

BEFORE THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

In Re: City of Lake Worth Utilities)
Department Unit S-5 Modification of)
Conditions of Certification Palm Beach)
County, Florida, PA 74-05B)
_____/

OGC NO. 96-0860

FINAL ORDER MODIFYING
CONDITIONS OF CERTIFICATION

On May 18, 1976, the Governor and Cabinet, sitting as the Siting Board, issued a final order approving certification for the City of Lake Worth Utilities Department's Tom G. Smith Municipal Power Plant Unit S-5. That certification order approved the construction and operation of a 29.5 MW, oil-fired, steam electric generating facility located in Palm Beach County, Florida.

On September 22, 1993, The City of Lake Worth's utility Department filed a request for a determination of Reasonably Available Control Technology (RACT) for the control of Nitrogen Oxides (NOx) pursuant to Florida Administrative Code Rule 62-96.570. On January 31, 1996, the Department of Environmental Protection determined the NOx RACT for the power plant. Such a determination acts as an automatic modification of the Conditions of Certification pursuant to section 403.511(5)(a), F.S.

IT IS ORDERED:

Pursuant to Section 403.511(5)(a), F.S., the conditions of certification for the City of Lake Worth Utilities Department's Tom G. Smith Municipal Power Plant Unit S-5 are

MODIFIED as follows:

Condition I. 7. The permittee shall comply with the following emission standards for NOx.

a. Emissions of NOx from unit GT-2/S-5 shall not exceed 0.50 lb./million BTU while firing natural gas and 0.90 lb./million Btu while firing fuel oil.

b. Compliance for unit GT-2/S-5 shall be demonstrated by annual emission testing in accordance with EPA Test Method 7E. Emission testing shall be completed by February 28th of each year. Annual compliance testing while firing oil is not required for units that operated on oil for less than 400 hours in the previous federal fiscal year (ending September 30th). The permittee shall submit to the Palm Beach County Public Health Unit, Air Section, and to the Department of Environmental Protection, Southeast District Office, Air Program, written confirmation that testing while firing oil is not required, in lieu of submitting an emission test report for each unit that is not tested each year.

c. All required emission testing shall be performed no later than February 28th of each year, except for units that are not operating because of scheduled maintenance outages and emergency repairs, which will be tested within thirty days of return to service.

d. Compliance testing shall be conducted with the emission units operating at the permitted capacity (90 to 100% of the maximum permitted operation rate of the emission units). If an emission's unit is not tested at permitted capacity, the emission unit shall not be operated above 110% of the test load until a new test showing compliance is conducted. Operation of the emissions unit above 110% of the test load is allowed for no more than 15 days for the purpose of conducting additional compliance testing to regain the authority to operate at the permitted capacity. [F.A.C. Rule 62-297.310 (2)]

NOTICE OF RIGHTS

Any party to this Notice has the right to seek judicial review of the Order Pursuant to Section 120.68, Florida Statutes, by the filing of Notice 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, Tallahassee, Florida 32399-3000; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date that the Final Order is filed with the Department of Environmental Protection.

DONE AND ENTERED this 27th day of March, 1996 in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

FILING AND ACKNOWLEDGEMENT
FILED, on this date, pursuant to S120.52
Florida Statutes, with the designated
Department Clerk, receipt of which
is hereby acknowledged.

[Signature] 3/29/96
Clerk Date

[Signature]
VIRGINIA B. WETHERELL
SECRETARY
3900 Commonwealth Boulevard
Tallahassee, FL 32399-3000

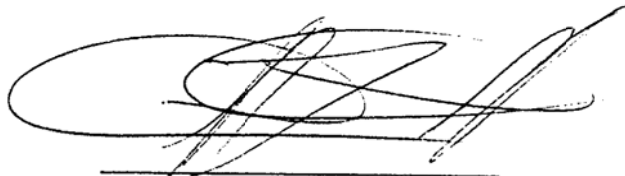
CERTIFICATE OF SERVICE

I hereby certify that a copy of the Final Order Modifying Conditions of Certification of the City of Lake Worth Utilities was sent to the following parties by United States mail on the 1st day of April, 1996.

Karen Brodeen, Esquire
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