molecules during the liquid-to-vapor phase change. The cooled inlet air is made denser allowing for slightly higher air mass throughput and increased power generation. The maximum heat input continues to be defined by the coldest day, because evaporative cooling provides little or no benefit on such days. Therefore, this project does not increase permitted capacity, but rather shifts operation on hot days up the power output performance curve, but within the original design range of Unit 2. Inlet foggers are routinely included in new combustion turbine projects and have not affected the Department's decisions regarding Best Available Control Technology.

The facility is a PSD major source of air pollution and the proposed project could potentially result in significant increases in pollutant emissions of CO, NO_x, PM/PM₁₀, SO₂, and/or VOC. Therefore, the project is subject to review for the Prevention of Significant Deterioration (PSD) of Air Quality. The applicant has requested no limit on operation of the foggers because emission levels for continuous operation remain below the significant emissions rates specified in Table 62-212.400-2, F.A.C. Therefore, PSD would not apply to the project and a determination of the Best Available Control Technology (BACT) is not required.

Summary of the PSD Applicability Review: The proposed project will add an inlet air fogging system designed to alter the conditions of the compressor inlet air of Unit 2. Installation of this equipment is a physical change and operation of the fogging system is considered a change in the method of operation that will result in increased actual fuel consumption and air pollutant emissions. The Department believes it is reasonable to compare the past actual to future potential emissions that would result directly from maximum heat input due to fogging. This means that the permitted emissions levels and maximum heat inputs will be used for both cases. This is consistent with the Department's previous determinations for similar inlet air fogging projects. However, critical to this analysis is the assumption that installation of this equipment will not increase the availability or utilization of the existing combustion turbine over that of recent years.

A review of the operating history for this unit indicated an average operation of 7799 hours per year for 1998 and 1999, showing Unit 2 to be a base loaded unit. Of this total, Unit 2 averaged only 15 hours per year of oil firing. Therefore, the Department does not believe that installation of this equipment would make Unit 2 more available. For the PSD applicability analysis, NO_x was the limiting pollutant. The Department's comparison of past actual to future potential emissions indicated that continuously operating the foggers would result in a net emissions increase just below the NO_x significant emission rate of 40 tons per year. The analysis was based on permit emissions limits, past actual operation, the assumption that all past operation was gas firing, and 8760 hours per year of potential gas firing. The result is a very conservative estimate of potential emissions because fogging is only needed during periods of peak power demand and high ambient temperatures.

As an additional check, the Department also estimated the net potential emissions increase based on 7760 hours of gas firing, 1000 hours of oil firing, permit emissions levels, and the maximum heat input due to fogging. This analysis indicates a maximum net emissions increase of just over 20 tons of NO_x per year, or about half of the significant emission rate for NO_x. Therefore, based on these analyses, the project is considered a minor modification with respect to PSD.

Air Quality Impact Analysis: Because PSD does not apply to this project, an Air Quality Analysis is not required. The addition of inlet air foggers is not expected to increase the maximum hourly emission rates, so there should be no change in the maximum predicted ambient impacts. Therefore, issuance of this permit would not adversely affect the results of any previous modeling scenarios.

SECTION IV.

APPENDIX GC - CONSTRUCTION PERMIT GENERAL CONDITIONS

- G.1 The terms, conditions, requirements, limitations, and restrictions set forth in this permit are "Permit Conditions" and are binding and enforceable pursuant to Sections 403.161, 403.727, or 403.859 through 403.861, Florida Statutes. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
- G.2 This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings or exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
- G.3 As provided in Subsections 403.087(6) and 403.722(5), Florida Statutes, the issuance of this permit does not convey and vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations. This permit is not a waiver or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.
- G.4 This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
- G.5 This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.
- G.6 The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
- G.7 The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at a reasonable time, access to the premises, where the permitted activity is located or conducted to:
- (a) Have access to and copy and records that must be kept under the conditions of the permit;
 - (b) Inspect the facility, equipment, practices, or operations regulated or required under this permit, and,
 - (c) Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

Reasonable time may depend on the nature of the concern being investigated.

- G.8 If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:
- (a) A description of and cause of non-compliance; and
 - (b) The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance.

The permittee shall be responsible for any and all damages, which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

- G.9 In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Sections 403.73 and 403.111,

SECTION IV.

APPENDIX GC - CONSTRUCTION PERMIT GENERAL CONDITIONS

Florida Statutes. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

- G.10 The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance, provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.
- G.11 This permit is transferable only upon Department approval in accordance with Florida Administrative Code Rules 62-4.120 and 62-730.300, F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.
- G.12 This permit or a copy thereof shall be kept at the work site of the permitted activity.
- G.13 This permit also constitutes:
- (a) Determination of Best Available Control Technology (not applicable to project);
 - (b) Determination of Prevention of Significant Deterioration (not applicable to project); and
 - (c) Compliance with New Source Performance Standards (not applicable to project).
- G.14 The permittee shall comply with the following:
- (a) Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
 - (b) The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application or this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.
 - (c) Records of monitoring information shall include:
 - 1. The date, exact place, and time of sampling or measurements;
 - 2. The person responsible for performing the sampling or measurements;
 - 3. The dates analyses were performed;
 - 4. The person responsible for performing the analyses;
 - 5. The analytical techniques or methods used; and
 - 6. The results of such analyses.
- G.15 When requested by the Department, the permittee shall within a reasonable time furnish any information required by law, which is needed to determine compliance with the permit. If the permittee becomes aware that relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.