

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENT, REGULATION

NORTHEAST DISTRICT

3426 BILLS ROAD  
JACKSONVILLE, FLORIDA 32207



BOB GRAHAM  
GOVERNOR

VICTORIA J. TSCHINKEL  
SECRETARY

G. DOUG DUTTON  
DISTRICT MANAGER

PERMITTEE: John Matthews, Sr., President  
Biomass Power Corporation  
145 Camp Drive  
Dunnellon, Fla. 32630

I.D. Number:  
Permit/Certification Number: AC40-75860  
Date of Issue: December 1, 1983  
Expiration Date: June 30, 1984 *1985*  
County: Madison  
Latitude/Longitude: 30°30'00"N/83°23'45"W  
Section/Township/Range:  
Project: Carbonaceous Fuel Burning Equipment  
UTM Zone 17: 3375.9Km North 269.4Km East

This permit is issued under the provisions of Chapter(s) 403, Florida Statutes, and Florida Administrative Code Rule(s) 17-2 and 17-4. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents attached hereto or on file with the department and made a part hereof and specifically described as follows:

The construction of a carbonaceous fuel burning boiler (Bigelow Size KVS-2836) with a maximum heat input capacity of 136.18 million BTU per hour. Stack emissions will be controlled by a multiclone unit (Joy Manufacturing Company, Western Precipitation Division Model 12 VM 35, Size 50-5) and a wet venturi scrubber (Perry Smith Company Model 80M).

Located approximately 1.5 miles north of Madison, Madison County on County Road 591.

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GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations, and restrictions set forth herein are "Permit Conditions" and as such are binding upon the permittee and enforceable pursuant to the authority of Sections 403.161, 403.727, or 403.859 through 403.861, Florida Statutes. The permittee is hereby placed on notice that the department will review this permit periodically and may initiate enforcement action for any violation of the "Permit Conditions" by the permittee, its agents, employees, servants or representatives.
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, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the department.
3. As provided in Subsections 403.087(6) and 403.722(5), Florida Statutes, the issuance of this permit does not convey any vested rights or any exclusive privileges. Nor 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 does not constitute a waiver of 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.
4. This permit conveys no title to land or water, does not constitute state recognition or acknowledgement 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.
5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, plant or aquatic life or property and penalties therefor caused by the construction or operation of this permitted source, 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.
6. The permittee shall at all times 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.
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, access to the premises, at reasonable times, where the permitted activity is located or conducted for the purpose of:
  - a. Having access to and copying any records that must be kept under the conditions of the permit;
  - b. Inspecting the facility, equipment, practices, or operations regulated or required under this permit; and
  - c. Sampling or monitoring 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.
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 notify and provide the department with the following information:
  - a. a description of and cause of non-compliance; and

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b. the period of noncompliance, including exact 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 revocation of this permit.

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 arising under the Florida Statutes or department rules, except where such use is proscribed by Sections 403.73 and 403.111, Florida Statutes.
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.
11. This permit is transferable only upon department approval in accordance with Florida Administrative Code Rules 17-4.12 and 17-30.30, as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the department.
12. This permit is required to be kept at the work site of the permitted activity during the entire period of construction or operation.
13. This permit also constitutes:
  - ( ) Determination of Best Available Control Technology (BACT)
  - ( ) Determination of Prevention of Significant Deterioration (PSD)
  - ( ) Certification of Compliance with State Water Quality Standards (Section 401, PL 92-500)
  - ( ) Compliance with New Source Performance Standards
14. The permittee shall comply with the following monitoring and record keeping requirements:
  - a. Upon request, the permittee shall furnish all records and plans required under department rules. The retention period for all records will be extended automatically, unless otherwise stipulated by the department, during the course of any unresolved enforcement action.
  - b. The permittee shall retain 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), copies of all reports required by this permit, and records of all data used to complete the application for this permit. The time period of retention shall be 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:
    - the date, exact place, and time of sampling or measurements;
    - the person responsible for performing the sampling or measurements;
    - the date(s) analyses were performed;
    - the person responsible for performing the analyses;
    - the analytical techniques or methods used; and
    - the results of such analyses.
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 submitted or corrected promptly.

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6. In the case of a hazardous waste facility permit, the following permit conditions shall also apply.

a. The permittee will submit the following reports to the department:

- (1) Manifest discrepancy report: If a significant discrepancy in a manifest is discovered, the permittee must attempt to reconcile the discrepancy. If not resolved within 15 days after receiving the waste, the permittee shall immediately submit a letter report including a copy of the manifest to the department.
- (2) Unmanifested waste report: Permittee shall submit an unmanifested waste report to the department within 15 days of receipt of unmanifested waste.
- (3) Annual report: An annual report covering facility activities during the previous calendar year must be submitted in accordance with Florida Administrative Code Rule 17-30.

b. Notification of any non-compliance which may endanger health or the environment, including the release of any hazardous waste that may endanger public drinking water supplies, or the occurrence of a fire or explosion from the facility which could threaten the environment or human health outside the facility, shall be verbally submitted to the department within 24 hours and a written submission provided within 5 days. The verbal submission within 24 hours shall contain the name, address, I.D. number and telephone number of the facility and owner or operator, the name and quantity of materials involved, the extent of injuries (if any), an assessment of actual or potential hazards, and the estimated quantity and disposition of recovered material. The written submission shall contain the following:

(1) a description of and cause of non-compliance; and

(2) 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.

c. Reports of compliance or noncompliance with, or any progress reports on, requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

d. All reports or information required to be submitted to the department by a hazardous waste permittee shall be signed by a person authorized to sign a permit application.

SPECIFIC CONDITIONS:

1. The construction of this installation shall be completed by January 1, 1984.
2. Stack emissions testing shall be performed within thirty (30) calendar days following start-up. The Northeast District Branch Office (Gainesville) shall be notified in writing of the date of testing at least fourteen (14) calendar days in advance.
3. Testing of stack emissions shall be performed at a heat input rate of at least ninety percent (90%) of the desired maximum heat input rate.

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SPECIFIC CONDITIONS:

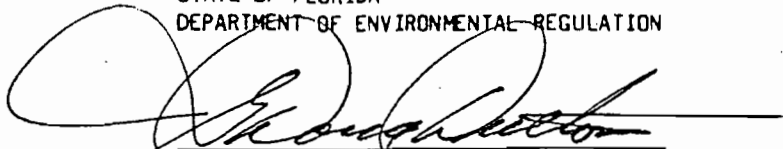
4. The pollutants to be tested for and the maximum allowable emissions rate for each is as follows:

<u>Pollutant</u>	<u>Emission Rate</u>
Visible Emissions	30 percent opacity (17-2.600(10)(b)2.aFAC)
Particulate	0. <del>X</del> lbs/MBTU (17.2.600(10)(b)2.6.FAC)

5. There shall be no fugitive particulate (17-2.610(3)a FAC) or objectionable odors (17-2.620(2)FAC) detectable beyond the property boundary.
6. Dry fly ash if stored on-site shall be stored in such a manner as to prevent possible fugitive emissions.
7. There shall be no wastewater discharge from any source within this plant without prior notification to and approval by the Northeast District.
8. Scrubber pond sludge shall not be stored on-site and shall be disposed of in an approved Class I landfill only.
9. The stack emissions test report shall be submitted to the Northeast District Branch Office within forty-five (45) days of testing. The operation permit applications and application fee of five hundred dollars (\$500.00) shall be submitted along with the test report.
10. Any revisions to the application must be submitted in writing and approved by the Northeast District Branch Office prior to implementing.

Issued this 1 day of Dec., 1983

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL REGULATION



G. Doug Dutton, Manager  
Northeast District

Pages attached.

# PERPETUAL ENERGY CORPORATION OF FLORIDA

P.O. Box 1200 ♦ Tallahassee, FL 32302 ♦ Telephone: (850) 576-1221

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September 10, 1999

**RECEIVED**

SEP 16 1999

**BUREAU OF AIR REGULATION**

Ms. Rita Felton-Smith  
Florida Department of Environmental Protection  
Northeast District Office  
7825 Baymeadows Way, Suite B200  
Jacksonville, Florida 32256-7590

RE: DEP File No.: 0790011-001-AV, Madison County  
Perpetual Energy Corporation of Florida  
Response to EPA's Objection Received 7/30/99

Dear Ms. Felton-Smith:

I have reviewed the written objection that was submitted by the United States Environmental Protection Agency to the proposed permit for the above referenced facility. In response to these objections Perpetual Energy Corporation of Florida wishes to submit the following comments:

### **EPA Objection Issue #1**

As stated in the response sent to Mr. Alvaro Linero, P.E. dated 4/22/99 by Darrell Graziani (Foster Wheeler Environmental Corporation), the emission estimates used to determine the facility emissions cap were derived from a capacity test conducted on October 13, 1993 that was run on the existing unit. Mr. Graziani's letter is included as Attachment 1 to this response. The capacity test was done to determine the operational capacity and operating limits of the unit. During this test, emissions information was also collected. A copy of the test results is included with this response for your review as Attachment 2.

The emission factor referenced in the EPA objection letter of 0.726 lb/mmBtu was obtained from AP-42 Section 1.6 for wood waste combustors configured as a Dutch oven boiler. As stated in the above referenced response to Mr. Linero, the unit is not operated

as a Dutch oven, but as a bubbling bed combustor. The previous owner of the facility (LFC No. 47 Corporation) advised that the steam generator was operated as a bubbling bed combustor and, because of the operating differences, CO emissions are less from this type of unit than a conventional Dutch oven type. AP-42 Section 1.6 does recognize that different firing configurations will yield substantially different CO emissions for wood waste combustors. The test results on the unit yielded a substantially lower average emission rate than the one identified by EPA in their objection letter, and this lower rate (0.28 lb/mmBtu) is believed to be more representative of the unit's actual operation. Therefore, the CO emissions from the facility were estimated using the test results.

#### CO emissions

Based on Maximum Heat Input: 185 mmBtu/hr

Maximum Firing Rate: 41,111 lb/hr (based on 4,500 Btu/lb)

Hours of Operation: 8,400 hr/yr (3/94 Construction Application)

$$\text{Lb/hr} = 185 \text{ mmBtu/hr} \times 0.28 \text{ lb-CO/mmBtu} = 51.80 \text{ Lb/hr}$$

$$\text{TPY}_{(\text{at } 8,400 \text{ hr/yr})} = 51.80 \text{ lb/hr} \times 8,400 \text{ hr/yr} \times 1 \text{ ton}/2000 \text{ lb} = 217.56 \text{ TPY}$$

$$\text{TPY}_{(\text{at } 8,760 \text{ hr/yr})} = 51.80 \text{ lb/hr} \times 8,760 \text{ hr/yr} \times 1 \text{ ton}/2000 \text{ lb} = 226.88 \text{ TPY}$$

The test data does demonstrate that potential CO emissions would be below the PSD applicability threshold of 250 TPY. To allow for operational variations and after discussion with the Department's Tallahassee staff, it was decided that a federally enforceable emission cap on CO emissions should be requested through the Title V operating permit. The proposed emission cap of 249.4 TPY that appears in the proposed Title V permit is included to avoid PSD applicability.

#### CO Emissions Cap

TPY = 249.4 TPY to avoid PSD applicability

$$\text{Lb/hr} = 249.4 \text{ TPY} \times 2,000 \text{ lb/ton} \times 1 \text{ yr}/8,400 \text{ hr} = 59.4 \text{ lb/hr}$$

As stated by Mr. Graziani (the engineer of record for the Title V application) in his response to Mr. Linero, information related to the boiler performance enhancements associated with the combustion air system provided the sufficient reasonable assurances that the facility was and is in compliance with the PSD program. To further provide the Department with additional assurances, the application included a startup test for CO and the proposed Title V operating permit does include the testing requirement.

**EPA Objection Issue #2**

Construction commenced on the unit prior to June 19, 1984. Proof that construction started is contained in the enclosed record(s). Record(s) documenting that construction occurred prior to the NSPS applicability date are included as Attachment 3 to this response.

**EPA Objection Issue #3**

The existing permit for the unit did not prohibit the combustion of tire-derived fuels, municipal & industrial waste, etc. During preparation of the Title V Operating Permit application, the Department initially directed applicants to include any and all methods of operation. Therefore, the prior owner directed Foster Wheeler Environmental to include the materials listed in the application. However, the Department changed this position and now allows only methods that have been clearly authorized in the construction permits. Agreement was reached between the applicant and the District Office on the need for construction permits to fire any fuels except wood or paper.

As indicated in Mr. Graziani's response letter to Mr. Linero, an applicability assessment was conducted for this facility and included the following regulations:

Rule 62-296.401, F.A.C. – Incinerators

Rule 62-296.406, F.A.C. – Fossil Fuel Fired Steam Generating Units (<250 mmBtu/hr)

Rule 62-296.410, F.A.C. – Carbonaceous Fuel Burners

40 CFR 60 Subpart Db – NSPS for Steam Generating Units (>100 mmBtu/hr)

40 CFR 60 Subparts E, Ea, & Eb – NSPS's for Incinerators

The prospective fuel types along with the percentages of each type were considered and evaluated with respect to applicability to the above referenced regulations. The applicant requested operational limits that clearly avoided triggering applicability of the incinerator standards as well as Subpart Db to stay classified as a carbonaceous fuel burner. With the exception of Subpart Db, it was determined that the requested limits within the Title V application addressing the proposed methods of operation were deemed sufficient to avoid additional regulatory applicability. To trigger Subpart E, solid waste must be burned and in order to constitute solid waste, the material being burned must be more than 50% of municipal type waste consisting of paper, wood, plastics, leather, yard wastes, etc. The proposed fuels at the facility do not contain more than 50% of municipal



waste. In addition for Subpart Eb, the units construction date is prior to the September 20, 1994 date referenced in the rules as discussed the response to EPA Objection Issue #2 above. Furthermore, a request to burn other fuels that the unit has been capable of firing since its construction would not trigger NSPS based on the NSPS modification definition.

With regard to applicability of 40 CFR 60 Subpart Db, the unit was authorized to construct and construction commenced prior to the effective date of 6/19/84 as previously discussed in the response to issue 2. Applicability then can only be an issue if a modification occurred on the unit. The Department issued a memorandum dated 2/23/95 regarding the potential applicability of Subpart Db associated with the heat input increase for the unit at this facility. It is apparent that the Department had reviewed this action and investigated NSPS applicability and found that the heat-input increase did not trigger modification under NSPS.

The facility has been shutdown for five years. Perpetual Energy Corporation of Florida plans to operate the facility and has investigated startup costs for the facility. It is not believed that these costs would constitute 50% of the total capital cost for an entirely new facility therefore bringing the facility into operation would not trigger NSPS applicability either. Furthermore, the proposed permit requires Perpetual Energy Corporation of Florida to demonstrate these costs and verify that reactivation of the facility would not constitute reconstruction (condition A.10) before the facility can go into operation.

#### **EPA Objection Issue #4**

Perpetual Energy Corporation of Florida obtained a maximum operation heat input of 185 mmBtu/hr for this unit as part of their construction permit. The maximum operation heat input rate is a federally enforceable limit therefore it would not be appropriate to add the language suggested by EPA in their objection letter. In previous comments to the Department Perpetual Energy requested that they be allowed to monitor heat input based on an F-Factor, a heat balance, and steam output. The monitoring of these suggested parameters should be sufficient to provide periodic monitoring.

#### **EPA Objection Issue #5**

Perpetual Energy Corporation of Florida's operating practice requires the operators to maintain daily logs that record hours of operation and the fuel usage. There is no objection from Perpetual Energy to include a requirement to maintain these logs to ensure compliance with conditions A.3 and A.4 of the proposed permit.

**EPA Objection Issue #6**

Perpetual Energy requests that the PM emission limit be maintained on a lb/mmBtu basis to be consistent with the applicable regulations. Because of the variation of the fuel content, the lb/mmBtu is more representative of operations than a lb/hr basis. The equivalent emissions are only presented for descriptive purposes and are not intended as limits.

**EPA Objection Issue #7, #8 and #10**

Perpetual Energy has no objections to annual emission tests for PM and CO and condition A.20.(a)4 can be modified to reflect the additional testing requirements. The current operating permit for the facility required annual tests for these pollutants. Providing annual emission tests to the Department for PM and CO should constitute sufficient periodic monitoring as requested by EPA.

In addition, Perpetual Energy also has no objections to adding the general language suggested by EPA to indicate that the averaging times for the emission standards specified in the permit are based on the run time of the test method(s) used for determining compliance.

**EPA Objection Issue #9**

Perpetual Energy Corporation of Florida has no objection to conducting a Method 22 daily to provide periodic monitoring for the visible emissions limit in the proposed permit. A condition can be added to the proposed permit to address this requirement thereby satisfying the periodic monitoring requirements for the visible emissions limitation.

Perpetual Energy Corporation of Florida believes that the above responses fully address the issues identified by EPA in their objection letter. In addition, Foster Wheeler Environmental along with Perpetual Energy Corporation of Florida once again recommends that the Department review the Carbonaceous Fuel Burner Rule and its implementation statewide. There are plants in the state of Florida similar to Perpetual Energy and the fuels authorized to be burned in these facilities are consistent with the fuels requested to be burned by Perpetual Energy.

Page 6 of 6  
R. Felton-Smith  
9/10/99

Should you have any further questions or need additional information, please do not hesitate to contact me at 1-800-828-6495.

Sincerely,



Robert G. Landrum, Jr.  
Perpetual Energy Corporation of Florida

Enclosures

cc: Clair Farcy, BAR w/enclosures  
Pat Comer, OGC w/enclosures  
Douglas Neeley, USEPA w/enclosures  
Gregg Worley, USEPA w/enclosures  
C. Anthony Cleveland, Oertel, Hoffman, Fernandez & Cole, P.A. w/enclosures  
Elizabeth Deken, Foster Wheeler Environmental Corporation w/o enclosures  
Pradeep Raval, Koogler and Associates w/enclosures  
Lalit Lalwani, GBO w/enclosures  
Mary Nogas, NED-SW w/o enclosures

ATTACHMENT 1

4/22/99 Letter from  
Mr. Darrel Graziani, P.E. to Mr. Alvaro Linero, P.E.

SEP-10-99 FRI 10:50 AM TRCC

FAX NO. 5738409744

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## FOSTER WHEELER ENVIRONMENTAL CORPORATION

Mr. Alvaro Linero, PE  
 Florida Department of Environmental Protection  
 Bureau of Air Regulation  
 111 South Magnolia Drive, Suite 4  
 Tallahassee, Florida 32301

RE: DEP File No.: 0790011-001-AV, Madison County  
 Perpetual Energy Corporation of Florida  
 Response to the 2/17/99 Comments

Dear Mr. Linero,

Please be advised that I have completed my review, as requested by your staff, of the above comments submitted by Koogler & Associates (KA) to the DEP's Northeast District on behalf of Madison County. These comments include potential applicability of the Prevention of Significant Deterioration (PSD) and New Source Performance Standards (NSPS) programs to the above facility. Please be advised that the issues reported in the comments were identified and reviewed during the development of the Title V Operating Permit application. Foster Wheeler Environmental's findings during development of the application are addressed below.

### Emissions Estimates

As part of the project Foster Wheeler Environmental was tasked with the development of a comprehensive emissions inventory which included emissions unit identification, regulatory applicability review, and emission calculations. For the steam generator, our initial calculations were based on the AP-42 emission factors and the state operating permit. The initial calculations included the following:

Maximum Heat Input: 185 mmBtu/hr  
 Maximum Firing Rate: 41,111 lb/hr (based on 4,500 Btu/lb) - 20.55 TPH  
 Hours of Operation: 8,400 hr/yr (3/94 Construction Application)

#### Carbon Monoxide (CO)

lb/hr = 41,111 lb/hr x 1ton/2,000 lb x 6.6 lb-CO/ton = 135.67 lb/hr  
 TPY = 135.67 lb/hr x 8,400 hr/yr x 1 ton/2,000 lb = 569.81 TPY

#### Oxides of Nitrogen (NO<sub>x</sub>)

lb/hr = 41,111 lb/hr x 1ton/2,000 lb x 0.38 lb-NO<sub>x</sub>/ton = 7.81 lb/hr  
 TPY = 7.81 lb/hr x 8,400 hr/yr x 1 ton/2,000 lb = 32.80 TPY

#### Sulfur Dioxide (SO<sub>2</sub>)

lb/hr = 41,111 lb/hr x 1ton/2,000 lb x 0.075 lb-SO<sub>2</sub>/ton = 1.54 lb/hr  
 TPY = 1.54 lb/hr x 8,400 hr/yr x 1 ton/2,000 lb = 6.70 TPY

#### Particulate Matter (PM) - Permit Limit

lb/hr = 0.2 lb/mmBtu x 185 mmBtu/hr = 37 lb/hr  
 TPY = 37 lb/hr x 8,400 hr/yr x 1 ton/2,000 lb = 155.40 TPY

SEP-10-99 FRI 10:50 AM TRCC

FAX NO. 5738409744

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A. Linero, 4/22/99

## Total Organic Compounds (TOC)

$$\text{lb/hr} = 41,111 \text{ lb/hr} \times 1 \text{ ton}/2,000 \text{ lb} \times 0.38 \text{ lb-TOC/ton} = 7.81 \text{ lb/hr}$$

$$\text{TPY} = 7.81 \text{ lb/hr} \times 8,400 \text{ hr/yr} \times 1 \text{ ton}/2,000 \text{ lb} = 32.80 \text{ TPY}$$

## Lead (Pb)

$$\text{lb/hr} = 41,111 \text{ lb/hr} \times 1 \text{ ton}/2,000 \text{ lb} \times 4.45 \times 10^{-4} \text{ lb-Pb/ton} = 0.0091 \text{ lb/hr}$$

$$\text{TPY} = 0.0091 \text{ lb/hr} \times 8,400 \text{ hr/yr} \times 1 \text{ ton}/2,000 \text{ lb} = 0.038 \text{ TPY}$$

The initial emission inventory clearly identified CO emissions as a problem which was reported to the owner (LFC No. 47 Co.) and the basis of the emission estimate discussed. The emission factors used were based on classifying the steam generator as a Dutch Oven boiler. In response to the initial calculations, LFC reported that the steam generator was not operated as a Dutch Oven but more as a bubbling bed combustor. LFC further advised that because of the operating difference, CO emissions are less from this unit than a conventional Dutch Oven.

In response to Foster Wheeler Environmental's concerns, LFC provided a copy of the October 13, 1993 Stack Test results which demonstrated average CO emissions of 61.92 lb/hr (0.28 lb-CO/mmBtu & 4.52 lb-CO/ton) at an average firing rate of 13.7 TPH and an average heat input rate of 217.83 mmBtu/hr. Because the test (Maximum Burn Rate) was conducted at a heat input rate greater (-18%) than allowed by the permit (185 mmBtu/hr) and based firing rates which appeared to be on a dry basis (Heat Content 7,950 Btu/lb), Foster Wheeler Environmental re-calculated the potential CO emissions based on the 0.28 lb-CO/mmBtu emission factor developed from the test data. The revised calculations included the following:

## CO Emissions

$$\text{lb/hr} = 185 \text{ mmBtu/hr} \times 0.28 \text{ lb-CO/mmBtu} = 51.80 \text{ lb/hr}$$

$$\text{TPY}_{@8,400 \text{ hr/yr}} = 51.80 \text{ lb/hr} \times 8,400 \text{ hr/yr} \times 1 \text{ ton}/2,000 \text{ lb} = 217.56 \text{ TPY}$$

$$\text{TPY}_{@8,760 \text{ hr/yr}} = 51.80 \text{ lb/hr} \times 8,760 \text{ hr/yr} \times 1 \text{ ton}/2,000 \text{ lb} = 226.88 \text{ TPY}$$

The stack test data demonstrated that, if LFC operated the unit within the limits of the permit, potential CO emissions would be below the PSD applicability threshold of 250 TPY. To allow for operational variations and after discussing the potential emissions with the Department's Tallahassee staff, it was decided to seek a federally enforceable emissions cap on CO emissions

through the Title V Operating Permit. The requested emissions cap was based on the following calculation:

## CO Emissions Cap

$$\text{TPY} = 249.9 \text{ to avoid PSD applicability.}$$

$$\text{lb/hr} = 249.9 \text{ TPY} \times 2,000 \text{ lb/ton} \times 1 \text{ yr}/8,400 \text{ hr} = 59.5 \text{ lb/hr (Set at 59.4 lb/hr to avoid rounding errors).}$$

The slight increase in the hourly emission rate is based solely on the requested cap. Information related to boiler performance enhancements associated with the combustion air system provided the reasonable assurances to me; the PE signing and sealing the application, that the facility was and is in compliance with the PSD program. To provide the Department with additional assurances, the application included a startup test for CO. The draft Title V Operating Permit had included the testing requirement.

SEP-10-99 FRI 10:51 AM TRCC

FAX NO. 5738409744

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A. Linero, 4/22/99

### Regulatory Applicability

After resolving the PSD issue, Foster Wheeler Environmental evaluated regulatory applicability under the other federal and state programs. The applicability assessment included the review of the various NSPS regulations since the applicant desired to burn a wide range of fuels (i.e., tire derived fuels, municipal & industrial waste, etc.). Since the existing permit did not prohibit their use and based on the initial position of the Department's Title V staff that applicants must identify any and all methods of operation, the prior owner directed Foster Wheeler Environmental to include the materials listed in the application. The Department has since changed this position and now allows only methods which have been clearly authorized in the construction permits. This position has been presented to the applicant by the District and an agreement reached on the need for construction permits to fire any fuels except wood or paper.

The applicability assessment included the following regulations (current designations):

- Rule 62-296.401, F.A.C. - Incinerators
- Rule 62-296.406, F.A.C. - Fossil Fuel Fired Steam Generating Units (<250 mmBtu/hr)
- Rule 62-296.410, F.A.C. - Carbonaceous Fuel Burners
- 40 CFR 60 Subpart Db - NSPS for Steam Generating Units (>100 mmBtu/hr)
- 40 CFR 60 Subparts E, Ea & Eb - NSPS's for Incinerators

Of these regulations, only 40 CFR 60 Subpart Db was determined to be potentially applicable. Review of the other regulations and the requested limits within the Title V application associated with the methods of operation were viewed as sufficient to avoid additional regulatory applicability. For 40 CFR 60 Subpart Db the question of applicability was raised to LFC. Because the unit was authorized to construct (12/1/83) prior to the effective date (6/19/84) of the regulation, applicability can only be triggered if a modification occurs.

Under NSPS, a modification requires two actions: a change in the method of operation, and an increase in emissions. Foster Wheeler Environmental's initial assessment was that the 3/25/94 increase in heat rate triggered a modification and advised LFC of the potential applicability. In response, LFC provided a copy of the Department's 2/23/95 memorandum regarding the potential applicability of Subpart Db associated with the heat input increase. Based on the correspondence, it appeared that the Department (Senior Tallahassee & District Staff) had thoroughly investigated NSPS applicability and concluded that the project did not trigger modification under NSPS. The basis of the Department's determination was beyond the scope of the Foster Wheeler Environmental Title V permit application task and thus no further investigation was conducted.

### NSPS Applicability

The facility has been shutdown for nearly five years and the prior owner, LFC No. 47 Corporation, is no longer in business to the knowledge of Foster Wheeler Environmental. The current owner has plans to start and operate the facility under either the current state operating permit or, if issued prior to startup, the Title V Operating Permit. The current owner has reported that startup costs have not exceeded 50 percent of the total capital cost for an entirely new facility thus NSPS applicability will not be triggered. This information has been or will be shortly presented to the district in accordance with the regulations. In addition, the request to burn other fuels, which the unit has been capable of firing since its construction, will not trigger NSPS applicability based on the definition of modification.

SEP-10-99 FRI 10:52 AM TRCC

FAX NO. 5738409744

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A. Linero, 4/22/99

### PSD Applicability

The startup of the project will not trigger PSD review based on potential emissions of less than 250 tons per year as calculated above. The KA comments assumed PSD applicability based on the AP-42 emission factor and earlier guidance by the U.S. Environmental Protection Agency (EPA). This earlier guidance (5/27/87) concluded that a PSD modification would occur when a source reactivated after a shutdown of two or more years. The KA comments included the EPA guidance which I am familiar with having had the opportunity to review and discuss it with EPA during previous projects. The EPA documents support PSD review when the facility has been "permanently" shutdown. In our case, the owners have maintained the state operating permits which clearly demonstrates no intent for a permanent shutdown.

The comments also included guidance (8/11/92) on reactivation of a major PSD source which had been temporarily shutdown for more than two years. The guidance was issued based on a reactivation which included the construction of two (2) new sources. These new sources were significant emitters by themselves thus triggering PSD review. In our case, the owner is not replacing or adding any new significant emissions units and based on potential emissions is a minor source.

Based on the information available, PSD applicability was initially addressed by the Department in February of 1993 for particulate matter. From the information available, it appears that the Department never assessed applicability for the remaining PSD pollutants. PSD Applicability was assessed during the development of the Title V Operating Permit application based on the state permits, available stack test data for CO, and the AP-42 emission factors. Based on our review, PSD applicability was never triggered. In addition, the source could be classified as a natural minor based on the CO test results. The applicant's request for a federally enforceable CO emissions cap and a short-term emission rate which is higher than the actual rate are standard practices within the Department's permitting program. The requested cap will classify the facility as a "Synthetic Minor Source" under the PSD program.

### Foster Wheeler Environmental Conclusions

Based on the CO stack test potential emissions from the steam generator are less than 250 TPY and the requested federally enforceable emissions cap is sufficient to classify the facility as a synthetic minor PSD source.

Based on information available Foster Wheeler Environmental concluded that NSPS was not applicable based on the Department's 1993 NSPS applicability determination. However, it should be noted that information provided to Foster Wheeler Environmental lacked sufficient detail to determine the scope of the review and the equipment reviewed. It is suggested that the Department review its records to determine the basis of its finding.

In addition to responding to the PSD and NSPS issues, Foster Wheeler Environmental would like to recommend that the Department review the Carbonaceous Fuel Burner Rule and its implementation State-wide. This is requested since the current owner and the NE District Office are both in a difficult position associated with the facility's acceptance of a paper/plastic waste material. This material has been authorized at similar plants in other DEP Districts and the owner's fuel supplier assumed that the same limitations applied statewide. The owner and District are now faced with a serious solid waste issue which could be easily resolved by authorizing its through a clarification of "Primarily" as used in the



SEP-10-99 FRI 10:53 AM TRCC

FAX NO. 5738409744

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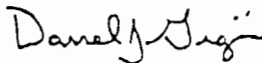
Page 5 of 5

A. Linero, 4/22/99

definition of a carbonaceous fuel. Clarification could include a simple percentage similar to those of the NSPS regulations.

I hope the above information helps in responding to the request from the District. I would also like to request that based on the information presented that the Department respond to the District's request as soon as possible so that the Title V Operating Permit can be issued in time for the applicant to submit a renewal applications (90-days prior to expiration). As you are aware, operating permits can only be issued for a period of 5 years from the date of shutdown and renewed for no more than 10 years from that date. Should you have any additional questions please feel free to contact me at 561-781-3439.

Sincerely



Darrel J. Graziani, P.E.

Project Engineer

cc: Claire Fancy, DEP-Tallahassee  
John Reynolds, DEP-Tallahassee  
Rita Felton-Smith, DEP-NE District  
Robert Landrum, PEC  
John Koogler, Ph.D., P.E., Koogler & Associates

**ATTACHMENT 2**

**October 13, 1993 Unit Test Results**

SEP-10-99 FRI 10:54 AM TRCC

FAX NO. 5738409744

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### Best Available Copy

RECEIVED  
 THE DISTRICT  
 JACKSONVILLE  
 Nov 17 1993  
 DIVISION OF  
 ENVIRONMENTAL  
 PROTECTION

EMISSIONS TEST  
 FOR  
 LFC POWER SYSTEMS CORPORATION  
 Madison, FL

Date: 22 October 1993  
 Date of Test: 13 October 1993  
 Type of Test: EPA Method 1-4, & 10  
 Permit Number: A040-179441  
 I. D. Number: 31GVL40001101  
 Average Production Rate: approx. 80,000 lb/hr steam load  
 Average CO Emissions: 4.52 #/ton of fuel burned

**Tested by:**

Pensacola P.O.C., Inc.  
 109 S. Second Street  
 Pensacola, FL 32507

Phone: 904 456-4406

SEP-10-99 FRI 10:54 AM TRCC

FAX NO. 5738409744

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#### TEST DESCRIPTION

Pensacola P.O.C., Inc. performed CO emissions test on the carbonaceous-fuel burning steam boiler for LFC Power Systems Corporation, located in Madison, FL on 13 October 1993.

EPA Method 1-4 test was conducted simultaneously with the CO test in order to obtain volumetric flows. Readings were taken every 2.5 minutes to correspond with the Method 1-4 test.

CO test was conducted using Horiba 2000 NDIR analyzer.

Tests were conducted by K. C. Sviglin, Barbara Sviglin and Kevin Peavy of Pensacola P.O.C., Inc. Test report prepared by Barbara Sviglin.

SEP-10-99 FRI 10:55 AM TRCC

FAX NO. 5738409744

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LFC MADISON, FLORIDA PLANT  
STACK/BURN RATE TEST  
OCTOBER 13, 1993

PROCESS DESCRIPTION

The plant uses a Bigelow (size KVS-3826) Carbonaceous -Fuel Burning Boiler with a maximum rated output of 7.5 megawatts. During each test run, the boiler was producing 7.0 to 7.4 MW.

The Fuel consisted of 70% Wood chips and 30% Sawdust. The firing rate was approximately 13 to 15 tons / hour. The estimated heat value of the fuel was 7,850 BTU/lb. average.

The steam load was above 80,000 lb/hr during each test run. The steam temperature was 680 to 690 degrees F and the steam pressure was 415 PSI.

Particulates are controlled by a Multiclone (Joy Manufacturing Company Model 12-VM-35, Size 50-5) and a Wet Venturi Scrubber (Perry Smith Co. Model 80M) operated at 4.5 to 5.5 inch pressure drop across the scrubber. The inlet water temperature was approximately 100 degrees F. The inlet water flow was 600 gpm.

70% Wood chips

30% Sawdust

SEP-10-99 FRI 10:55 AM TRCC

FAX NO. 5738409744

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October 21, 1993

LFC Power Systems  
 Madison, FL  
 ss tested 13 October 1993

CO in Pounds/Hour

$$\# \text{ of CO/Ton of fuel} = \left[ \frac{(\text{ppm volume} \times \text{DSCFM})}{(\text{TPH} \times 379 \times 10^6)} \right] \times \text{MW} \times 60$$

where: ppm volume = average recorded ppm during run  
 DSCFM = average dry standard cubic ft./min. during run  
 MW of CO = 12 + 16 = 28  
 TPH of fuel burned = 13.7

Run 1

$$\left[ \frac{(350 \text{ ppm} \times 37,468)}{(13.7 \times 379 \times 10^6)} \right] \times 28 \times 60 =$$

4.24 # of CO/ton of fuel burned

Run 2

$$\left[ \frac{(370 \text{ ppm} \times 37,256)}{(13.7 \times 379 \times 10^6)} \right] \times 28 \times 60 =$$

4.46 # of CO/ton of fuel burned

Run 3

$$\left[ \frac{(410 \text{ ppm} \times 36,532)}{(13.7 \times 379 \times 10^6)} \right] \times 28 \times 60 =$$

4.85 # of CO/ton of fuel burned

Average

$$(4.24 + 4.46 + 4.85) / 3 = 4.52 \# \text{ of CO/ton of fuel burned.}$$

**ATTACHMENT 3**

**Records Documenting  
Commencement of Construction for the Unit**

EQUIPMENT DATA MADISON PLANT:

---

DESCRIPTION: BOILER FEED PUMP NO. 1-2  
MANUFACTURER: INGERSOLL-RAND  
MODEL NO. HSP C7200  
SERIAL NO. 068370  
CAPACITY: 222 GPM/RPM 3,570  
TDH: 1276  
DRIVER:  
VENDER: SIEMAN ALLIS - 125 HP  
TYPE: X-T  
FRAM: 444 TS  
VOLTS: 460  
AMPS: 143

---

DESCRIPTION: BOILER  
MANUFACTURER: THE BIGELOW CO.  
MODEL NO.: 1127  
SERIAL NO.: 13587  
NATIONAL BOARD 2948- MAX W.P. 500 PSI  
BUILT 1983  
SUPPLIER: THE BIGELOW CO.  
ATLANTA GA., 30355

---

DESCRIPTION: SCRUBBER PUMP  
VENDOR: GORMAN RUPP  
MODEL NO.: T6A60-B  
SERIAL NO.: 783739  
SUPPLIER: POWER & PUMPS JACKSONVILLE FL.  
CAPACITY: 600 GPM - RPM 1760- TDH 65  
DRIVER: TOSHIBA 25 HP  
VOLTS: 460  
RPM: 1740  
FRAM: 284T  
TYPE: TEFC CLASS F

---

DESCRIPTION: WOODFEEDER POSITIONERS 1-2-3  
MANUFACTURER: WESTINGHOUSE  
MODEL NO.: P/NPP075T211100  
TYPE: 2 1/2"X5" TORQUE TYPE FLOOR MOUNTED POWER POSITIONER

---

DESCRIPTION: TRUCK DUMP  
CAPACITY: 60 TONS  
MODEL NO.: 260FB63S  
VENDOR: PHELPS IND. INC.  
P.O. BOX 1093  
LITTLE ROCK AR., 72203  
DRIVER: TWO 40 HP SIEMAN ALLIS

---





BEST AVAILABLE COPY

INVOICE MUST BE MAILED BEFORE 25TH OF MONTH

PURCHASE ORDER

05550

2067

2015 W. Polymer Drive, P.O. Box 21282  
Chattanooga, Tennessee 37421-0887  
(615) 892-7130

Mechanical Engineers  
and Contractors

DATE 2-28-83  
SHIP TO

Champion Blower & Forge, Inc.  
%Jim Robbins & Associates, Inc.  
P.O. Box 11786  
Knoxville, TN 37919  
ATTN: Mr. Jim Robbins

Tiger Mechanical Corp.  
(Exact shipping  
instructions will follow  
ATTN: Ken Shipp

MARK	F.O.B.	DELIVERY DATE	SHIP VIA	TERMS
L.D. Fan	Shipping Point	7-14 Weeks after release	Motor Freight Prepaid	N-60

ENTITY	DESCRIPTION	PRICE	AMOUNT
	<p>CONFIRMING: DO NOT DUPLICATE</p> <p>CC: 085</p> <p>Champion Blower &amp; Forge, Inc. high pressure radial tip induced draft fan HPRT, Size <u>700/741</u> with <u>74.1</u> diameter wheel. Design and operating features are as follows; SWSI, Arrangement 3S1, 1180 RPM direct drive (to be driven by a 400 HP, 1.15 S.F. Motor) mass flow of <u>207,000</u> pounds per hour of flue gas, <u>375°F</u>, <u>76.538</u> ACFM, static pressure at operating conditions of <u>20.58</u>"w.g. <u>340</u> BHP @ operating conditions, WR<sup>2</sup> of - 5200 Ft.-lbs.</p> <p>Fan is to have following construction features: Link-Belt Series 6800 grease lubricated spherical roller bearings with split housing; split fan housing for impeller removal; stub evase as part of discharge section of fan; multi-louvre outlet damper (advise operating torque required); inlet box; scroll drains; access doors; flanged inlet and outlet (drilled); fabricated steel independent bearings pedestals with sole plates; split heat slingers to protect bearings; .250" thick housing; .250" thick Cortez blades; .375" thick back plate. Fan is to have clockwise rotation, horizontal inlet, and discharge orientation is to be 15° clockwise from vertical centerline.</p> <p>Vendor is to provide the following drawings and technical information:</p> <ol style="list-style-type: none"> <li>Three (3) prints of general arrangement drawings giving weights and all dimensional information for fan and damper (for approval).</li> <li>Two (2) Final Certified Reproducibles of Fan, Damper and Performance Curve.</li> <li>Seven (7) copies of each of the following:</li> </ol>		

PACKING SLIP MUST ACCOMPANY EACH SHIPMENT.  
PURCHASE ORDER NO., ITEM NO., SYMBOL NO., MARK OR JOB NO. MUST APPEAR ON ALL PACKAGES, PACKING LISTS AND BILLS OF LADING.

IN ACCEPTING THIS ORDER IT IS UNDERSTOOD THE BUYER AGREES TO THE TERMS AND CONDITIONS SHOWN. THE BUYER OBJECTS TO ANY CONFLICTING OR ADDITIONAL TERMS OR CONDITIONS. VENDOR MUST ACKNOWLEDGE ORDER GIVING SHIPPING

VENDOR COPY

PERRY SMITH COMPANY, INC.

Signature: J. Roberts  
Signature: W. Jim Torbett


Attachment to Application to Operate/Construct

Air Pollution Sources

Biomass Power Corporation  
Madison Plant

This is to certify that the engineering features of the water pollution portion of this pollution control project have been designed/examined by me and found to be in conformity with modern engineering principles applicable to the treatment and disposal of pollutants characterized in the permit application. There is reasonable assurance, in my professional judgment, that the pollution control facilities, when properly maintained and operated, will discharge an effluent that complies with all applicable statutes of the State of Florida and the rules and regulations of the department. It is also agreed that the undersigned will furnish, if authorized by the owner, the applicant a set of instructions for the proper maintenance and operation of the pollution control facilities and, if applicable, pollution sources.

Signed: \_\_\_\_\_



William P. Adams, P.E.

Name (Please Type)

(Affix Seal)

William M. Bishop Consulting Engineers,  
Inc.

Company Name (Please Type)

P.O. Box 3407, Tallahassee, FL 32315

Mailing Address (Please Type)

Florida Registration No. 31047

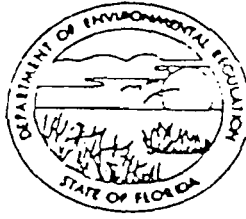
Date: 9/14/83

Telephone No. (904) 222-0034

0334

## DEPARTMENT OF ENVIRONMENTAL REGULATION

NORTHEAST DISTRICT

3436 BILLS ROAD  
GAINESVILLE, FLORIDA 32207BOB GRAHAM  
GOVERNORVICTORIA J. TSCHINKEL  
SECRETARYG. DOUG DUTTON  
DISTRICT MANAGER

December 1, 1983

Mr. John Matthews, Sr., President  
Biomass Power Corporation  
145 Camp Drive  
Dunnellon, Florida 32630

Dear Mr. Matthews:

Madison County - AP  
Biomass Power Corporation  
Carbonaceous Fuel Burning Equipment

Enclosed is Permit Number AC40-75860, dated December 1, 1983  
to construct the subject pollution source

issued pursuant to Section(s) 403.087, Florida Statutes.

Should you object to this permit, including any and all of the conditions contained therein, you may file an appropriate petition for administrative hearing. This petition must be filed within fourteen (14) days of the receipt of this letter. Further, the petition must conform to the requirements of Florida Administrative Code Rule 28-5.201 (see reverse side of this letter). The petition must be filed with the Office of General Counsel, Department of Environmental Regulation, Twin Towers Office Building, 2600 Blair Stone Road, Tallahassee, Florida 32301.

If no petition is filed within the prescribed time, you will be deemed to have accepted this permit and waived your right to request an administrative hearing on this matter.

Acceptance of the permit constitutes notice and agreement that the Department will periodically review this permit for compliance, including site inspections where applicable, and may initiate enforcement action for violation of the conditions and requirements thereof.

Sincerely,

Frank Watkins, Jr., P.E.  
District Engineer

FW:rlk

Enclosure

cc: Gainesville Branch Office  
Mr. Henry C. Johns, P.E.

BEST AVAILABLE COPY

INVOICE IN TRIPLICATE

INVOICE MUST BE MAILED BEFORE 28TH OF MONTH

**Perry Smith Co. INC.**  
Mechanical Engineers and Contractors

2015 W. Polymer Drive P.O. Box 21282  
Chattanooga, Tennessee 37421-0887  
(615) 892-7180

**PURCHASE ORDER**

*OLG LEADS  
FEB 14, 1983*

Page 1 of 2

DATE: September 10, 1999

DATE

SHIP TO

To: The Bigelow Company  
XTher-Mech, Inc.  
P. O. Box 59288  
Atlanta, GA 30355

Attn: Mike Dalley

JOB NUMBER	MARK	P.O. NO.	DELIVERY DATE	SHIP VIA	TERMS
2067	5070-2067				
ITEM NO.	QUANTITY	DESCRIPTION		UNIT PRICE	AMOUNT
1.	1	80,000 PPH Wood Fired Boiler exactly duplicating OUR P.O. #05070-2063.  This boiler; however, would be labeled and shipped to: Biomass Power Corp. Madison, Florida  NOTE: Procurement of the materials for the drum for this boiler (Madison) are to be purchased when the materials are purchased for the Monticello Boiler; however, the remaining materials are not to be purchased until prior notice from Perry Smith Co., Inc. Drawings required: Two (2) reproducible and legible prints of the following:  Predicted Performance Data Sheet General Arrangement including foundation Water Wall Tube Layout Structural Arrangements and Details Casing Details Details of all drum internals Steel Baffle Supports All Bills of Material			

1. PACKING SLIP MUST ACCOMPANY EACH SHIPMENT.

2. PURCHASE ORDER NO., ITEM NO., SYMBOL NO., MARK OR JOB NO. MUST APPEAR ON ALL PACKAGES, PACKING LISTS AND BILLS OF LADING.

PERRY SMITH COMPANY, INC.

BY: *[Signature]*  
DATE: *[Date]*

BY: \_\_\_\_\_  
DATE: \_\_\_\_\_  
VENDOR MUST ACKNOWLEDGE ORDER GIVING SHIPPING DATE  
BY: \_\_\_\_\_

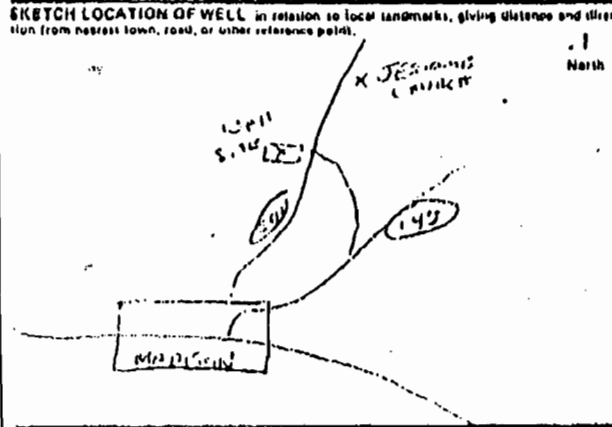
DEPARTMENT OF ENVIRONMENTAL REGULATION  
WELL COMPLETION REPORT

OWNER: Perpetual Energy  
Lot Name: Lot 10 First Name: Perpetual Initial: Energy  
Number: 10 Street: 10th St  
City: Wilmington State: DE  
Zip Code: 19804

New Construction  Repair  
 Deepening  Plugging  
 Other: \_\_\_\_\_  
WELL NUMBER: 16364 old  
17264

TYPE OF WELL:  Water Well  Test Well  Recharge  Drainage  
 Waste Disposal  Observation  Other \_\_\_\_\_  
USE:  Domestic  Irrigation  Industrial  Livestock  Public Supply  
 Other: \_\_\_\_\_

WELL LOCATION:  
Section: 27  
Township: 12N Range: 10E  
Latitude: 38° 15' 00" N  
Longitude: 75° 50' 00" W  
Locate in Section: 10  
Number: 10 Street/Highway: 10th St  
Lot No.: 10 Subdivision: Map 1530  
City: \_\_\_\_\_ County: DE



OWNER WELL NUMBER OR NAME: 16364 old  
DRILL METHOD:  Rotary  Cable Tool  Jet  Auger  
 Other: \_\_\_\_\_

SURFACE CASING, CASING, AND LINER MATERIAL:

Start Dia. (in.)	End Dia. (in.)	Material	From (ft.)	To (ft.)	Schedule No.	Joints*
10	10	Steel	0	157		W

GEOLOGICAL LOG: Type: \_\_\_\_\_ By: \_\_\_\_\_

WELL LOG

Date (log in.)	Casing Dia. (in.)	Depth (ft.)		Examine cuttings at 20 ft. or smaller intervals and at changes. Give color, grain size and type of material. Note any cavities. Indicate producing zones. Attach and/or label sheets if necessary.
		From	To	
10	10	0	7	BROWN SAND
		7	28	LIGHT TANNED CLAY
		28	48	DARK GRAY & WHITE CLAY
		48	68	GRAY & BROWN CLAY
		68	78	GRAY CLAY
		78	88	YELLOW CLAY
		88	108	GRAY & BROWN CLAY
		108	125	BROWN CLAY
		125	148	DARK GRAY & BROWN CLAY
		148	168	BROWN GRAY & BROWN CLAY
		168	188	GRAY CLAY
		188	198	DARK GRAY & BROWN CLAY
		198	208	GRAY & BROWN CLAY
10		208	248	LIGHT GRAY & BROWN CLAY

FINISH:  Open Hole  Perforated or Slotted Casing  Gravel Pack  
 Sandpoint or Screen Attached to Well Casing  Sandpoint or Screen  
Fastened with Packer Inside Casing (Packer Material): \_\_\_\_\_

SHOULDER:  None  Neat Cement  Other: \_\_\_\_\_  
Type and Percent of Additives and Gravel Volume or Number of 94 lb. Bags: \_\_\_\_\_

QUALITY TEST:  None  Bacteria  Chemical  
to:  Health Dept.  USEG  Other: \_\_\_\_\_  
Date: \_\_\_\_\_

Disinfectant:  No  Yes (Date) \_\_\_\_\_  
ppm as calcium hypochlorite

WELL TEST, by:  Natural Flow  G.P.M.  Airlift  
 Booster  Permeant Pump  Test Pump  None  
Discharge Measured by:  Baller  Estimated  Current Meter  
 Driller  Trough  Venturi  Volumetric  Other: \_\_\_\_\_

Measured Static Water Level:  +  -  60 Ft.  
Measured Pumping Water Level:  +  -  62 Ft.  
Flow:  0.7 flows At  100 G.P.M.  
Specific Capacity:  12.7 G.P.M./ft. of Drawdown

Annular Pt. (Diameter): Tap on 10" casing  
Depth:  0 Ft.  Above  Below Land Surface  
Level of Measuring Pt.:  0 Ft.  Above  Below MBL

WELL EQUIPMENT:  Open  Capped  Valved  
 Permanent Pump  Temporary Pump  
Type Pump:  Centrifugal  Cylinder  Jet  Submersible  
Fuel:  Diesel  Electric  Gasoline  Other: \_\_\_\_\_  
Capacity:  500 G.P.M.  
Water Injection Depth:  105 Ft.

Total Depth:  248 Ft. Producing Zone Material:  Sand  Shell  
 Broken Shell  Limestone  Other: \_\_\_\_\_

Top of Producing Zone:  208 Ft., Bottom of Producing Zone:  248 Ft.  
 Submit Cuttings Sent to Bureau of Geology

License No. 1707 Contractor Signature: \_\_\_\_\_ Position: \_\_\_\_\_  
Completion Date: 9/10/99 Driller Signature: \_\_\_\_\_

Completion Date

Perpetual Energy  
Sep. 10. 1999 1:56PM

TEL No. 850-973-9898  
SCS INC

Sep 10. 99 15:29 No. 001 P. 02  
No. 1505 P. 2

PERRY SMITH COMPANY, INC.  
2015 W POLYMER DRIVE POST OFFICE BOX 21282  
CHATTANOOGA, TENNESSEE 37421

CC:

JOE BRASHEARS STEEL, INC.  
ATTN: BILL ASHBERRY

PROJECT: BIOMASS POWER CORP / MADISON, FL. JOB NO.: 2067 DATE: 6-27-83

THE FOLLOWING DRAWINGS/INFORMATION ARE FORWARDED HEREWITH  UNDER SEPARATE COVER

DRAWING NO.	REV.	TITLE	COPIES
0570		PROPOSED OFFICE FLOOR PLAN	1 - SEPIF
2531		ANCHOR BOLT SCHEDULE	11
2532 10F2		TURBINE FOUNDATION PLAN & ELEVATIONS	11
11 20F2		11 11 REINFORCING	11
2530 10F2		FOUNDATION PLAN & ANCHOR BOLT LAYOUT	11
11 20F2		11 11 11 11 11	11
2660 10F4		TRUCK DUMP FOUNDATION - PLAN	11
11 20F4		11 11 11 ELEVATION	11
11 30F4		11 11 11 ELEVATIONS & SECTIONS	11
11 40F4		11 11 11 11 11	11

FOR REQUESTED: APPROVAL COMMENT AND RETURN YOUR FILES  RETURN BY

RE: RELEASED FOR CONSTRUCTION - PURCHASE ORDER #6183-2067. (6-21-83)

PURCHASE ORDER INCLUDES THE FURNISHING OF EMBEDDED STEEL ITEMS AND SLAB REINFORCING WIRE.

PERRY SMITH COMPANY, INC.  
By: K. Harrison

# INTEROFFICE MEMORANDUM

**Sensitivity:** COMPANY CONFIDENTIAL

**Date:** 10-Jun-1999 05:02pm  
**From:** Mary Nogas JAX 904/448-4320 Ex  
NOGAS\_M@a1.depjax.dep.state.fl.us

**Dept:**  
**Tel No:**

**To:** See Below  
**Subject:** Re: Perpetual Energy

YES, WE ARE AWARE THAT THAT PERPETUAL ENERGY ACCEPTED MORE WASTE AND IS PELLETIZING -- I BELIEVE JENNIFER SPAGNOLI NOTIFIED THE AIR SECTION MID-MARCH OF THEIR INTENT TO PELLETIZE IN MID-APRIL, AND YOU HAVE BEEN DEALING WITH THEM ON THE PELLETIZING ISSUE -- WE ARE DEALING WITH THEM ON THE STORAGE ISSUE -- WE RECEIVED A PHONE CALL IN LATE MAY, SAYING THEY WERE ACCEPTING MORE WASTE -- JENNIFER WENT OUT THERE ON MAY 27TH AND CONFIRMED THAT THEY HAD TAKEN MORE WASTE AND OBSERVED THE PREPARATIONS FOR PELLETIZING -- AT THAT TIME, WE DECIDED THAT OUR CONSENT ORDER APPROACH WAS INAPPROPRIATE -- WE HAVE DRAFTED AN NOV THAT ADDRESSES THE ACCEPTANCE AND STORAGE OF MATERIAL, AND IT IS IN OGC FOR REVIEW --

>>After inspecting Perpetual Energy on 6/8/99 we are concerned about the amount and type of material stored on site. There appears to be more material than when DEP and Perpetual personnel met approximately 6 months ago. The material appears to be mostly paper products. However, there is definitely some commingled plastic. They have no permit to burn any material containing plastic, and they have not removed it from the site as previously agreed.

>>

>>Additionally, a pelletizing operation has been built on site (see attached picture), and has been operated to some extent. The pellets observed at the site contained some plastic. Air permitting has requested information concerning pelletizing and has received nothing to date.

>>

>>Solid Waste may want to further investigate their operation. If we can assist, let us know.

## Distribution:

**To:** Richard Banks JAX ( BANKS\_R@a1.depjax.dep.state.fl.us )  
**CC:** Rita Felton-Smith JAX ( FELTON\_R@a1.depjax.dep.state.fl.us )  
**CC:** Morton Benjamin JAX ( BENJAMIN\_M@a1.depjax.dep.state.fl.us )  
**CC:** John Reynolds TAL ( REYNOLDS\_J@a1 )  
**CC:** Alvaro Linero TAL ( LINERO\_A@a1 )  
**CC:** Michael Hewett TAL ( HEWETT\_M@a1 )  
**CC:** Jennifer Spagnoli JAX ( SPAGNOLI\_J@a1.depjax.dep.state.fl.us )  
**CC:** Christopher Kirts JAX ( KIRTS\_C@a1.depjax.dep.state.fl.us )  
**CC:** Michael Fitzsimmons JAX ( FITZSIMMON\_M@a1.depjax.dep.state.fl.us )

# INTEROFFICE MEMORANDUM

**Sensitivity:** COMPANY CONFIDENTIAL

**Date:** 09-Jun-1999 03:06pm  
**From:** Richard Banks JAX 904/448-4310  
BANKS\_R@a1.depjax.dep.state.fl.us  
**Dept:**  
**Tel No:**

**To:** See Below  
**Subject:** Perpetual Energy

After inspecting Perpetual Energy on 6/8/99 we are concerned about the amount and type of material stored on site. There appears to be more material than when DEP and Perpetual personnel met approximately 6 months ago. The material appears to be mostly paper products. However, there is definitely some commingled plastic. They have no permit to burn any material containing plastic, and they have not removed it from the site as previously agreed.

Additionally, a pelletizing operation has been built on site (see attached picture), and has been operated to some extent. The pellets observed at the site contained some plastic. Air permitting has requested information concerning pelletizing and has received nothing to date.

Solid Waste may want to further investigate their operation. If we can assist, let us know.

## Distribution:

<b>To:</b> Michael Fitzsimmons JAX	( FITZSIMMON_M@a1.depjax.dep.state.fl.us )
<b>To:</b> Mary Nogas JAX	( NOGAS_M@a1.depjax.dep.state.fl.us )
<b>CC:</b> Rita Felton-Smith JAX	( FELTON_R@a1.depjax.dep.state.fl.us )
<b>CC:</b> Morton Benjamin JAX	( BENJAMIN_M@a1.depjax.dep.state.fl.us )
<b>CC:</b> John Reynolds TAL	( REYNOLDS_J@a1 )
<b>CC:</b> Alvaro Linero TAL	( LINERO_A@a1 )
<b>CC:</b> Michael Hewett TAL	( HEWETT_M@a1 )
<b>CC:</b> Jennifer Spagnoli JAX	( SPAGNOLI_J@a1.depjax.dep.state.fl.us )
<b>CC:</b> Christopher Kirts JAX	( KIRTS_C@a1.depjax.dep.state.fl.us )



RFC-822-headers:

Received: from epic50.dep.state.fl.us ([199.73.180.33])  
by mail.epic1.dep.state.fl.us (PMDF V5.2-32 #37980)  
with ESMTTP id <01JC78IYYAH49AN9FI@mail.epic1.dep.state.fl.us>; Wed,  
9 Jun 1999 15:06:41 EDT

Received: from jax1.dep.state.fl.us ([199.73.203.11])  
by mail.epic50.dep.state.fl.us (PMDF V5.2-32 #31508)  
with ESMTTP id <01JC78JPZLKQ003FJP@mail.epic50.dep.state.fl.us>; Wed,  
09 Jun 1999 15:07:18 -0400 (EDT)

Received: from a1.depjax.dep.state.fl.us by mail.depjax.dep.state.fl.us  
(PMDF V5.2-32 #37980) id <01JC78IQBRUE000JFQ@mail.depjax.dep.state.fl.us>;  
Wed, 09 Jun 1999 15:06:29 -0400 (EDT)



# Department of Environmental Protection

File 7/22

Lawton Chiles  
Governor

Northeast District  
7825 Baymeadows Way, Suite B200  
Jacksonville, Florida 32256-7590

Virginia B. Wetherell  
Secretary

July 21, 1998

**CERTIFIED RETURN - RECEIPT**

Mr. Robert G. Landrum, Jr.  
President  
Perpetual Energy Corporation of Florida  
Post Office Box 1200  
Tallahassee, Florida 32302

Dear Mr. Landrum:

Madison County - AP  
Perpetual Energy Corporation of Florida  
Transfer of Ownership  
Permit Nos. AO40-179441 and DRAFT 0790011-001-AV

The Application For Transfer Of Permit received July 17, 1998 is hereby approved. The referenced permits for the facility located on Route 3, 1.5 miles N. of Madison, Madison County, Florida are transferred as follows and are not changed otherwise.

**FROM:**

LFC No. 47 Corporation  
Madison Facility  
3 Radnor Corporate Center, Suite 400  
Post Office Box 6760  
Radnor, PA 19087

**TO:**

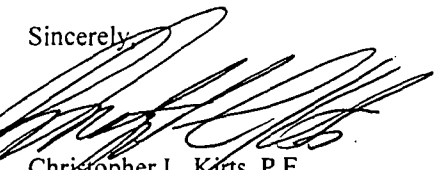
Perpetual Energy Corporation of Florida  
Post Office Box 1200  
Tallahassee, Florida 32302

This letter and the above documents shall become a part of the referenced permit.

Sincerely,

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

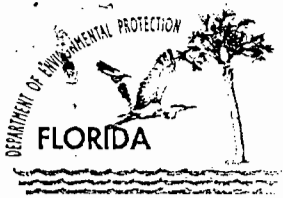
Dorothea Benzfeld Clerk 7/22/98 Date

  
Christopher L. Kirts, P.E.  
District Air Program Administrator

CLK:RFS

cc: Lalit Lalwani, GBO

"Protect, Conserve and Manage Florida's Environment and Natural Resources"



# Department of Environmental Protection

Lawton Chiles  
Governor

Northeast District  
7825 Baymeadows Way, Suite B200  
Jacksonville, Florida 32256-7590

Virginia B. Wetliere  
Secretary

## NOTICE OF PERMIT MODIFICATION

### CERTIFIED - RETURN RECEIPT

Mr. David J. Brown  
V.P. Field Operations  
LFC No. 47 Corporation  
4000 Kruse Way Place, Bldg. 1, Suite 255  
Lake Oswego, Oregon 97035

Dear Mr. Brown:

Madison County - AP  
LFC No. 47 Corporation  
I.D. Number: 31GVL40001101  
Permit/Cert Number: AO40-179441  
Date of Issue: July 09, 1990  
Revised: June 02, 1995  
Expiration Date: July 24, 1995  
Project: Boiler (Carbonaceous fuel fired)

Enclosed are revised pages 5 & 6 of Permit Number AO40-179441 to operate the subject air pollution emissions unit(s), pursuant to the modification application received April 10, 1995.

A person whose substantial interests are affected by this permit may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within 14 days of receipt of this Permit. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, Florida Statutes.

The Petition shall contain the following information;

- (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department Permit File Number and the county in which the project is proposed;
- (b) A statement of how and when each petitioner received notice of the Department's action or proposed action;
- (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action;

**PERMITTEE:**

LFC No. 47 Corporation

Permit/Cert Number: AO40-179441

Project: Boiler (Carbonaceous fuel fired)

- (d) A statement of the material facts disputed by Petitioner, if any;
- (e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action;
- (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and
- (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

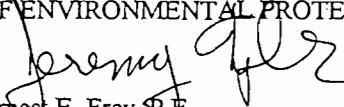
If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this permit. Persons whose substantial interests will be affected by any decision of the Department with regard to the application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of receipt of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, F.A.C.

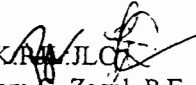
This permit is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition and conforms to Rule 62-103.070, F.A.C. Upon timely filing of a petition or a request for an extension of time this permit will not be effective until further Order of the Department.

When the Order (Permit) is final, any party to the Order has the right to seek judicial review of the Order pursuant to Section 120.68, Florida Statutes, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate procedure, with the Clerk of the Department in the Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; 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 the Final Order is filed with the Clerk of the Department.

Executed in Jacksonville, Florida.

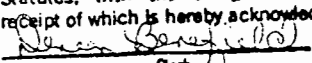
STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

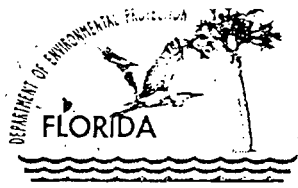
  
Ernest E. Frey, P.E.  
Director of District Management

  
EEF:CLK/RA/JLC  
cc: William C. Zegel, P.E.

**CERTIFICATE OF SERVICE**

This is to certify that this **NOTICE OF PERMIT** and all copies were mailed before the close of business on 6/6/95 to the listed persons.

**FILING AND ACKNOWLEDGEMENT**  
FILED, on this date, pursuant to §120.52 Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.  
  
Clerk 6/6/95  
Date



# Department of Environmental Protection

Lawton Chiles  
Governor

Northeast District  
7825 Baymeadows Way, Suite B200  
Jacksonville, Florida 32256-7590

Virginia B. Wetherell  
Secretary

TO: Jeremy Tyler  
FROM: Ernie Frey *EF*  
DATE: June 2, 1995  
SUBJECT: Delegation of Authority

During my absence on June 5-8, 1995, you are authorized to sign all documents excluding NOVs, COs and court stipulated settlements.

A copy of this memo will be filed with each document that you sign.

EEF:dr

**PERMITTEE:**  
 LFC No. 47 Corporation  
 4000 Kruse Way Place, Bldg. 1, Suite 255  
 Lake Oswego, Oregon 97035

I.D. Number: 31GVL40001101  
 Permit/Cert Number: AO40-179441  
 Date of Issue: July 09, 1990  
 Revised: June 02, 1995  
 Expiration Date: July 24, 1995

**SPECIFIC CONDITIONS:**

1. The I.D. No. and Project name for this source shall be used on all correspondence.
2. The maximum input (operating rate) is listed below and shall not be exceeded without prior Department approval:

MATERIAL	RATE
Carbonaceous Fuels <sup>1</sup>	185 MMBTU/hr <sup>2</sup>

<sup>1</sup>Consists of wood, bark, paper, and waste wood

<sup>2</sup>Basis: 4500 BTU/lb; 41,111 lbs/hr

3. Testing of emissions must be performed at an operating rate of at least 90% of the rate in Specific Condition No. 2, or Specific Condition No. 4 will become effective - [FAC Rule 62-297.310(2)(b)].
4. The operating rate shall not exceed 110% of the most recently accepted test, except for additional testing purposes, and shall not exceed the rate in Specific Condition No. 2. After testing at a higher rate, the operating rate shall continue to not exceed the aforementioned rate until the test report at the higher rate is reviewed and accepted by the Department - [FAC Rule 62-297.310(2)].
5. The permitted maximum allowable emission rate for each pollutant is as follows:

POLLUTANT	EMISSION RATE		FAC RULE
	LBS/HR	TPY	
PM <sup>1</sup>	37.0 <sup>2</sup>	155.4 <sup>3</sup>	62-296.410(2)(b)2.
VE <sup>4</sup>	30% opacity <sup>5</sup>		62-296.410(2)(b)1.

<sup>1</sup>PM - particulate matter

<sup>2</sup>Basis: applicant requested on March 28, 1995 a limit of 0.2 lb/MMBTU; 185 MMBTU/hr

<sup>3</sup>Operation hours shall be limited to 24 H/D, 7 D/W, 50 W/Y and shall be recorded.

<sup>4</sup>VE - visible emissions

<sup>5</sup>except 40% for 2 mins/hr.

6. Unconfined particulate matter emissions shall be controlled by application of dust suppressants, unless an alternative method is requested and approved, to all areas necessary to reasonable control such emissions per FAC Rule 62-296.310(3).
7. Test the emissions for the following pollutant(s) within 60 days prior to the date stated below, notify the Department 15 days prior to testing [FAC Rule 62-297.340(1)(i)], and submit the test report documentation to the Department within 45 days after completion of the testing [FAC Rule 62-297.570(2)]:

POLLUTANT	TEST INTERVAL	TEST METHOD
PM <sup>1</sup>	12 mos. from 01-24-95	EPA 5
VE	12 mos. from 01-24-95	EPA 9

<sup>1</sup>Compliance and the test heat input rate shall be based on test data and 9280 DSCF/MMBTU or the actual F-factor determined from acceptable data collected during the test period.

Tests and test reports shall comply with the requirements of FAC Rules 62-297.401 and 62-297.570, respectively.

**PERMITTEE:**  
LFC No. 47 Corporation  
4000 Kruse Way Place, Bldg. 1, Suite 255  
Lake Oswego, Oregon 97035

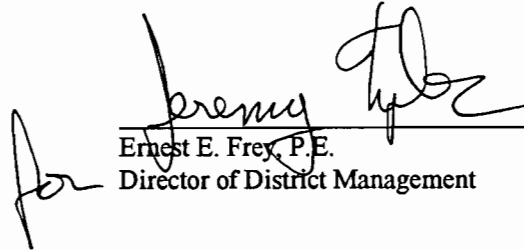
I.D. Number: 31GVL40001101  
Permit/Cert Number: AO40-179441  
Date of Issue: July 09, 1990  
Revised: June 02, 1995  
Expiration Date: July 24, 1995

**SPECIFIC CONDITIONS:**

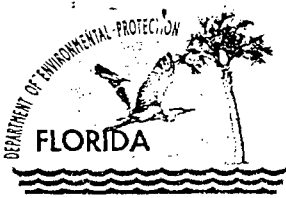
8. In each test report, submit the maximum input/production rate at which this source was operated since the most recent test.
9. Any revision(s) to a permit (and application) must be submitted to the Department, in writing, and approved by the Department prior to implementation.
10. A completed Application for Air Permit - Long Form [DEP Form No. 62-210.900(1)] for a Title V permit is due 11-15-95.

Executed in Jacksonville, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

  
Ernest E. Frey, P.E.  
Director of District Management

**FILED AND ACKNOWLEDGEMENT**  
FILED, on this date, pursuant to §120.52 Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.  
Nancy Benefield 6/6/95  
Clerk Date



Best Available Copy

# Department of Environmental Protection

Lawton Chiles  
Governor

Northeast District  
7825 Baymeadows Way, Suite B200  
Jacksonville

Virginia B. Wetherell  
Secretary

Post-It™ brand fax transmittal memo 7671		# of pages ▶ 6
To <i>David J. Brown</i>	From <i>Johnnie Cook</i>	
Co.	Co.	
Dept.	Phone #	
Fax # <i>(904) 731-0913</i>	Fax #	

**CERTIFIED - RETURN RECEIPT**

PERMIT

April 25, 1995

Mr. David J. Brown  
V. P. Field Operations  
LFC No. 47 Corporation  
4000 Kruse Way Place, Bldg. 1, Suite 255  
Lake Oswego, Oregon 97035

**LD.NO.:** 31GVL40001101  
**PERMIT NO.:** AC40-248258  
**COUNTY:** Madison  
**PROJECT:** Boiler (Carbonaceous fuel fired)

Dear Mr. Brown:

Pursuant to a request received March 28, 1995 for a modification of Permit Number AC40-248258 to increase the particulate matter rate to 0.2 pounds per million BTU of heat input as allowed in Rule 62-296.410(2)(b)2., Florida Administrative Code, is hereby approved. This will increase the permitted maximum allowable emission rate for particulate matter to 37 LBS/HR and 155.4 TPY. Specific Condition Number 6 of Page 5 of 6 has been modified to reflect the modification. This letter and Page 5 of 6 of the permit shall be attached to and become a permanent part of the referenced permit.

Any party to this Order (permit modification modification time extension) has the right to seek judicial review of the permit 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 in the office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; 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 this Notice is filed with the Clerk of the Department.

Executed in Jacksonville, Florida.

Sincerely,

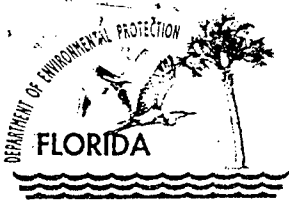
*Ernest E. Frey*  
Ernest E. Frey, P.E.  
Director of District Management

Attachment  
*JE* E:RJL:db

cc: William C. Zegel, P.E.

**FILING AND ACKNOWLEDGEMENT**  
FILED, on this date, pursuant to S120.52 Florida Statutes, with the designated Department Clerk receipt of which is hereby acknowledged.  
*Debra Wetherell* 4/25/95  
Clerk Date





# Department of Environmental Protection

Lawton Chiles  
Governor

Northeast District  
7825 Baymeadows Way, Suite B200  
Jacksonville, Florida 32256-7590

Virginia B. Wetherell  
Secretary

## CERTIFIED - RETURN RECEIPT

### PERMIT TIME EXTENSION

April 20, 1995

Mr. David J. Brown  
V. P. Field Operations  
LFC No. 47 Corporation  
4000 Kruse Way Place, Bldg. 1, Suite 255  
Lake Oswego, Oregon 97035

LD.NO.: 31GVL40001101  
PERMIT NO.: AC40-248258  
COUNTY: Madison  
PROJECT: Boiler (Carbonaceous fuel fired)

Dear Mr. Brown:

Pursuant to a request received March 28, 1995 for a time extension of Permit Number AC40-248258 from May 31, 1995 until July 31, 1995 to allow for the modification of the subject permit is hereby approved. This letter shall be attached to and become a permanent part of the referenced permit.

Any party to this Order (permit modification modification time extension) has the right to seek judicial review of the permit 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 in the office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; 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 this Notice is filed with the Clerk of the Department.

Executed in Jacksonville, Florida.

Sincerely,

Ernest E. Frey, P.E.  
Director of District Management

Attachment  
EPA:RJL:db

cc: William C. Zegel, P.E.

### FILING AND ACKNOWLEDGEMENT

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

Ernest E. Frey 4/24/95  
Clerk Date



# Department of Environmental Protection

Lawton Chiles  
Governor

Northeast District  
7825 Baymeadows Way, Suite B200  
Jacksonville, Florida 32256-7590

Virginia B. Wetherel  
Secretary

TO: Mike Fitzsimmons  
FROM: Ernie Frey *EF*  
DATE: April 21, 1995  
SUBJECT: Delegation of Authority

During my absence on April 21, 1995, you are authorized to sign all documents excluding NOV's, CO's and court stipulated settlements.

A copy of this memo will be filed with each document that you sign.

EEF:dr

**PERMITTEE:**  
 LFC No. 47 Corporation  
 4000 Kruse Way Place, Bldg. One  
 Oswego, Oregon 97035  
**REVISED DATE:** April 25, 1995  
**SPECIFIC CONDITIONS:**

**I.D. Number:** 31GVL40001101  
**Permit/Cert Number:** AC40-248258  
**Date of Issue:** June 10, 1994 Lake  
**Expiration Date:** July 31, 1995

- The ID No. and Project Name for this source shall be used on all correspondence.
- The construction of this installation shall be completed by 06-30-94 and the operation permit application is to be submitted by 09-30-94.
- The maximum input rate (operating rate) is BELOW and shall not be exceeded without prior approval.

RATE	MATERIAL
185 MMBTU/hr <sup>1</sup>	Carbonaceous Fuels <sup>2</sup>

<sup>1</sup>Basis: 4500 BTU/lb; 41,111 lbs/hr  
<sup>2</sup>Consist of wood, bark, paper, waste wood

- Testing of emissions must be performed at an operating rate of at least 90% of the rate in Specific Condition (SC) No. 3, or SC No. 5 will become effective.
- The operating rate shall not exceed 110% of the rate during the most recently accepted test, except for additional testing purposes, and shall not exceed the rate in SC No. 3. After testing at a higher rate, the operating rate shall continue to not exceed the aforementioned rate until the test report at the higher rate is reviewed and accepted by the Department.
- The permitted maximum allowable emission rate for each pollutant is as follows:

POLLUTANT	BELOW	LBS/HR	TPY	FAC RULES
PM <sup>1</sup>		37 <sup>2</sup>	155.4 <sup>3</sup>	62-296.410(2)(b)2.
VE <sup>4</sup>	30% opacity <sup>5</sup>			62-296.410(2)(b)1.

<sup>1</sup>PM - particulate matter  
<sup>2</sup>Basis: applicant requested on March 28, 1995 a limit of 0.2 lb per MMBTU; 185 MMBTU/hr  
<sup>3</sup>Operation hours shall be limited to 24 H/D, 7 D/W, 50 W/Y and shall be recorded.  
<sup>4</sup>VE - visible emissions  
<sup>5</sup>except 40% for 2 mins/hr.

- Unconfined particulate matter emissions shall be controlled by application of dust suppressants, unless an alternative method is requested and approved, to all areas necessary to reasonably control such emissions per FAC Rule 17-296.310(3).



# Department of Environmental Protection



Z 068 738 693

Receipt for Certified Mail

No Insurance Coverage Provided  
Do not use for International Mail  
(See Reverse)

Lawton Chiles  
Governor

Northeast District  
7825 Baymeadows Way, Suite B200  
Jacksonville, Florida 32256-7590

CERTIFIED - RETURN RECEIPT

November 1,

Mr. David J. Brown  
Director of Operations  
LFC No. 47 Corporation  
Bldg. One, Suite 255  
4000 Kruse Way Place  
Lake Oswego, Oregon 97035

Dear Mr. Brown:

Madison County - AP  
LFC No. 47 Corp.  
Emission Unit / Permit No.  
Carb. Fuel Boiler / AO40-179441

PS Form 3800, March 1993

Sent to <b>DAVID J. BROWN</b>	
Street and No. <b>LFC #47</b>	
P.O., State and ZIP Code <b>Lake Oswego Oregon</b>	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	11-3-94 JC
EXTEN. AO40-179441 CARB FUEL BOILER	

The permit above is extended to 01-15-96 to coordinate with the submittal of the Title V source (facility) permit application which shall be submitted by 11-15-95 per FAC Rule 17-213.420(1)(a)1.c.

Since this extension is in lieu of processing an operation permit application for a short-term operation permit, the testing required by this permit shall continue to be performed at the interval in this permit.

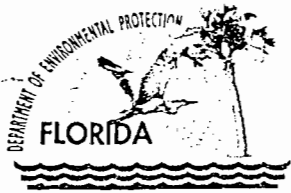
Any party to this Order (permit) has the right to seek judicial review of the permit pursuant to Section 120.68, Florida Statutes, by filing a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; 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 this Notice is filed with the Clerk of the Department.

If there are any questions, please contact Johnny Cole at (904) 448-4310, Ext. 236.

Sincerely,

Ernest E. Frey, P.E.  
Director of District Management

EEF:RJL:JLC



# Department of Environmental Protection

Lawton Chiles  
Governor

Northeast District  
7825 Baymeadows Way, Suite B200  
Jacksonville, Florida 32256-7590

Virginia B. Wetherell  
Secretary

CERTIFIED - RETURN RECEIPT

November 1, 1994

Mr. David J. Brown  
Director of Operations  
LFC No. 47 Corporation  
Bldg. One, Suite 255  
4000 Kruse Way Place  
Lake Oswego, Oregon 97035

Dear Mr. Brown:

Madison County - AP

LFC No. 47 Corp.

<u>Emission Unit</u>	<u>/</u>	<u>Permit No.</u>	<u>/</u>	<u>ID No.</u>
Carb. Fuel Boiler	/	AC40-248258	/	31GVL40001101

The request received 09-22-94 for an extension of the referenced permit is approved and the expiration date is changed to 05-31-95. The dates in all of the Specific Conditions are extended likewise. This letter and the request letter shall be attached to and become a permanent part of the referenced permit.

Also, the 09-02-94 additional information items nos. 1, 2 & 4 shall be submitted according to your 09-19-94 letter.

Any party to this Order (permit modification modification time extension) has the right to seek judicial review of the permit 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 in the office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; 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 this Notice is filed with the Clerk of the Department.

Executed in Jacksonville, Florida.

Sincerely,

  
Ernest E. Frey, P.E.

For Director of District Management

EEF:JLC



Lawton Chiles  
Governor

# Florida Department of Environmental Protection

Northeast District  
7825 Baymeadows Way, Suite B200  
Jacksonville, Florida 32256-7577

Virginia B. Wetherell  
Secretary

## NOTICE OF PERMIT

### CERTIFIED-RETURN RECEIPT

Mr. David J. Brown  
Director of Biomass Operations  
LFC No. 47 Corporation  
4000 Kruse Way Place, Bldg. One  
Lake Oswego, Oregon 97035

Dear Mr. Brown:

Madison County - AP  
LFC No. 47 Corporation  
Boiler (Carbonaceous fuel fired)

Enclosed is Permit Number AC40-248258 to construct the subject air pollution source, issued pursuant to Section 403.087, Florida Statutes (FS).

Any party to this Order (permit) has the right to seek judicial review of the permit pursuant to Section 120.68, Florida Statutes, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; 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 this Notice is filed with the Clerk of the Department.

Executed in Jacksonville, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

Ernest E. Frey, P. E.  
For Director of District Management

EEF:PC:bt

cc: William C. Zegel, P.E.

G-80

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

Clerk Date 6/15/94



Lawton Chiles  
Governor

# Florida Department of Environmental Protection

Northeast District  
7825 Baymeadows Way, Suite B200  
Jacksonville, Florida 32256-7577

Virginia B. Wetherell  
Secretary

**PERMITTEE:**

LFC No. 47 Corporation  
4000 Kruse Way Place, Bldg. One  
Lake Oswego, Oregon 97035

I.D. Number: 31GVL40001101  
Permit/Cert Number: AC40-248258  
Date of Issue: June 10, 1994  
Expiration Date: December 31, 1994  
County: Madison  
Latitude/Longitude: 30°30'00"N; 83°23'45"W  
UTM: E-(17)270.1; N-3376.5  
Project: Boiler (Carbonaceous  
fuel fired)

This permit is issued under the provisions of Chapter(s) 403, Florida Statutes (FS), and Florida Administrative Code (FAC) Rule(s) 17-210, 17-212, 17-272, 17-296, 17-297 and 17-4. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents attached hereto or on file with the Department and made a part hereof and specifically described as follows:

For the modification of the carbonaceous fuel-fired boiler by increasing the hours of operation from 8,064 to 8,400 hours per year, and increasing the fuel input rate from 136.18 to 185 MMBTU per hour. Particulate matter (PM) emissions are controlled by a multiclone and a venturi scrubber in series.

Located on CR 591, 1.5 miles north of Madison, Madison County, Florida.

In accordance with:

Construction permit application dated 09-16-83  
Certificate of Completion of Construction form dated 06-19-85  
Modification application received 04-01-94  
Draft CP comments received 05-09-94

**PERMITTEE:**  
LFC No. 47 Corporation  
4000 Kruse Way Place, Bldg. One  
Lake Oswego, Oregon 97035

I.D. Number: 31GVL40001101  
Permit/Cert: AC40-248258  
Date of Issue: June 10, 1994  
Expiration Date: December 31, 1994

**GENERAL CONDITIONS:**

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.
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, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in Subsections 403.087(6) and 403.722(5), Florida Statutes, the issuance of this permit does not convey any 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 of 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.
4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgement 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.
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.
6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and 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.
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 any records that must be kept under the conditions of the permit;



**PERMITTEE:**  
LFC No. 47 Corporation  
4000 Kruse Way Place, Bldg. One  
Lake Oswego, Oregon 97035

I.D. Number: 31GVL40001101  
Permit/Cert: AC40-248258  
Date of Issue: June 10, 1994  
Expiration Date: December 31, 1994

**GENERAL CONDITIONS:**

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.

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.

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, 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.

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.

11. This permit is transferable only upon Department approval in accordance with Florida Administrative Code Rules 17-4.120 and 17-730.300, 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.

12. This permit or a copy thereof shall be kept at the work site of the permitted activity.

13. This permit also constitutes:

- ( ) Determination of Best Available Control Technology (BACT)
- ( ) Determination of Prevention of Significant Deterioration (PSD)
- ( ) Compliance with New Source Performance Standards (NSPS)

**PERMITTEE:**

LFC No. 47 Corporation  
4000 Kruse Way Place, Bldg. One  
Lake Oswego, Oregon 97035

I.D. Number: 31GVL40001101  
Permit/Cert: AC40-248258  
Date of Issue: June 10, 1994  
Expiration Date: December 31, 1994

**GENERAL CONDITIONS:**

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 for 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:
  - the date, exact place, and time of sampling or measurements;
  - the person responsible for performing the sampling or measurements;
  - the dates analyses were performed;
  - the person responsible for performing the analyses;
  - the analytical techniques or methods used; and
  - the results of such analyses.

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.

**PERMITTEE:**  
 LFC No. 47 Corporation  
 4000 Kruse Way Place, Bldg. One  
 Lake Oswego, Oregon 97035

I.D. Number: 31GVL40001101  
 Permit/Cert Number: AC40-248258  
 Date of Issue: June 10, 1994  
 Expiration Date: December 31, 1994

**SPECIFIC CONDITIONS:**

1. The ID No. and Project Name for this source shall be used on all correspondence.
2. The construction of this installation shall be completed by 06-30-94 and the operation permit application is to be submitted by 09-30-94.
3. The maximum input rate (operating rate) is BELOW and shall not be exceeded without prior approval.

RATE	MATERIAL
185 MMBTU/hr <sup>1</sup>	Carbonaceous Fuels <sup>2</sup>

<sup>1</sup>Basis: 4500 BTU/lb; 41,111 lbs/hr  
<sup>2</sup>Consist of wood, bark, paper, waste wood

4. Testing of emissions must be performed at an operating rate of at least 90% of the rate in Specific Condition (SC) No. 3, or SC No. 5 will become effective.
5. The operating rate shall not exceed 110% of the rate during the most recently accepted test, except for additional testing purposes, and shall not exceed the rate in SC No. 3. After testing at a higher rate, the operating rate shall continue to not exceed the aforementioned rate until the test report at the higher rate is reviewed and accepted by the Department.
6. The permitted maximum allowable emission rate for each pollutant is as follows:

POLLUTANT	EMISSIONS LIMIT			FAC RULE
	BELOW	LBS/HR	TPY	
PM <sup>1</sup>		35 <sup>2</sup>	147 <sup>3</sup>	----
VE <sup>4</sup>	30% opacity <sup>5</sup>			17-296.410(2)(b)1.

<sup>1</sup>PM - particulate matter  
<sup>2</sup>Basis: applicant requested limit of 0.189 lb per MMBTU; 185 MMBTU/hr  
<sup>3</sup>Operation hours shall be limited to 24 H/D, 7 D/W, 50 W/Y and shall be recorded.  
<sup>4</sup>VE - visible emissions  
<sup>5</sup>except 40% for 2 mins/hr.

7. Unconfined particulate matter emissions shall be controlled by application of dust suppressants, unless an alternative method is requested and approved, to all areas necessary to reasonably control such emissions per FAC Rule 17-296.310(3).

**PERMITTEE:**  
LFC No. 47 Corporation  
4000 Kruse Way Place, Bldg. One  
Lake Oswego, Oregon 97035

I.D. Number: 31GVL40001101  
Permit/Cert Number: AC40-248258  
Date of Issue: June 10, 1994  
Expiration Date: December 31, 1994

**SPECIFIC CONDITIONS:**

8. Test the emissions for the following pollutant(s) within 45 days after startup, notify the Department 15 days prior to testing [FAC Rule 297.340(1)(i)], and submit the test report documentation to the Department with the operation permit application within 45 days after completion of the testing [FAC Rule 297.570(2)]:

POLLUTANT	TEST METHOD(s)
PM <sup>1</sup>	EPA 5
VE	EPA 9

<sup>1</sup>Compliance and test heat input rate based on test data and 9280 DSCF/MMBTU or the actual F<sub>d</sub> determined from acceptable data collected during the test period.

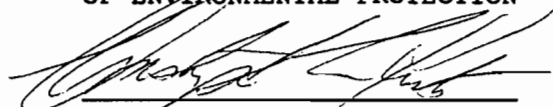
Tests and test reports shall comply with the requirements of FAC Rules 17-297.330 and 17-297.570, respectively.

9. In each test report, submit the maximum input/production rate at which this source was operated since the most recent test.
10. Submit an annual operation report for this source on the form supplied by the Department for each calendar year on or before March 1.
11. Any revision(s) to a permit (and application) must be submitted and approved prior to implementing.
12. A completed Certificate of Completion of Construction form with the compliance report is due 90 days prior to 12-31-94.

Executed in Jacksonville, 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. 6/13/94  
B. J. Aron Clerk Date

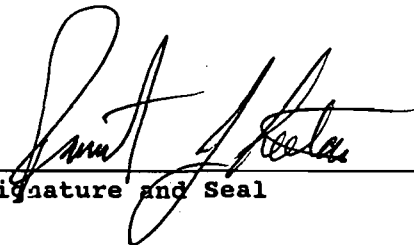
  
Ernest E. Frey, P.E.  
Director of District Management

**CERTIFICATION**

**PROJECT NAME:** LFC No. 47 Corporation  
Boiler (Carbonaceous fuel fired)  
**PERMIT NO:** AC40-248258

I HEREBY CERTIFY that the engineering features described in Application No. 248258 reasonable assurance of compliance with the applicable provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Title 17. However, I have not evaluated and I do not certify aspects of the proposal outside of my area of expertise (including, but not limited to, the electrical, mechanical, structural, hydrological, and geological features).

Robert J. Leetch, P.E.  
Name, P.E.

  
\_\_\_\_\_  
Signature and Seal

6/8/90  
Date



Lawton Chiles  
Governor

# Florida Department of Environmental Protection

Northeast District  
7825 Baymeadows Way, Suite B200  
Jacksonville, Florida 32256-7577

Virginia B. Wetherell  
Secretary

August <sup>16</sup> 12, 1993

Mr. Patrick J. McAllister  
Vice President  
LFC No. 47 Corp.  
4000 Kruse Way Place, Bldg. One  
Lake Oswego, Oregon 97035

Dear Mr. McAllister:

Madison County - AP  
LFC No. 47 Corp.  
Wood Waste Boiler  
ID#31GVL40001101  
Permit No. AO40-179441

This is in response to the permit modification request received 5-24-93.

The request that a permit limitation of MMBTU/hr of heat input be changed to lbs/hr of steam is not approved. The emissions standard is based on heat input per FAC Rule 17-296.410(2)(b). Compliance and the heat input rate during testing are determined by the use of test data and F-factor of 9280 DSCF/MMBTU.

The request that the particulate matter (PM) and visible emissions (VE) testing frequency be changed from every 6 months to every 12 months is approved with the interval base date of 05-16-93; i.e., next tests due by 05-16-94.

This letter and the request shall become a part of the referenced permit.

Any party to this Order (permit modification) has the right to seek judicial review of the permit 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 in the office of General Counsel, 2600 Blair

Administration 448-4300  
Air 448-4310  
Waste Management 448-4320

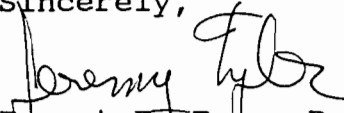



Water Facilities 448-4330  
Water Management 448-4340  
FAX 448-4366

LFC No. 47 Corp.  
Page Two

Stone Road, Tallahassee, Florida 32399-2400; 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 this Notice is filed with the Clerk of the Department.

Sincerely,

  
Ernest E. Frey, P.E.  
Director of District Management

  
EEF:ROL:PC:bt

cc: Gainesville Branch Office

FILING AND ACKNOWLEDGEMENT  
FILED on this date pursuant to S120.52, Florida  
Statutes, with the designated Department Clerk,  
receipt of which is hereby acknowledged. 8/16/93  
Deey Jahn Clerk Date



Lawton Chiles  
Governor

# Florida Department of Environmental Protection

Northeast District  
7825 Baymeadows Way, Suite B200  
Jacksonville, Florida 32256-7577

Virginia B. Wetherell  
Secretary

TO: Jeremy Tyler  
FROM: Ernie Frey *EF*  
DATE: August 9, 1993  
SUBJECT: Delegation of Authority

During my absence on August 11-12, 1993, you are authorized to sign all documents excluding NOV's, CO's and court stipulated settlements.

A copy of this memo will be filed with each document that you sign.

EEF/hd

Administration 448-4300  
Air 448-4310  
Waste Management 448-4320

Recycled Paper  
Printed with Soy Based Inks

Water Facilities 448-4330  
Water Management 448-4340  
FAX 448-4366





# Florida Department of Environmental Regulation

Northeast District • 3426 Bills Road • Jacksonville, Florida 32207 • 904-798

Bob Martinez, Governor

Dale Twachtmann, Secretary

John Shearer, Assistant Secretary  
Ernest Frey, Deputy Assistant Secretary

## NOTICE OF PERMIT ISSUANCE

### CERTIFIED - RETURN RECEIPT

Mr. Patrick J. McAllister, Vice President  
LFC No. 47 Corp.  
4000 Kruse Way Place, Bldg. One  
Lake Oswego, Oregon 97035

Dear Mr. McAllister:

Madison County - AP  
LFC No. 47 Corp.  
Boiler (carbonaceous fuel fired)

Enclosed is Permit Number A040-179441 to operate the subject air pollution source, pursuant to Section 403.087, Florida Statutes (FS).

A person whose substantial interests are affected by this permit may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within 14 days of receipt of this Permit. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, Florida Statutes.

The Petition shall contain the following information;

(a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department Permit File Number and the county in which the project is proposed;

(b) A statement of how and when each petitioner received notice of the Department's action or proposed action;

(c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action;

(d) A statement of the material facts disputed by Petitioner, if any;

(e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action;

(f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and

(g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

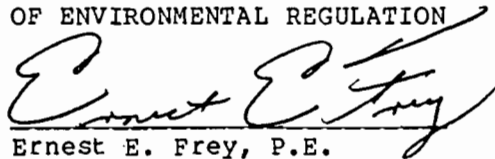
If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this permit. Persons whose substantial interests will be affected by any decision of the Department with regard to the application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of receipt of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, F.A.C.

This permit is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition and conforms to Rule 17-103.070, F.A.C. Upon timely filing of a petition or a request for an extension of time this permit will not be effective until further Order of the Department.

When the Order (Permit) is final, any party to the Order has the right to seek judicial review of the Order pursuant to Section 120.68, Florida Statutes, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate procedure, with the Clerk of the Department in the Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; 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 the Final Order is filed with the Clerk of the Department.

Executed in Jacksonville, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL REGULATION



Ernest E. Frey, P.E.  
Deputy Assistant Secretary

EEF:jck

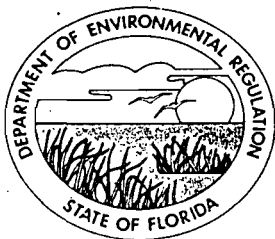
Copies furnished to: Fred W. Dougherty, P.E.  
Gainesville Branch Office

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

Betty Brown 07-09-90  
Clerk Date

CERTIFICATE OF SERVICE

This is to certify that this NOTICE OF PERMIT and all copies were mailed before the close of business on 07/09/90 to the listed persons.



# Florida Department of Environmental Regulation

Northeast District • 3426 Bills Road • Jacksonville, Florida 32207 • 904-798-4200

Bob Martinez, Governor

Dale Twachtmann, Secretary

John Shearer, Assistant Secretary  
Ernest Frey, Deputy Assistant Secretary

**PERMITTEE:**

LFC No. 47 Corp.  
4000 Kruse Way Place, Bldg. One  
Lake Oswego, Oregon 97035

I.D. Number: 31GVL40001101  
Permit/Cert Number: AO40-179441  
Date of Issue: 07-09-90  
Expiration Date: July 24, 1995  
County: Madison  
Latitude/Longitude: 30°30'00"N; 83°23'45"W  
Project: Boiler (Carbonaceous  
fuel fired)  
UTM: E-(17)270.1; N-3376.5

This permit is issued under the provisions of Chapter(s) 403, Florida Statutes, and Florida Administrative Code Rule(s) 17-2 and 17-4. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents attached hereto or on file with the department and made a part hereof and specifically described as follows:

For the operation of a carbonaceous fuel-fired boiler with the particulate matter (PM) emissions controlled by a multiclone and a venturi scrubber in series.

Located on CR 591, 1.5 miles north of Madison, Madison County, Florida.

**In accordance with:**

Construction permit application dated 09-16-83  
Certificate of Completion of Construction form dated 06-19-85  
Renewal application dated 04-24-90

PERMITTEE:  
LFC No. 47 Corp.  
4000 Kruse Way Place, Bldg. One  
Lake Oswego, Oregon 97035

I.D. Number: 31GVL40001101  
Permit/Cert: AO40-179441  
Date of Issue:  
Expiration Date: July 24, 1995

**GENERAL CONDITIONS:**

1. The terms, conditions, requirements, limitations, and restrictions set forth herein are "Permit Conditions" and as such are binding upon the permittee and enforceable pursuant to the authority of Sections 403.161, 403.727, or 403.859 through 403.861, Florida Statutes. The permittee is hereby placed on notice that the department will review this permit periodically and may initiate enforcement action for any violation of the "Permit Conditions" by the permittee, its agents, employees, servants, or representatives.
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, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the department.
3. As provided in Subsections 403.087(6) and 403.722(5), Florida Statutes, the issuance of this permit does not convey any vested rights or any exclusive privileges. Nor 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 does not constitute a waiver of 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.
4. This permit conveys no title to land or water, does not constitute state recognition or acknowledgement 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.
5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, plant or aquatic life or property and penalties therefore caused by the construction or operation of this permitted source, 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.
6. The permittee shall at all times 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.
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, access to the premises, at reasonable times, where the permitted activity is located or conducted for the purpose of:

PERMITTEE:  
LFC No. 47 Corp.  
4000 Kruse Way Place, Bldg. One  
Lake Oswego, Oregon 97035

I.D. Number: 31GVL40001101  
Permit/Cert: AO40-179441  
Date of Issue:  
Expiration Date: July 24, 1995

**GENERAL CONDITIONS:**

- a. Having access to and copying any records that must be kept under the conditions of the permit;
- b. Inspecting the facility, equipment, practices, or operations regulated or required under this permit; and
- c. Sampling or monitoring 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.

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 notify and provide the department with the following information:

- a. A description of and cause of non-compliance; and
- b. the period of non-compliance, including exact 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 revocation of this permit.

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 arising under the Florida Statutes or department rules, except where such use is proscribed by Sections 403.73 and 403.111, Florida Statutes.
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.
11. This permit is transferable only upon department approval in accordance with Florida Administrative Code Rules 17-4.12 and 17-30.30, as applicable. The permittee shall be liable for any noncompliance of the permitted activity until the transfer is approved by the department.
12. This permit is required to be kept at the work site of the permitted activity during the entire period of construction or operation.

PERMITTEE:  
LFC No. 47 Corp.  
4000 Kruse Way Place, Bldg. One  
Lake Oswego, Oregon 97035

I.D. Number: 31GVL40001101  
Permit/Cert: AO40-179441  
Date of Issue:  
Expiration Date: July 24, 1995

**GENERAL CONDITIONS:**

13. This permit also constitutes:

- ( ) Determination of Best Available Control Technology (BACT)
- ( ) Determination of Prevention of Significant Deterioration (PSD)
- ( ) Certification of Compliance with State Water Quality Standards
- ( ) (Section 401, PL 92-500)
- ( ) Compliance with New Source Performance Standards

14. The permittee shall comply with the following monitoring and record keeping requirements:

- a. Upon request, the permittee shall furnish all records and plans required under department rules. The retention period for all records will be extended automatically, unless otherwise stipulated by the department, during the course of any unresolved enforcement action.
- b. The permittee shall retain 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), copies of all reports required by this permit, and records of all data used to complete the application for this permit. The time period of retention shall be 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:
  - the date, exact place, and time of sampling or measurements;
  - the person responsible for performing the sampling or measurements;
  - the date(s) analyses were performed;
  - the person responsible for performing the analyses;
  - the analytical techniques or methods used; and
  - the results of such analyses.

15. When requested by the department, the permittee shall, within a reasonable period of 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 submitted or corrected promptly.

PERMITTEE:  
 LFC No. 47 Corp.  
 4000 Kruse Way Place, Bldg. One  
 Lake Oswego, Oregon 97035

I.D. Number: 31GVL40001101  
 Permit/Cert: AO40-179441  
 Date of Issue:  
 Expiration Date: July 24, 1995

**SPECIFIC CONDITIONS:**

1. The maximum input rate (operating rate) is 136.18 MMBTU per hour (30,323 lbs/hr of wood waste) and shall not be exceeded without prior approval.
2. Testing of emissions must be performed at an operating rate of at least 90% of the rate in Specific Condition (SC) No. 1, or SC No. 3 will become effective.
3. The operating rate shall not exceed 110% of the operating rate during the most recent test except for testing purposes, but shall not exceed the rate in SC No. 1. After testing at an operating rate greater than 110% of the last test operating rate, the operating rate shall not exceed 110% of the last (submitted) test operating rate until the test report at the higher rate has been reviewed and accepted by the Department.
4. The permitted maximum allowable emission rate for each pollutant is as follows:

<u>Pollutant</u>	<u>F.A.C. Rule</u>	<u>lbs/hr</u>	<u>TPY</u>
PM <sup>1</sup>	17-2.600(10)(b)2.b.	24.65 <sup>2</sup>	99 <sup>2</sup>
VE <sup>3</sup>	17-2.600(10)(b)2.a.	30% opacity <sup>4</sup>	

<sup>1</sup>PM - particulate matter

<sup>2</sup>Basis: applicant requested to limit TPY to <100.

Also, operation hours shall be limited to 24 H/D, 7 D/W, 48 W/Y and shall be recorded.

<sup>3</sup>VE - visible emissions

<sup>4</sup>Except 40% for 2 mins/hr.

5. Unconfined particulate matter emissions shall be controlled by application of dust suppressants, unless an alternative method is requested and approved, to all areas necessary to reasonably control such emissions per Florida Administrative Code Rule 17-2.610(3).
6. Test the emission for the following pollutant(s) at the interval(s) indicated, notify the Department 14 days prior to testing, and submit the test report documentation to the Department within 45 days after completion of the testing:

<u>Pollutant</u>	<u>Interval</u>	<u>Test Method(s)</u>
PM	6 Months from 05-16-90 <sup>1</sup>	EPA 5
VE	6 Months from 05-16-90 <sup>1</sup>	EPA 9

<sup>1</sup>Request to test every 12 months not approved because test actual emissions of the last test were 89.66% of test allowable.

Tests and test reports shall comply with the requirements of Florida Administrative Code Rule 17-2.700(6) and (7), respectively.

PERMITTEE:  
LFC No. 47 Corp.  
4000 Kruse Way Place, Bldg. One  
Lake Oswego, Oregon 97035

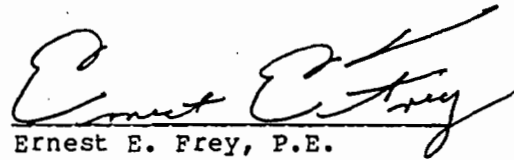
I.D. Number: 31GVL40001101  
Permit/Cert: AO40-179441  
Date of Issue:  
Expiration Date: July 24, 1995

**SPECIFIC CONDITIONS:**

7. In each test report, submit the maximum input/production rate at which this source was operated since the most recent test.
8. Submit an annual operation report for this source on the form supplied by the Department for each calendar year on or before March 1.
9. Any revision(s) to a permit (and application) must be submitted and approved prior to implementing.
10. The ID No. for this source is to be used on all correspondence.
11. Forms for the renewal will be sent 5 months prior to July 24, 1995 and the completed forms with test results are due 90 days prior to July 24, 1995.

Executed in Jacksonville, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL REGULATION



Ernest E. Frey, P.E.  
Deputy Assistant Secretary

**FILING AND ACKNOWLEDGEMENT**

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

Betty J. Allen 7-9-90  
Clerk Date



CERTIFICATION

PROJECT NAME: LFC No. 47 Corp.  
Boiler (carbonaceous fuel fired)  
Application No. AO40-179441

I HEREBY CERTIFY that the engineering features described in application No. AO40-179441 provide reasonable assurance of compliance with the applicable provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Title 17. However, I have not evaluated and I do not certify aspects of the proposal outside of my area of expertise (including, but not limited to, the electrical, mechanical, structural, hydrological, and geological features).

Andrew G. Kutyna, P.E.  
Name, P.E.

Andrew G. Kutyna  
Signature and Seal

7-5-9  
Date

\_perMits\_|\_Events\_|\_Payment\_|\_Site\_|\_Facility\_|\_party\_|\_Reports\_|\_

----- Permuting Application -----

----- ARMS Facility -----

Facility Name: PERPETUAL ENERGY CORP OF FLORIDA AIRS ID: 0790011  
County: MADISON Owner: FKA\_LFC\_NO. 47 MADISON BIOMASS  
Office: NE\_Br: GAINESVILLE Category: POINT

----- Project -----

AIR Permit #: - - - - - Project #: 002 CRA Reference #: - - - - -  
Permit Office: NED\_(DISTRICT) Agency Action: Pending  
Project Name: CARB. BOILER Desc: - - - - -  
Type/Sub/Req: AO\_/TO\_ Transfer\_of\_Ownership/Permit Logged: 20-JUL-1998  
Received: 17-JUL-1998 Issued: - - - - - Expires: - - - - - OGC: -  
Fee: 50.00 Fee Recd: - - - - - Dele: - - - - - Override: NONE

----- Related Party -----

Role: APPLICANT Begin: 20-JUL-1998 End: - - - - -  
Name: LANDRUM, ROBERT Company: PERPETUAL ENERGY CORPORATION OF  
Addr: P\_O\_BOX\_1200  
City: TALLAHASSEE State: FL Zip: 32302- Country: USA  
Phone: 850-576-1221 Fax: - - - - -

----- Processors -----

Processor: FELTON\_R Y Active: 20-JUL-1998 Inactive: - - - - -

Enter Project Name.

Count: 1 v

<Replace>

\_Help\_!\_eXit\_

----- \_Permitting\_Application\_ -----

+----- ARMS Facility -----+

Facility Name: PERPETUAL\_ENERGY\_CORP\_OF\_FLORIDA\_\_\_\_\_ AIRS ID: 0790011

+ \_Comments\_\_\_\_\_ Project\_Number:\_002\_\_\_\_\_+

+ \_RECEIPT\_#223873\_\_\_\_\_+

+-----+

[EDIT]\_to\_View/Edit,\_[COMMIT]\_to\_Confirm\_changes,\_[EXIT]\_to\_Return.\_\_\_\_\_

Count: \*0

<Replace>

AREA: NED\_\_\_\_\_

Cash Receiving Application  
Collection Point Log Remittance

CRAF006A

Tot: \_\_\_\_\_ \$50.00

```

+-----+
| SYS$REMT: 275113__ Type: CP__      Recvd Date: 17-JUL-1998  Status: RECEIVED |
| SYS$RCPT: 223873__ PNR: _____ Check #: 0740_____ Amount: _____ 50.00 |
| SSN/FEI#: _____ Name: ROBERT_G_LANDRUM_____ |
|   First: _____ Middle: _____ Title: _____ Suf: _____ |
| Address1: 1917_WILLOW_ROAD_DRIVE_____ Short Comments: |
| Address2: _____ KM/VB/AO0790011(002)_____ |
|   City: TALLAHASSEE_____ ST: FL  Zip: 32312-3733 Country: _____ |
+-----+

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> P A Y M E N T ( S ) <

	Distr	CL	Object	Payment	Reference#	Applic/ Fund	S T A CO
SYS\$PAYT	Area..	Code/Description.....	Amount.....				
285762__	NED__	002223 AIR_OPERATE	\$50.00	AO0790011(	ARM PFTF		CO
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____

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+-----+
| COMMIT FREQUENTLY _____ $50.00 Payment total |
| Press <TAB> to accept Collection Point or enter F&A. _____ |
| Count: *1 _____ <Replace> |
+-----+

```

# PERPETUAL ENERGY CORPORATION OF FLORIDA

P.O. Box 1200 ♦Tallahassee, FL 32302♦Telephone:(850)576-1221

---

July 16, 1998

RECEIVED

JUL 17 1998

The Florida Dept. of Environmental Protection  
Twin Towers Office Bldg.  
2600 Blair Stone Road  
Tallahassee, FL 32399-2400

DEPT. OF ENV. PROTECTION  
NORTHEAST DISTRICT - JAX

Dear Sirs:

Enclosed is an application for transfer of permit pursuant to Florida Statutes and an application fee in the amount of \$50.00. Should you have any questions regarding this transfer application, please do not hesitate to call.

Sincerely,

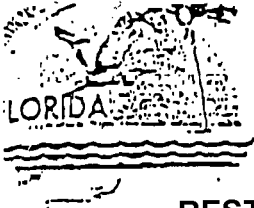


Robert G. Landrum, Jr.  
President

RGL, JR/th

Enclosures

Jun 26 10:12 P.02/05



# Department of Environmental Protection

FAC.ID. 0790011

## RECEIVED

**BEST AVAILABLE COPY** Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Virginia B. Wetherell  
Secretary

JUL 17 1998

Lawton Chiles  
Governor

### APPLICATION FOR TRANSFER OF PERMIT

DEPT. OF ENV. PROTECTION  
NORTHEAST DISTRICT - JAX

Permit No. A040-179441 Date Issued July 09, 1990 Date Expires Extended per 62-213.420

#### NOTIFICATION OF SALE OR LEGAL TRANSFER

Source Name: LFC No. 47 Corp. County: Madison  
Source Location: Route 3; 1.5 miles N of Madison City: Madison  
Permitter Name: Herbert H. Brown Title: Vice President  
Mailing Address: LFC No. 47 Corp., Three Radnor Corporate Center Suite 400  
P.O. Box 6760, Radnor, PA 19087-8760

The undersigned hereby notifies the department of the sale or legal transfer of this pollution source. He further agrees to assign his rights as permitted to the applicant in the event the department agrees to the transfer of permit.

Sworn to and subscribed before me at Delaware

County, Pennsylvania

Signature of Permittee

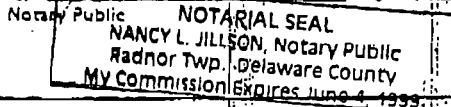
this 7th day of July, 1998

Secretary

Nancy L. Jillson Notary Public

Date: July 7, 1998

My Commission Expires:



#### REQUEST FOR TRANSFER OF PERMIT

Source Name: Perpetual Energy Corporation of Florida  
Applicant Name: Robert Landrum Title: CEO / President  
Mailing Address: P.O. Box 1200  
Tallahassee, FL 32302 Telephone: 850, 576-1221

Project Engineer: Name: John Matthews  
Mailing Address: 11680 Camp Drive  
Dunnellon, FL 34432 Telephone: 352, 489-3711

The undersigned hereby notifies the department of his having acquired title to this pollution source. He further states that he has examined the application and documents submitted by the current permittee on the basis on which Permit No. A040-179441 was issued by the department, and states that they accurately and completely describe the permitted activity or project. He further states that he is familiar with the permit, agrees to comply with its terms and conditions, and agrees to assume the rights and liabilities contained therein. He also agrees to promptly notify the department of any future change in ownership of, or responsibility for, the permitted activity or project.

Sworn to and subscribed before me at Leon

R. Landrum, Jr. "Personally Known to me."  
Signature of Applicant

County, Florida

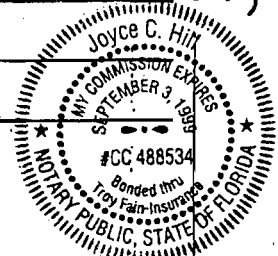
President  
Title

this 15th day of July, 1998

Date: 7.15.98

Joyce C. Hill Notary Public

My Commission Expires: 9-3-99



\* Attach letter of authorization if other than owner or corporate officer.

ROBERT G. LANDRUM  
OR SHAWN A. LANDRUM  
PH 850-894-0562  
1917 WILLOW RD. DR.  
TALLAHASSEE, FL 32312-3733

223873  
0740

63-970/631  
BRANCH 004

DATE 7.16.98

PAY TO THE ORDER OF Florida Department of Environmental Protection \$ 50.<sup>00</sup>

Fifty & 00/100's

DOLLARS  Security features included. Details on back.

**WAKULLA**  
**BANK** Tallahassee, Florida

FOR Application fee Perpetual Energy S. Landrum MP  


Jun 26 10:12 P.02/05



# Department of Environmental Protection

FAC.ID. 079001

## RECEIVED

**BEST AVAILABLE COPY** Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Virginia B. Wetherell  
Secretary

Lawton Chiles  
Governor

### APPLICATION FOR TRANSFER OF PERMIT

DEPT. OF ENV. PROTECTION  
NORTHEAST DISTRICT - JAX

Permit No. A040-179441 Date Issued July 09, 1990 Date Expires Extended per 62-213.420

#### NOTIFICATION OF SALE OR LEGAL TRANSFER

Source Name: LEC No. 47 Corp. County: Madison  
Source Location: Route 3; 1.5 miles N of Madison City: Madison  
Permitter Name: Herbert H. Brown Title: Vice President  
Mailing Address: LEC No. 47 Corp. Three Radnor Corporate Center Suite 400  
P.O. Box 6760, Radnor, PA 19087-8760

The undersigned hereby notifies the department of the sale or legal transfer of this pollution source. He further agrees to assign his rights as permissive to the applicant in the event the department agrees to the transfer of permit.

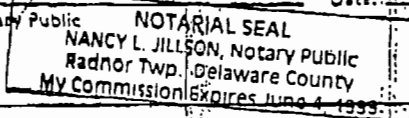
Sworn to and subscribed before me at Delaware  
County, Pennsylvania  
this 7th day of July, 1998.

*Handwritten Signature*  
Signature of Permitter  
Secretary  
Title

*Nancy L. Jillson*  
Notary Public

Date: July 7, 1998

My Commission Expires:



#### REQUEST FOR TRANSFER OF PERMIT

Source Name: Perpetual Energy Corporation of Florida  
Applicant Name: Robert Landrum Title: CFO / President  
Mailing Address: P.O. Box 1200  
Tallahassee, FL 32302 Telephone: 850, 576-1221

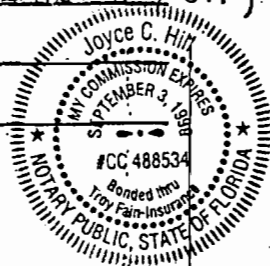
Project Engineer Name: John Matthews  
Mailing Address: 11680 Camp Drive  
Dunnellon, FL 34432 Telephone: 352, 489-3711

The undersigned hereby notifies the department of his having acquired title to this pollution source. He further states that he has examined the application and documents submitted by the current permittee on the basis on which Permit No. A040-179441 was issued by the department, and states that they accurately and completely describe the permitted activity or project. He further states that he is familiar with the permit, agrees to comply with its terms and conditions, and agrees to assume the rights and liabilities contained therein. He also agrees to promptly notify the department of any future change in ownership or responsibility for the permitted activity or project.

Sworn to and subscribed before me at Leon  
County, Florida  
this 15th day of July, 1998.

*R. Landrum, Jr.*  
Signature of Applicant  
President  
Title  
Date: 7.15.98

*Joyce C. Hill*  
Notary Public  
My Commission Expires: 9-3-99



\* Attach letter of authorization if other than owner or corporate officer.



**LFC** POWER  
SYSTEMS  
CORPORATION

Post-It™ brand fax transmittal memo 7671		# of pages	1
To	CHRIS KIRTS	From	VICTOR ALVAREZ
Co.	FDEP	Co.	LFC No 47 Corp
Dept.		Phone #	850 997 0515
Fax #	(904) 448 4310	Fax #	850 997 2974

April 9, 1998

Mr. Chris Kirts  
Department of Environmental Protection  
Northeast District  
7825 Baymeadows Way, suite B-200  
Jacksonville, Florida 32256-7590

RE: LFC No. 47 CORP.  
Madison Facility - Permit No. 0790011  
Madison County

Dear Mr. Kirts,

This letter is to notify your department that all correspondence dealing with LFC No 47 Corp. shall be sent to:

Responsible Operator:

Mr. Richard W. Stewart  
Superior Group Inc.,  
Three Radnor Corp. Center, Suite 400  
P. O. Box 6760. Radnor, PA 19087  
(610) 964-2015 FAX (610) 964-2001

and to:

Point of contact:

Victor M. Alvarez  
LFC No. 47  
Rt. 1 Box 38  
Monticello, Fl 32344  
(850) 997-0515 Fax (850) 997-2974

Please make updates to your records or files for LFC No 47 Corp.  
Thank you for your consideration in this matter.

Sincerely,

Victor Alvarez

cc: Dave Brown  
Richard Stewart



File 4/5

# Department of Environmental Protection

Lawton Chiles  
Governor

Northeast District  
7825 Baymeadows Way, Suite B200  
Jacksonville, Florida 32256-7590

Virginia B. Wetherell  
Secretary

In the Matter of an  
Application for Permit by:

Mr. Dave Brown  
Vice President of Operations  
LFC No. 47 Corporation  
4000 Kruse Way Place  
Building One, Suite 255  
Lake Oswego, Oregon 97035

File Number: 0790011-001-AV  
Madison County

## INTENT TO DENY TITLE V AIR OPERATION PERMIT

The Department of Environmental Protection (permitting authority) gives notice of its intent to deny a Title V air operation permit for the source detailed in the application specified above, for the reasons stated below.

The applicant LFC No. 47 Corporation, applied on June 17, 1996, to the Department of Environmental Protection for an air operation permit under Chapter 62-213, F.A.C., for a Title V source. This facility had previously been issued air construction permits: AC40-75862, AC40-248258 and operation permits: AO40-105817, AO40-179441.

The permitting authority has permitting jurisdiction under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, and 62-213. The permitting authority has determined the following:

1. The Title V application is classified as incomplete.

The initial Title V application was received on June 17, 1996 and was considered timely and complete in accordance with Rule 62-213.420(1)(a)1. and (b)2, F.A.C. However, additional information was needed in order to continue to process the application. A request for this information was mailed to the Responsible Official, Mr. Dave Brown on October 29, 1997 in accordance with Rules 62-213.420(1)(b)3. and 62-4.070(1), F.A.C.. Mr. Brown submitted a letter, dated November 18, 1997, requesting an additional 60 days to respond to the additional information request beyond the original 90 days stated in the October 29 department letter. The request was granted in accordance with Rule 62-213.420(1)(b)6. thus extending the response submittal deadline until March 28, 1998. As of March 28, the applicant has not submitted the requested information nor have they requested additional time to respond to the department's request.

*"Protect, Conserve and Manage Florida's Environment and Natural Resources"*

In accordance with Rule 62-213.420(1)(b)3., F.A.C., the Department shall render the Title V application incomplete when the applicant fails to submit corrected or supplementary information within the 90 day timeframe or the additional timeframe granted pursuant Rule 62-213.420(1)(b)6., F.A.C.

2. Air operation permit AO40-179441 is no longer a valid operation permit for this source. Any operation of this source would be classified as operating the facility without a valid State air permit.

Rule 62-210.300(2)(a)3.a, F.A.C., extended the expiration date of operation permits for facilities that were classified as Title V sources on or before October 25, 1995, to 60 days after the due date for the submittal of the facility's Title V permit application. Rule 62-213.420(1)(b)2., F.A.C., allowed the source to continue to operate under the authority and provisions of any existing valid permit provided that the applicant complied with 62-213.420(1)(b)3., F.A.C., and submitted a timely and complete Title V application. LFC failed to comply with Rule 62-213.420(1)(b)3., F.A.C.

In accordance with Rule 62-210.300, F.A.C., the owner or operator of any emissions unit which emits or can reasonably be expected to emit any air pollutant shall obtain an appropriate permit from the Department prior to beginning construction, modification, or initial or continued operation of the emissions unit unless exempted pursuant to Department rule or statute. The emission unit at LFC has not been exempted by Department rule or statute therefore, prior to operation of this facility, an appropriate air permit must be obtained.

3. The facility appears to have the potential to emit (PTE) CO pollutants above the Prevention of Significant Deterioration (PSD) threshold of 250 tons per year.

The Department may issue a permit only after it receives reasonable assurance that the facility will not cause pollution in violation of any of the provisions of Chapter 403, F.S. or the rules promulgated thereunder. A Title V operation permit cannot be issued for a facility that has the potential to emit above the PSD threshold without having gone through a PSD preconstruction review in accordance with Chapter 62-212, F.A.C.

The permitting authority will deny the permit unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, F.S., or a party requests mediation as an alternative remedy under Section 120.573, F.S., before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for petitioning for a hearing are set forth below, followed by the procedures for requesting mediation.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, FL 32399-3900 (Telephone: 850/488-9735; Fax: 850/487-4938). Petitions filed by the permit applicant

or any of the parties listed below must be filed within 14 (fourteen) days of receipt of this notice of intent. The failure of any person to file a petition (or a request for mediation, as discussed below) within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-5.207, F.A.C.

A petition must contain the following information:

- (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Permit File Number, and the county in which the project is proposed;
- (b) A statement of how and when each petitioner received notice of the permitting authority's action or proposed action;
- (c) A statement of how each petitioner's substantial interests are affected by the permitting authority's action or proposed action;
- (d) A statement of the material facts disputed by the petitioner, if any
- (e) A statement of the facts that the petitioner contends warrant reversal or modification of the permitting authority's action or proposed action;
- (f) A statement identifying the rules or statutes that the petitioner contends require reversal or modification of the permitting authority's action or proposed action; and,
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the permitting authority to take with respect to the action or proposed action addressed in this notice of intent.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the permitting authority's final action may be different from the position taken by it in this notice of intent. Persons whose substantial interests will be affected by any such final decision of the permitting authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

A person whose substantial interests are affected by the permitting authority's proposed permitting decision, may elect to pursue mediation by asking all parties to the proceeding to agree to such mediation and by filing with the Department of Environmental Protection a request for mediation and the written agreement of all such parties to mediate the dispute. The request and agreement must be filed in (received by) the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, FL 32399-3000, by the same deadline as set forth above for the filing of a petition.

A request for mediation must contain the following information:

- (a) The name, address, and telephone number of the person requesting mediation and that person's representative, if any;
- (b) A statement of the preliminary agency action;
- (c) A statement of the relief sought; and,
- (d) Either an explanation of how the requester's substantial interests will be affected by the action or proposed action addressed in this notice of intent or a statement clearly identifying the petition for hearing that the requester has already filed, and incorporating it by reference.

The agreement to mediate must include the following:

- (a) The names, addresses, and telephone numbers of any persons who may attend the mediation;

(b) The name, address, and telephone number of the mediator selected by the parties, or a provision for selecting a mediator within a specified time;

(c) The agreed allocation of the costs and fees associated with the mediation;

(d) The agreement of the parties on the confidentiality of discussions and documents introduced during mediation;

(e) The date, time, and place of the first mediation session, or a deadline for holding the first session, if no mediator has yet been chosen;

(f) The name of each party's representative who shall have authority to settle or recommend settlement; and,

(g) The signatures of all parties or their authorized representatives.

As provided in Section 120.573, F.S., the timely agreement of all parties to mediate will toll the time limitations imposed by Sections 120.569 and 120.57, F.S., for requesting and holding an administrative hearing. Unless otherwise agreed by the parties, the mediation must be concluded within 60 (sixty) days of the execution of the agreement. If mediation results in settlement of the administrative dispute, the Department of Environmental Protection must enter an order incorporating the agreement of the parties in accordance with the provisions of Section 403.0872(7), F.S. If mediation terminates without settlement of the dispute, the permitting authority shall notify all parties in writing that the administrative hearing processes under Sections 120.569 and 120.57, F.S., remain available for disposition of the dispute, and the notice will specify the deadlines that then will apply for challenging the agency action and electing remedies under those two statutes.

In addition to the above, a person subject to regulation has a right to apply to the Department of Environmental Protection for a variance from or waiver of the requirements of particular rules, on certain conditions, under Section 120.542, F.S. The relief provided by this state statute applies only to state rules, not statutes, and not to any federal regulatory requirements. Applying for a variance or waiver does not substitute or extend the time for filing a petition for an administrative hearing or exercising any other right that a person may have in relation to the action proposed in this notice of intent.

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. The petition must specify the following information:

(a) The name, address, and telephone number of the petitioner;

(b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any;

(c) Each rule or portion of a rule from which a variance or waiver is requested;

(d) The citation to the statute underlying (implemented by) the rule identified in (c) above;

(e) The type of action requested;

(f) The specific facts that would justify a variance or waiver for the petitioner;

(g) The reason why the variance or waiver would serve the purposes of the underlying statute (implemented by the rule); and,

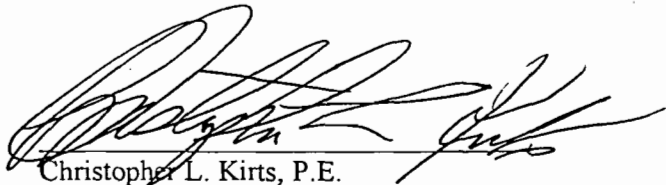
(h) A statement whether the variance or waiver is permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

The Department will grant a variance or waiver when the petition demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of those terms is defined in Section 120.542(2), F.S., and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner.

Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable by the Administrator of the United States Environmental Protection Agency and by any person under the Clean Air Act unless and until the Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

Executed in Jacksonville, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION



Christopher L. Kirts, P.E.  
District Air Program Administrator

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this INTENT TO DENY TITLE V AIR OPERATION PERMIT and all copies were sent by certified mail before the close of business on April 3, 1998 to the person(s) listed:

David Brown, LFC No. 47 Corporation  
Victor Alvarez, LFC No. 47 Corporation

In addition, the undersigned duly designated deputy agency clerk hereby certifies that copies of this INTENT TO DENY TITLE V AIR OPERATION PERMIT were sent by U.S. mail on the same date to the person(s) listed:

Scott Sheplak, P.E., Bureau of Air Regulation

**FILING AND ACKNOWLEDGEMENT**

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

*Judy A. Brown* 4/3/98  
FILED

# FOSTER WHEELER ENVIRONMENTAL CORPORATION

---

April 17, 1998

Mr. Christopher L. Kirts, P.E.  
District Air Program Administrator  
Florida Department of Environmental Protection  
Northeast District  
7825 Baymeadows Way, Suite B200  
Jacksonville, Florida 32256-7590

RECEIVED

APR 20 1998

DEPT. OF ENV. PROTECTION  
NORTHEAST DISTRICT - JAX

RE: Madison County - AP  
Madison Facility  
Request for Additional Information Regarding Initial Title V Permit Application  
File No. 0790011

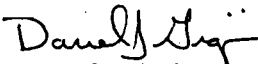
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Dear Mr. Kirts,

Attached please find four (4) copies of the Professional Engineer Statement signed and sealed as requested in the Department's October 29, 1997 Request for Additional Information (RAI). Please be advised that I participated in the review of the RAI and the development of response which is being Fed-Ex'ed under separate cover which includes the Responsible Officials Certification Statement.

I would also like to thank you for your help in resolving the "Intent to Deny" which will save my client a considerable amount of money. Should you need any additional information please feel free to contact me at 281-483-0481.

Sincerely

  
Darrel Graziani, P.E.  
Project Engineer

cc:

E. Brown, LFC No. 47 Corporation  
D. Fulle, Foster Wheeler Environmental Corporation  
D. Brown

4. Professional Engineer Statement:

*I, the undersigned, hereby certify, except as particularly noted herein\*, that:*

*(1) To the best of my knowledge, there is reasonable assurance that the air pollutant emissions unit(s) and the air pollution control equipment described in this Application for Air Permit, when properly operated and maintained, will comply with all applicable standards for control of air pollutant emissions found in the Florida Statutes and rules of the Department of Environmental Protection; and*

*(2) To the best of my knowledge, any emission estimates reported or relied on in this application are true, accurate, and complete and are either based upon reasonable techniques available for calculating emissions or, for emission estimates of hazardous air pollutants not regulated for an emissions unit addressed in this application, based solely upon the materials, information and calculations submitted with this application.*

*If the purpose of this application is to obtain a Title V source air operation permit (check here [ X ] if so), I further certify that each emissions unit described in this Application for Air Permit, when properly operated and maintained, will comply with the applicable requirements identified in this application to which the unit is subject, except those emissions units for which a compliance schedule is submitted with this application.*

*If the purpose of this application is to obtain an air construction permit for one or more proposed new or modified emissions units (check here [ ] if so), I further certify that the engineering features of each such emissions unit described in this application have been ~~designed or~~ examined by me or individuals under my direct supervision and found to be in conformity with sound engineering principles applicable to the control of emissions of the air pollutants characterized in this application.*

*If the purpose of this application is to obtain an initial air operation permit or operation permit revision for one or more newly constructed or modified emissions units (check here [ ] if so), I further certify that, with the exception of any changes detailed as part of this application, each such emissions unit has been constructed or modified in substantial accordance with the information given in the corresponding application for air construction permit and with all provisions contained in such permit.*

Danell G. Grij  
Signature

4-17-98  
Date

(seal)

LFC No. 47 Corp.

\* Attach any exception to certification statement.

DEP File No. 0790011



**Professional Engineer Statement - Clarification**  
**LFC No. 47 Corporation**  
**DEP File Number 0790011-001-AV**

The certification provided in response to the Department's October 19, 1997 request is being provided for purposes of certifying that the restriction placed on the methods of operation should not result in annual emissions above the caps requested in the Title V permit application. The emission caps for the criteria pollutants, except particulate matter, were requested at the synthetic minor source levels in the Title V permit application because they were not capped in air construction permit nor in the air operation permit.

Danell Bigi  
Signature

4-17-98  
Date

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*(2) To the best of my knowledge, any emission estimates reported or relied on in this application are true, accurate, and complete and are either based upon reasonable techniques available for calculating emissions or, for emission estimates of hazardous air pollutants not regulated for an emissions unit addressed in this application, based solely upon the materials, information and calculations submitted with this application.*

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*Danely Sig*  
\_\_\_\_\_  
Signature

4-17-98  
\_\_\_\_\_  
Date

(seal)

LFC No. 47 Corp

\* Attach any exception to certification statement.

DEP File No. 0790011

**Professional Engineer Statement - Clarification**  
**LFC No. 47 Corporation**  
**DEP File Number 0790011-001-AV**

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Danell Grej  
Signature

4-17-98  
Date

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*(2) To the best of my knowledge, any emission estimates reported or relied on in this application are true, accurate, and complete and are either based upon reasonable techniques available for calculating emissions or, for emission estimates of hazardous air pollutants not regulated for an emissions unit addressed in this application, based solely upon the materials, information and calculations submitted with this application.*

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*Danely Sig*  
\_\_\_\_\_  
Signature

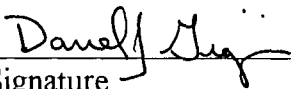
*04-17-98*  
\_\_\_\_\_  
Date

(seal)

\* Attach any exception to certification statement.

**Professional Engineer Statement - Clarification**  
**LFC No. 47 Corporation**  
**DEP File Number 0790011-001-AV**

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\_\_\_\_\_  
Signature

04-17-97  
Date

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*I, the undersigned, hereby certify, except as particularly noted herein\*, that:*

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*(2) To the best of my knowledge, any emission estimates reported or relied on in this application are true, accurate, and complete and are either based upon reasonable techniques available for calculating emissions or, for emission estimates of hazardous air pollutants not regulated for an emissions unit addressed in this application, based solely upon the materials, information and calculations submitted with this application.*

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*If the purpose of this application is to obtain an initial air operation permit or operation permit revision for one or more newly constructed or modified emissions units (check here [ ] if so), I further certify that, with the exception of any changes detailed as part of this application, each such emissions unit has been constructed or modified in substantial accordance with the information given in the corresponding application for air construction permit and with all provisions contained in such permit.*

*Daniel J. Seig*  
Signature

4-17-98  
Date

(seal)

LFC No. 47 Corp.

DEP File No. 0790011

\* Attach any exception to certification statement.

**Professional Engineer Statement - Clarification**  
**LFC No. 47 Corporation**  
**DEP File Number 0790011-001-AV**

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Danely Sig  
Signature

4-17-98  
Date

DEP ROUTING AND TRANSMITTAL SLIP

TO: (NAME, OFFICE, LOCATION) 3. \_\_\_\_\_  
 1. DARM - MS# 5500 4. \_\_\_\_\_  
 2. John Reynolds 5. \_\_\_\_\_

PLEASE PREPARE REPLY FOR:  
 \_\_\_\_\_ SECRETARY'S SIGNATURE  
 \_\_\_\_\_ DIV/DIST DIR SIGNATURE  
 \_\_\_\_\_ MY SIGNATURE  
 \_\_\_\_\_ YOUR SIGNATURE  
 \_\_\_\_\_ DUE DATE \_\_\_\_\_

ACTION/DISPOSITION  
 \_\_\_\_\_ DISCUSS WITH ME  
 \_\_\_\_\_ COMMENTS/ADVISE  
 \_\_\_\_\_ REVIEW AND RETURN  
 \_\_\_\_\_ SET UP MEETING  
 \_\_\_\_\_ FOR YOUR INFORMATION  
 \_\_\_\_\_ HANDLE APPROPRIATELY  
 \_\_\_\_\_ INITIAL AND FORWARD  
 \_\_\_\_\_ SHARE WITH STAFF  
 \_\_\_\_\_ FOR YOUR FILES

COMMENTS:

John,  
 As we discussed by telephone a few weeks ago, enclosed is the Perpetual Energy (used to be CFC No. 47) file. Please conduct a formal review to determine whether this facility should be classified as a PSD source or should have undergone a PSD review.  
 per Rita Felton-Smith

FROM: NED - JAX BB DATE: 2/8/99 SC ext 233  
Deeren - AIR PHONE: 880-4310

DEP 15-026 (12/93)

RECEIVED

FEB 11 1999

BUREAU OF  
 AIR REGULATION



Date: 11/20/98 17:32  
From: Rita Felton-Smith JAX  
Subject: Perpetual Energy

Kathy, Jeff, & Jaro,

Approximately a week ago, I had requested a check for petitions on Perpetual Energy Corporation, a Title V facility located in Madison County. Kathy, you were kind enough to call me to let me know that you did not receive anything for this facility.

I was handed a copy of the November 18 issue of the Madison County Carrier. In it they state that County Attorney, Tom Reeves, filed a petition on November 9 against Perpetual's Title V permit.

Is there a way to verify this? File number 0790011-001-AV

Thank you.

Rita



**KOOGLER & ASSOCIATES**  
ENVIRONMENTAL SERVICES  
4014 NW THIRTEENTH STREET  
GAINESVILLE, FLORIDA 32609  
352/377-5822 • FAX/377-7158

KA 625-98-01

November 20, 1998

**Ms. Rita Felton-Smith, P.E.**  
**Florida Department of**  
**Environmental Protection**  
**Northeast District**  
**7825 Baymeadows Way, Suite B200**  
**Jacksonville, FL 32256-7590**

RECEIVED

NOV 23 1998  
DEPT. OF ENV. PROTECTION  
NORTHEAST DISTRICT

**SUBJECT: Comments on Draft Title V Permit**  
**for Perpetual Energy Corporation of Florida**  
**File No. 0790011-001-AV**

**Dear Ms. Felton-Smith:**

**This is a follow up to your telephone conversation this morning with Pradeep Raval regarding the Draft Title V Permit for the above referenced facility.**

**As indicated by Pradeep, we would like to meet with you to discuss the Draft Permit, prior to your preparing the Proposed Permit. The best time to meet would probably be when you begin evaluating public comments on the project, which I understand will be around mid-December. Please give us a call when you have tentative dates for the meeting.**

**Also, this will confirm, as you indicated to Pradeep, that the EPA Administrator's 45-day review period, as established in 42 United States Code (U.S.C.), has not yet begun.**

**We appreciate your consideration of our comments in this matter. If you have any questions, please call me.**

Very truly yours,

KOOGLER & ASSOCIATES

  
John B. Koogler, Ph.D., P.E.

JBK:par

To: Rita Felton-Smith  
From: Mort Benjamin  
Date: September 28, 1998  
Subject: Inspection at Perputual Energy ( LFC 47)

The Perpetual Energy facility was inspected on September 25, 1998. The plant is not operating yet, but is being thoroughly checked out.

They has done a hydraulic check on the boilers tubes and found some leaks. After the tubes are replaced, they will slowly bring the boiler up to temperature. When they can generate steam, they will check out the turbine.

They are in the process of ordering new electrical transfer equipment to tie into Florida Power Corporation. All of these activities will take several months to complete

They mentioned purchasing fibre rejects from Buckeye as a possible fuel.

We talked to a Mr. Stafford. Phone 850-973-3180, FAX 850-973-9898

cc Chris Kirts  
Rick Banks

INTEROFFICE MEMO

---

Date: 09/25/98  
To: File  
From: Rita Felton-Smith  
Subject: Perpetual Energy Corporation of Florida Title V Review  
Notes

---

In reviewing the response from the applicant received September 2, it was discovered that the rough estimate that was done for potential carbon monoxide emissions was not based on maximum, worse-case conditions. Apparently, the estimated 209 tons per year was based on less than 8760 hours of operation. Using a maximum of 8,760 hours and fuel, the potential carbon monoxide emissions are approximately 309 tons per year (using 4.52 lb/ton of fuel burned value determined from the Oct. 1993 test). Therefore, in order for the facility to meet the requested 249.9 ton per year emissions cap for this pollutant, they must reduce either the hours of operation and/or the annual amount of fuel burned. Because the applicant submitted comments on the draft Title V, a revised draft is being prepared for issuance prior to a proposed permit. The revised draft contains language incorporating the necessary operating restrictions.

RFS

Date: 9/22/98 11:39:01 AM  
From: Rita Felton-Smith JAX  
Subject: Perpetual Energy

Mort,

On September 2, the permitting section received a letter from Perpetual Energy Corporation of Florida (formerly LFC No. 47 Corp) that their Madison plant is "up and running". Our Draft Title V permit contained language concerning the reactivation of the boiler. They were to notify us in writing of the actual startup date of the unit as well as conduct compliance tests within 45 days of startup. To date, we have not received any correspondence from the facility besides the comments on the draft Title V permit. I also do not know whether "up and running" constitutes commercial startup or simply testing the unit.

At this point, we do not want to issue a Revised Draft Title V permit, without verification of their startup or the receipt of compliance testing notification.

I will hold off on responding to their letter until I receive either above documentation or direction from you.

Rita

Date: 9/21/98 13:19  
From: Rita Felton-Smith JAX  
Subject: Perpetual Energy Corporation of Florida

Al/John,

I am presently working on the Title V permit for Perpetual Energy Corporation of Florida (formerly LFC No 47 Corporation) in Madison County. The draft has already gone out. The applicant has submitted questions and comments, but has not published the public notice. I am working on a Revised Draft and answering their questions.

The applicant has agreed to a 249.9 tons per year CO emissions cap. It is their hope that they will escape a PSD classification. Their permit is for a 185 mmBtu/hr carbonaceous boiler. The previous construction and operation permits do not speak to CO. However, it was discovered years back that the facility is major for CO. Using a factor of 4.52 lb CO/ton of fuel burned (from an emissions test that was conducted in '93), and the permitted maximum amount of fuel, the potential CO emissions are 309 tons per year (therefore making the facility PSD). Actuals would be around 200 tons based on previous AORs. Please note that this facility has been shut down for the last two years.

The applicant has agreed to a 249.9 ton per year emissions cap and an annual Method 10 compliance test. They have stated that the hours of operation or fuel usage will be restricted so that the cap will not be exceeded.

So long as they do this, then it would be safe for me to state in the Title V permit that they are a synthetic minor source under the PSD program, correct? They are requesting this language. Do you see any reason why it should not be put in the Title V?

Rita

← not necessarily  
the case. This  
is using worst  
case potential  
emissions, i.e.  
8700 lbs/yr.  
Other variables  
would need to  
be considered?

PERPETUAL ENERGY CORPORATION OF FLORIDA

11680 Camp Drive  
Dunnellon, Florida 34432

Telephone (352) 489-3711  
Facsimile (352) 465-0511

August 31, 1998

RECEIVED

SEP - 2 1998

Mr. Christopher L. Kirts, P.E.  
District Air Program Administrator  
Florida Department of Environmental Protection  
Northeast District  
7825 Baymeadows Way, Suite B200  
Jacksonville, Florida 32256-7590

DEPT. OF ENV. PROTECTION  
NORTHEAST DISTRICT - JAX

Re: Madison County - AP  
LFC No. 47 Corporation - Madison Facility  
Title V Draft Permit No.: 0790011-001-AV

Dear Mr. Kirts:

On behalf of Perpetual Energy Corporation of Florida I would like to thank you for allowing us additional time to review the draft Title V and provide comments prior to publishing the "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT." Based on our review and the review of Foster Wheeler Environmental Corporation we would like to offer the following comments:

1. The draft permit was issued to the previous owner, LFC No. 47 Corp. If possible, could the draft permit which goes out for public review and comment, be issued to Perpetual Energy Corporation of Florida. The transfer of ownership documents have been filed with your office.
2. In the Statement of Basis, the draft permit notes the requested 249.9 tons per year cap on carbon monoxide (CO) emissions. Please note that the facility was permitted under the State's preconstruction review program for minor sources and that during the Title V process it was noted that the original permits (construction and operation) did not limit or cap CO emissions. If possible we would like paragraph 4 to read as follows:  
  
"The facility is classified as a synthetic minor source under the Prevention of Significant Deterioration (PSD) program and through the Title V process the applicant has requested that carbon monoxide (CO) emissions be capped at 249.9 tons per year. This request makes the emissions cap federally enforceable. Compliance with the emissions cap will be determined using annual operating records and EPA Method 10 for compliance testing."
3. In the Statement of Basis, the draft permit notes that the facility is a major source of hazardous air pollutants (HAP). Discussions with

our consultant noted that the major source designation may have been based solely on the alternate fuels requested in the initial Title V permit application. They are currently reviewing their calculations to determine potential HAP emissions based solely on the fuels allowed in the draft Title V permit.

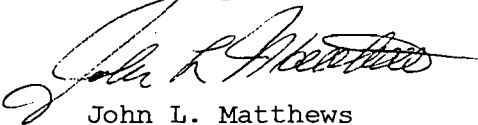
4. Section I, Subsection A, Facility Description paragraph 3, please see Comment Number 2.
5. Section I, Subsection A, Facility Description paragraph 6, we would like to request that the paragraph state that the "facility is a major source under the Title V Operating Permit Program based.." We are also in the process of re-evaluating the potential HAP emissions as noted in Comment Number 3.
6. Section II, Facility-wide Conditions. Should Condition Number 3 be labeled "Not Federally Enforceable" as in Condition Number 2?
7. Section II, Facility-wide Condition. In Condition Number 5, can the reasonable precautions include water for the Other Sources such as "Application of dust suppressants, including water,....?"
8. Section III, Emission Units and Conditions, Condition Number A.2. This condition represent a significant restriction on the operation. Because it plays such a significant role we would like to meet with you and your staff to discuss our fuel sources and contaminants (i.e., plastics and metals) received with these fuels.
9. Section III, Emission Units and Conditions, Condition Number A.4. We would like to request that the unit be limited by Permitted Capacity, Condition Number A.1., versus the Fuel Usage limit of A.4. The request is based on the ability to maintain the maximum heat input, 185 mmBtu/hr, given the many variables in fuel quality, moisture content, and burn rates. If possible, we would prefer to monitor heat input based on an F-Factor, a heat balance, and steam output.
10. Section III, Emission Units and Conditions, Condition Number A.7., we would request that the condition not include a short-term emission limit since the annual emission cap is all that was requested. In this condition, it would be acceptable to cap emissions at 249.9 tons per year and to further restrict either hours of operation or total annual heat input (mmBtu/yr) based on compliance testing.
11. Section III, Emission Units and Conditions, Condition Number A.9., is this a repeat of condition of number A.8.?
12. Section III, Emission Units and Conditions, Condition Numbers A.11 and A.12., the unit is now running and as discussed previously the requirements are not applicable at this time. We would request that the conditions be removed, if possible.



13. Section III, Emission Units and Conditions, Condition Number A.16., relating to Comment Number 9, can this condition be expanded to restrict hours of operation or total annual heat input based on CO testing to avoid a short-term CO limit?
14. Section III, Emission Units and Conditions, Condition Number A.21., can the testing frequency for CO be reduced to an initial test, followed by renewal testing, and if required, testing following boiler performance changes?
15. Section III, Emission Units and Conditions, Condition Numbers A.24 and A.25., reconstruction costs did not exceed the 50 percent cost. As in Comment Number 12, the unit is now running and we would request that these conditions be removed, if possible.
16. Section III, Emission Units and Conditions, Condition Number A.27., is an excess emissions report required if no excess emission occurred during the reporting period?
17. Table 1-1, based on Comment Number 10, can we remove the short-term CO limitation and add a note that hours of operation vary based on CO compliance testing?
18. Table 2-1, based on Comment Number 14, can we reduce the CO testing frequency?
19. Appendix 1-1 Emission Unit 3, Fresh Water Cooling Tower, please add a restriction that "no chromium-based water treatment chemicals may be used" to ensure that it is not considered a HAP source category.

As mentioned in Comment Number 8, we would like to meet with you and your staff to discuss the condition and allowable limits within the condition. We would also like to present our findings on the HAP designation at the time of the meeting. Should you have any questions or comments please feel free to contact me at (352) 489-3711.

Sincerely,



John L. Matthews  
Vice President

cc. R. Landrum, Jr.  
D. Graziani (FWENC)

dep831x

PERPETUAL ENERGY CORPORATION OF FLORIDA

11680 Camp Drive  
Dunnellon, Florida 34432

Telephone (352) 489-3711  
Facsimile (352) 465-0511

FACSIMILE TRANSMISSION

Date: July 31, 1998  
To: Mr. Christopher L. Kirts, P.E.  
District Air Program Administrator  
Florida Department of Environmental Protection  
Northeast District  
7825 Baymeadows Way, Suite B200  
Jacksonville, Florida 32256-7590  
Re: Madison County - AP  
LFC No. 47 Corporation - Madison Facility  
Title V DRAFT Permit No: 0790011-001-AV

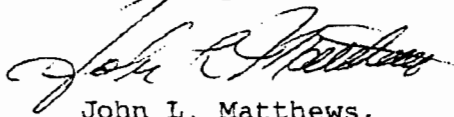
Pages: 1  
Fax Number: (904) 448-4363

Dear Mr. Kirts:

On behalf of Perpetual Energy Corporation of Florida I would like to request a thirty (30) day extension to publish the "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT" as contained in the draft permit issued on June 29, 1998. As you are aware, the sale of the facility was completed on June 17, 1998 and the extension will allow us time to review the draft permit along with our consultant, Foster Wheeler Environmental Corporation.

Should you have any questions or comments, please feel free to contact me at (352)489-3711 or Mr. Robert Landrum at (850)576-1221.

Sincerely,



John L. Matthews,  
Vice President

dep7318x

cc: Robert Landrum, Jr.  
D. Fulle (FWENC)

amr 2/16/98

**LFC** POWER  
SYSTEMS  
CORPORATION

February 9, 1998

**RECEIVED**

FEB 13 1998

Department of Environmental Protection  
Northeast District - Air Program  
7825 Baymeadows Way, Suite 200B  
Jacksonville, Florida 32256-7590

DEPT. OF ENV. PROTECTION  
NORTHEAST DISTRICT - JAX

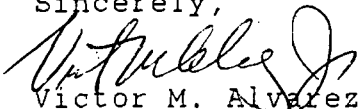
RE: Annual Operating Report  
Facility ID: 0790011  
Permit No.: AO40179441  
LFC NO 47 corp., Madison County, Florida

Gentlemen:

Enclosed please find the Annual Operating Report for the Madison Biomass Facility submitted on behalf of LFC No. 47 Corp.

Should there be any questions regarding this report, please call me at (850) 997-0515. Thank you.

Sincerely,



Victor M. Alvarez Jr.  
Plant Supervisor

cc: files



Facility ID : 0790011

RECEIVED

FEB 13 1998

D. OWNER/CONTACT INFORMATION

1. Owner or Authorized Representative

DEPT. OF ENV. PROTECTION  
NORTHEAST DISTRICT - JAL

Name and Title

~~DAVID BROWN~~  
~~DIR. BIOMASS OPER~~

RICHARD W. STEWART  
VICE PRESIDENT LFC # 47

Mailing Address

Organization/Firm : LFC NO. 47 CORP; C/O LFC POWER

Street Address : ~~4000 KRUSE WAY PLX BLDG K~~ 3 RADNOR CORP. CENTER SUITE 400

City : ~~LAKE OSWEGO~~ P. O. Box 6760 RADNOR,

State : ~~OR~~ PA Zip Code : ~~97035-2546~~ XX19087-8760

Telephone : ~~(503)634-9620~~ (610) 964-2016

Fax : ~~(503)697-0288~~  
(610) 964-2001

2. Facility Contact

Name and Title

VICTOR M. ALVAREZ PLANT SUPERVISOR  
FACILITY CONTACT

Mailing Address

Organization/Firm : LFC NO 47

Street Address : ROUTE 3, BOX 40

City : MADISON

State : FL Zip Code : 32340

Telephone : (904)973-3180

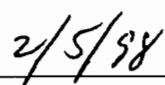
Fax : (904)997-2974

E. OWNER OR AUTHORIZED REPRESENTATIVE STATEMENT

I hereby certify that the information given in this report is correct to the best of my knowledge.

  
Signature

VP

  
Date



Facility ID : 0790011

Emissions Unit ID : 001

SCC : 1-01-009-02

**RECEIVED**

FEB 13 1998

E. EMISSIONS INFORMATION BY PROCESS/FUEL

(1) PROCESS/FUEL INFORMATION

DEPT. OF ENV. PROTECTION  
NORTHEAST DISTRICT - JAX

1. SCC 1-01-009-02	2. Description of Process or Type of Fuel External Combustion Boilers Electric Generation		Wood/Bark Waste Wood/Bark Fired Boiler
3. Annual Process or Fuel Usage Rate	4. Ozone Season Daily Process or Fuel Usage Rate N/A	5. SCC Unit Tons Burned	
6. Fuel Average % Sulfur N/A	7. Fuel Average % Ash N/A	8. Fuel Heat Content (mmBtu/SCC Unit) 9	

(2) EMISSIONS INFORMATION

1. Pollutant Carbon Monoxide	CO	CAS No. 630-08-0	<input type="checkbox"/> Below Threshold <input checked="" type="checkbox"/> Not Emitted
2. Annual Emissions (ton/year)	3. Ozone Season Daily Emissions (lb/day)	4. Emissions Method Code	
5. Emissions Calculation (Show separately both annual and daily emissions calculations)			

1. Pollutant Nitrogen Oxides	NOX	CAS No. 10102-44-0	<input type="checkbox"/> Below Threshold <input checked="" type="checkbox"/> Not Emitted
2. Annual Emissions (ton/year)	3. Ozone Season Daily Emissions (lb/day)	4. Emissions Method Code	
5. Emissions Calculation (Show separately both annual and daily emissions calculations)			

1. Pollutant Particulate Matter - Total	* PM	CAS No.	<input type="checkbox"/> Below Threshold <input checked="" type="checkbox"/> Not Emitted
2. Annual Emissions (ton/year)	3. Ozone Season Daily Emissions (lb/day)	4. Emissions Method Code	
5. Emissions Calculation (Show separately both annual and daily emissions calculations)			

\*: Pollutant subject to emissions limiting standard or emissions cap

1. Pollutant <b>PM10</b> <b>Particulate Matter - PM10</b>		CAS No.	<input type="checkbox"/> Below Threshold <input checked="" type="checkbox"/> Not Emitted
2. Annual Emissions (ton/year)	3. Ozone Season Daily Emissions (lb/day)	4. Emissions Method Code	
5. Emissions Calculation (Show separately both annual and daily emissions calculations)			

1. Pollutant <b>SO2</b> <b>Sulfur Dioxide</b>		CAS No. <b>7446-09-5</b>	<input type="checkbox"/> Below Threshold <input checked="" type="checkbox"/> Not Emitted
2. Annual Emissions (ton/year)	3. Ozone Season Daily Emissions (lb/day)	4. Emissions Method Code	
5. Emissions Calculation (Show separately both annual and daily emissions calculations)			

1. Pollutant <b>VOC</b> <b>Volatile Organic Compounds</b>		CAS No.	<input type="checkbox"/> Below Threshold <input checked="" type="checkbox"/> Not Emitted
2. Annual Emissions (ton/year)	3. Ozone Season Daily Emissions (lb/day)	4. Emissions Method Code	
5. Emissions Calculation (Show separately both annual and daily emissions calculations)			

\*: Pollutant subject to emissions limiting standard or emissions cap





File 7/22

# Department of Environmental Protection

Lawton Chiles  
Governor

Northeast District  
7825 Baymeadows Way, Suite B200  
Jacksonville, Florida 32256-7590

Virginia B. Wetherell  
Secretary

July 21, 1998

**CERTIFIED RETURN - RECEIPT**

Mr. Robert G. Landrum, Jr.  
President  
Perpetual Energy Corporation of Florida  
Post Office Box 1200  
Tallahassee, Florida 32302

Dear Mr. Landrum:

Madison County - AP  
Perpetual Energy Corporation of Florida  
Transfer of Ownership  
Permit Nos. AO40-179441 and DRAFT 0790011-001-AV

The Application For Transfer Of Permit received July 17, 1998 is hereby approved. The referenced permits for the facility located on Route 3, 1.5 miles N. of Madison, Madison County, Florida are transferred as follows and are not changed otherwise.

**FROM:**

LFC No. 47 Corporation  
Madison Facility  
3 Radnor Corporate Center, Suite 400  
Post Office Box 6760  
Radnor, PA 19087

**TO:**

Perpetual Energy Corporation of Florida  
Post Office Box 1200  
Tallahassee, Florida 32302

This letter and the above documents shall become a part of the referenced permit.

Sincerely,

Christopher L. Kirts, P.E.  
District Air Program Administrator

**FILING AND ACKNOWLEDGEMENT**

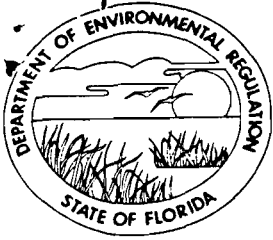
FILED, on this date, pursuant to §120.52 Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Doonhy Bonye 7/22/98  
Clerk Date

CLK:RFS

cc: Lalit Lalwani, GBO

"Protect, Conserve and Manage Florida's Environment and Natural Resources"



# Florida Department of Environmental Regulation

Northeast District • 3426 Bills Road • Jacksonville, Florida 32207 • 904-798-4200

Bob Martinez, Governor

Dale Twachtmann, Secretary

John Shearer, Assistant Secretary  
Ernest Frey, Deputy Assistant Secretary

May 10, 1989

*file*

Mr. Henry Lyzak, Vice President  
LFC No. 47 Corp.  
c/o LFC Energy Corporation  
Three Radnor Corporate Center  
Suite 400  
Radnor, Pennsylvania 19087

Dear Mr. Lyzak:

Madison County - AP  
LFC No. 47 Corp.  
c/o LFC Energy Corporation  
Madison Biomass Plant  
Boiler (Carbonaceous Fuel Fired)  
Permit No. AO40-105817  
I.D. #31GVL40001101

The Department reviewed the application for transfer of permit dated April 27, 1989 and approves the permittee transfer as follows:

From: Biomass Power Corp.  
c/o Sun Bank  
National Association  
225 E. Robinson St., Suite 350  
Orlando, FL 32801

TO: LFC No. 47 Corp.  
c/o LFC Energy Corporation  
Three Radnor Corporate Center  
Suite 400  
Radnor, PA 19087

This letter and the transfer application must be attached to the permit and shall become a part of the permit.

Sincerely,

Ernest E. Frey  
Deputy Assistant Secretary

*EEF*  
EEF:jck

cc: Gainesville Branch Office  
Roy Ruel, LFC Power Systems Corporation

*Rita*

**LFC No. 47 Corp.  
Three Radnor Corporate Center, Suite 400  
PO Box 6760  
Radnor, PA 19087-8760**

**RECEIVED**

**JUN 19 1998**

**DEPT. OF ENV. PROTECTION  
STATE OF FLORIDA**

June 12, 1998

Mr. F. Perry Odom  
General Counsel  
Office of General Counsel  
Florida Department of Environmental Protection  
3900 Commonwealth Boulevard  
Mail Station 35  
Tallahassee, FL 32399-3000

Re: LFC No. 47 Corp.  
Madison Facility  
FDEP File Number: 0790011-001-AV  
OGC Case Number 98-1318  
April 3, 1998 INTENT TO DENY TITLE V AIR OPERATION PERMIT

Dear Mr. Odom:

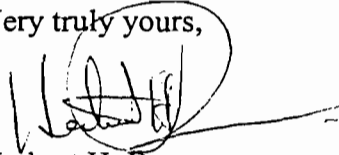
As you are aware, on April 17, 1998, I responded to the above notice with a letter to Mr. Christopher Kirts of the Department's Northeast District Office. The letter contained a request for a sixty (60) day extension to file a petition for an Administrative Hearing on behalf of LFC No. 47 Corp. along with the information previously requested by the District Office. The purpose of the extension was to allow time for the District Office to review the information attached to the request.

On June 10, 1998, Mr. Darrel Graziani of Foster Wheeler Environmental Corporation, LFC's consultant, contacted Ms. Rita Smith of the District Office to determine the status of the application. Ms. Smith advised that the information submitted had been reviewed, that the application had been deemed complete, and that they would be preparing a draft Title V Operating Permit over the next several weeks. Based on the District Office's response to Mr. Graziani's inquiry, it is our understanding that the Department no longer intends to deny the Title V Operating Permit for LFC No. 47 Corp.'s Madison Facility. Based on this understanding, please be advised that LFC No. 47 Corp. will not be requesting any additional extensions nor filing a petition for an Administrative Hearing relating to the Department's April 3 Intent to Deny.

Mr. F. Perry Odom  
June 12, 1998  
Page 2

I would like to thank you and the District Office Staff for their time and effort related to this matter. We will look forward to reviewing the draft Title V Operating Permit in the near future. Should you have any questions or comments please feel free to contact me at 640-964-2010.

Very truly yours,

A handwritten signature in black ink, appearing to read 'H. H. Brown', with a large circular flourish around the name and a long horizontal line extending to the right.

Herbert H. Brown  
Vice President

HHB:kdu

cc: C. Kirts (FDEP-ND District Office)  
R. Smith (FDEP-ND District Office)

INTEROFFICE MEMO

---

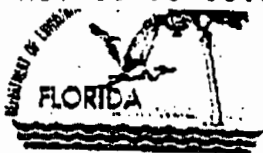
Date: 06/10/98  
To: File  
From: Rita Felton-Smith  
Subject: LFC No. 47 Corp Title V Review Notes

---

Upon completing the pre-draft Title V permit for LFC, a few items were questioned despite the initial RAI that was issued by ECR.

1. There is a question whether the fuel from the Diesel Storage Tank and Diesel Fuel Dispensing Operations is being burned as an additional fuel in the boiler (possibly during periods of fluctuations in the fuel loads) or is it used for the equipment onsite (i.e. front-End loaders, etc.) It was decided to list the #2 diesel tank and fuel dispensing operations as an insignificant emissions activity, because the permit does not allow any other fuel to be burned in the boiler besides wood, paper, and wood waste.
2. there is a question concerning the applicability of MACT for the Fresh Water Cooling Tower.
3. There is a question concerning the possibility of MACT for the small parts washers. However, it is stated that the units are brought in by Safety Kleen. similar units were placed on the insignificant list for another Title V facility.
4. CO calcs- there had been concern over calculated CO emissions, possibly being enough to trigger a PSD source designation. using the 4.52 lb CO/ton of fuel burned factor that was used to calculate CO emissions in previous AOR submittals and the potential tons of fuel burned, I roughly calculated 209 tons per year which is below the PSD threshold. Without additional information at hand, I put the requested CO emissions cap of 249.9 tons per year into the Title V permit. The applicant has agreed to conduct a CO stack test within so many days of startup. Depending upon the results, they have agreed to submit all the necessary permit applications should PSD be triggered.

RFS



BEST AVAILABLE COPY  
Department  
Environment

Post-It* Fax Note	7671	Date	# of pages
To	MARY BRNSMIN	From	LALIT L
Co./Dept.		Co.	
Phone #		Phone #	
Fax #		Fax #	

Lawton Chiles  
Governor

State of Florida  
Department of Environment  
Northeast District / Gainesville  
Tower Road Professional Center  
101 NW 75th Street, Suite #3  
Gainesville, Florida 32607-1609  
Ph: (352) 333-2850  
Fax: (352) 333-2856

REPORT OF COMPLAINT AND INVESTIGATION

County: Madison Date: 10-16-98 Time: 1:45  
Program Area: \_\_\_\_\_ Rec'd by: P. Reynolds

- Air Pollution
- Hazardous Waste
- Domestic Waste
- Solid Waste
- Industrial Waste
- Dredge/Fill
- Water Quality
- Other

Complainant: Ms. Jo. Borden, Madison Public Works Telephone: (850) 973-2156

Nature of Complaint: A Wood-chip burning facility (LFC) whose operation supplies power to rural LFC generator

Location/Directions to Site: 2 miles north of Madison, plastic is now being hauled & stock piled next to the wood chips. Strongly suspect plastics being burned with chips to supply power -> generator.

Assigned To: Lalit Lalwani Investigation date(s): 10/19/98

Facts Disclosed: Left msg (850)-973-3180 (Joe or Stefan)

10/19/98 Received call from John Mathews (352)-489-3711. The undersigned conveyed the stock-piling of plastic at the Perpetual site. Mr. Mathews indicated that the plastic was going to be burnt in the future.

According to him he was allowed to burn upto 3% of plastic; since he backed it up by a letter which he dated Aug 20 93, later forwarded a letter from Ed Middlebrook to LFC Power.

I discussed the issue with Rita (also forwarded a copy of Aug 20 93 letter). Mr. Mathews indicated that stock piling would cease in a deal or two, and he would  
Enforcement action required:  Yes  No, Hours Spent: Office 1 1/2 Field \_\_\_\_\_

Enforcement assigned to \_\_\_\_\_ Date \_\_\_\_\_

If referred to another agency, Identify: \_\_\_\_\_

Resolution of complaint/date: \_\_\_\_\_

Best Available Copy  
Florida Department of  
Environmental Protection



Lawton Chiles  
Governor

Northwest District  
160 Governmental Center  
Pensacola, Florida 32501-5794

Virginia H. Weibersall  
Secretary

August 20, 1993

Harry George  
LFC Power Systems Corporation  
Route 1, Box 38  
Monticello, Florida 32344

Dear Mr. George:

This is a response to your August 20 request that we clarify our rule interpretation in writing regarding carbonaceous fuel.

Our rule definition for carbonaceous fuels includes the combustible fraction of municipal waste. Thus, the burning of small amounts (less than 2-3%) of non-halogenated plastic wrapping material used to contain or transport other carbonaceous fuels, such as paper products, would seem to be in accordance with the definition. This type of material should not cause combustion problems or increase emissions if it is spliced into and mixed with the other feed materials.

If you have any questions or comments, please call me at (904) 438-8364.

Sincerely,

Ed K. Middlewert, P.E.  
Program Administrator  
Air Resources Management

EKM:emc

RITA,  
PERMIT NEEDS TO ADDRESS BREAKUP OF ITEMS  
ALLOWED AS 'FUEL'. CARBONACEOUS FUEL NEEDS TO BE  
CLEARLY DEFINED. ALSO IF ALLOWED TO BURN, RECORD.  
~~RECORD~~ NEED TO BE MAINTAINED.  
THANKS

LALIT

50% by weight cardboard } 20% by weight plastic } < 3% plastic Polyethylene

Some thing they burn

DilWt: 10:10:1 2,100 Tons/Week on average  
3% -> 60 Tons of plastic  
x 5  
300 Tons plastic

Last week stock pile

BEST AVAILABLE COPY

Wood - 1/2 ?  
With more paper

Wood? 45 to 50% paper pellets  
< 10% Fly Ash + Carbon

Joe Knight  
Bill Srefford

**IMPORTANT MESSAGE**

FOR Lalit  
 DATE 10-20-98 TIME 2:55 A.M. / P.M.  
 M Taula Arnold  
 OF Medisa Board of ...  
 PHON (850) 973-3179  
 FAX  
 MOBILE

TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL
CAME TO SEE YOU	<input type="checkbox"/>	WILL CALL AGAIN
WANTS TO SEE YOU	<input type="checkbox"/>	RUSH
RETURNED YOUR CALL	<input type="checkbox"/>	SPECIAL ATTENTION

MESSAGE The question is concerning the stock piling of plastics for the ... operation.

SIGNED OK

John Melhous (Vice Pres)  
(352) - 489 - 3711  
Robert London  
850 - 576 - 1221  
PE. Dayl Graziani  
561 - 781 - 3400



Date: 11/9/98 17:16  
From: Rita Felton-Smith JAX  
Subject: Perpetual Energy

Kathy,

Checking to see if you received a petition on Perpetual Energy,  
0790011-001-AV. The last day for public comments, etc. was Friday  
November 6.

Rita

Best Available Copy  
Florida Department of  
Environmental Protection

*Handwritten initials*



Lawton Chiles  
Governor

Northwest District  
160 Governmental Center  
Pensacola, Florida 32501-5794

Virginia H. Wetherell  
Secretary

August 20, 1993

Harry George  
LFC Power Systems Corporation  
Route 1, Box 38  
Monticello, Florida 32344

Dear Mr. George:

This is a response to your August 20 request that we clarify our rule interpretation in writing regarding carbonaceous fuel.

Our rule definition for carbonaceous fuels includes the combustible fraction of municipal waste. Thus, the burning of small amounts (less than 2.3%) of non-halogenated plastic wrapping material used to contain or transport other carbonaceous fuels, such as paper products, would seem to be in accordance with the definition. This type of material should not cause combustion problems or increase emissions if it is spliced into and mixed with the other feed materials.

If you have any questions or comments, please call me at (904) 438-8364.

Sincerely,

*Ed K. Middleswart*

Ed K. Middleswart, P.E.  
Program Administrator  
Air Resources Management

EKM:emc

*RITA,*  
PERMIT NEEDS TO ADDRESS BREAKUP OF ITEMS  
ALLOWED AS 'FUEL'. CARBONACEOUS FUEL NEEDS TO BE  
CLEARLY DEFINED. ALSO IF ALLOWED TO BURN, RECORD.  
~~RECORD~~ NEED TO BE MAINTAINED.

*THANKS*

Printed on recycled paper

*LALIT*

The Madison Enterprise Recorder, published every Friday in the City of Madison, County of Madison and State of Florida

**AFFIDAVIT OF PUBLICATION**

Before me, the undersigned authority personally appeared, Jacob Bembry, who on oath says that he is a Reporter of the Madison Enterprise Recorder a weekly newspaper, published in Madison, Madison County, Florida; that the attached copy of the advertisement being a notice to appear in re:

**Andrews Public Notice Of Intent To Issue Title V Air Operation Permit**

was published in said newspaper in the issue of: **October 9, 1998**

Affiant further says that the said, the Madison Enterprise Recorder is a newspaper published at Madison, in Madison County, Florida and that the said newspaper has heretofore been continuously published in said Madison County, Florida each week and has been entered as second class mail matter at the post office in Madison, in said Madison County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

*Jacob Bembry*

Sworn to and subscribed before me this 23<sup>rd</sup> day of October, A.D. 1998

*[Signature]*  
Notary Public

**EMERALD G. KINSLEY**  
Notary Public, State of Florida  
My Comm. expires July 24, 2001  
Comm. No. CC 657390

**PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT**

Florida Department of Environmental Protection

Title V DRAFT Permit No.: 8790011-001-AV  
 Perpetual Energy Corporation of Florida  
 Madison County

The Florida Department of Environmental Protection (permitting authority) gives notice of its intent to issue a Title V air operation permit to Perpetual Energy Corporation of Florida, Madison County, Facility located at Route 3, approximately 1.3 miles North of Madison, Madison County. The applicant's name and address are Mr. Robert Landrum, President, Perpetual Energy Corporation of Florida, Post Office Box 1200, Tallahassee, Florida 32302.

The permitting authority will issue the Title V PROPOSED Permit, and subsequent Title V FINAL Permit, in accordance with the conditions of the Title V DRAFT Permit unless a response received in accordance with following procedures results in a different decision or significant change of terms or conditions.

The permitting authority will accept written comments concerning the proposed Title V DRAFT Permit issuance action for a period of 30 (thirty) days from the date of publication of this Notice. Written comments should be provided to the State of Florida, Department of Environmental Protection, Northeast District Air Program, 7825 Baymeadows Way, Suite B200, Jacksonville, Florida 32254-7596. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this DRAFT Permit, the permitting authority shall issue a Revised DRAFT Permit and require, if applicable, another Public Notice.

The permitting authority will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, F.S. Mediation under Section 120.573, F.S., will not be available for this proposed action.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3609 (Telephone: 850-488-9700; Fax: 850-487-4938). Petitions must be filed within 14 (fourteen) days of publication of the public notice or within 14 (fourteen) days of receipt of the notice of intent, whichever occurs first. A petitioner must mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the applicable time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-6.207 of the Florida Administrative Code.

A petition must contain the following information:

- (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Permit File Number, and the county in which the project is proposed;
- (b) A statement of how and when each petitioner received notice of the permitting authority's action or proposed action;
- (c) A statement of how each petitioner's substantial interests are affected by the permitting authority's action or proposed action;
- (d) A statement of the material facts disputed by the petitioner, if any;
- (e) A statement of the facts that the petitioner contends warrant reversal or modification of the permitting authority's action or proposed action;
- (f) A statement identifying the rules or statutes that the petitioner contends require reversal or modification of the permitting authority's action or proposed action; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the permitting authority to take with respect to the action or proposed action addressed in this notice of intent.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the permitting authority's final action may be different from the position taken by it in this notice of intent. Persons whose substantial interests will be affected by any such final decision of the permitting authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

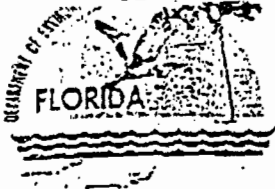
In addition to the above, pursuant to 42 United States Code (U.S.C.) Section 7661d (b) (3), any person may petition the Administrator of the EPA within 60 (sixty) days of the expiration of the Administrator's 45 (forty-five) day review period as established at 42 U.S.C. Section 7661d (b) (1), to object to issuance of any permit. Any petition shall be based only on objections to the permit that were raised with reasonable specificity during the 30 (thirty) day public comment period provided in this notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d (b) (2) and must be filed with the Administrator of the EPA at 410 M Street, SW, Washington, D.C. 20460.

A complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays at:

Permitting Authority  
 State of Florida  
 Department of Environmental Protection  
 Northeast District Air Program  
 7825 Baymeadows Way, Suite B200  
 Jacksonville, Florida 32254-7596  
 Telephone: 904-448-4310  
 Fax: 904-448-4363

The complete project file includes the DRAFT Permit, the application, and the information submitted by the responsible official, exclusive of confidential records under Section 405.111 F.S. Interested persons may contact Christopher L. Kiris, P.E., at the above address, or call 904-448-4310, ext. 235, for additional information.

10/7, 1998



# Department of BEST AVAILABLE COPY Environmental Protection

Lawton Chiles  
Governor

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

Virginia B. Wechereff  
Secretary

### FAX TRANSMITTAL SHEET

TO: Ms. Rita Felton-Smith

DATE: 062598 PHONE: SC 880-4363

TOTAL NUMBER OF PAGES, INCLUDING COVER PAGE: 4

FROM: Lennon Anderson ~~ST/A~~

DIVISION OF AIR RESOURCES MANAGEMENT

COMMENTS: Please see attached

PHONE: ~~904~~ SC 291-9588

FAX NUMBER: ~~904~~ <sup>850</sup> /922-6979

If there are any problems with this fax transmittal, please call the above phone number.

**BEST AVAILABLE COPY****Memorandum****To:** Rita Felton-Smith**From:** Lennon Anderson, Title V Section**Date:** June 25, 1998**Subject:** Title V Draft Permit Comments, No.: 0790011-001-AV  
LFC No. 47 Corporation, Madison County

Please review the following comments; if you have any questions, please contact me at SC 291-9588.

The following changes are being suggested to be consistent statewide with the Title V format.

- ✓ DRAFT Permit  
Table of Contents
- ✓ 1. Page-i  
This should be deleted since the Table of Contents is only one page.
- ✓ 2. III. Emissions Unit(s) and Conditions
  - A. ~~Common Conditions~~ Emissions Unit Brief Description
- ✓ 3. Placard Page  
Since there is an Appendix U-1, List of Unregulated Emissions Units and/or Activities, it should be listed under "Referenced attachments made a part of this permit."
- ✓ 4. Section I.  
Subsection A. Facility Description  
On each page (pages 2 - 12) under "LFC No. 47 Corporation" the site name, "Madison Facility", should also be listed for clarity, because there is another facility in Tallahassee.
- ✓ 5. Since there is an Appendix I-1 for this facility, the following statement should also be included:  
"Also included in this permit are miscellaneous unregulated/insignificant emissions units and/or activities."
- ✓ 6. The following is being suggested: ... provides steam to a turbine generator and a switchgear.... The applicant has requested an a 249'9 ....

## BEST AVAILABLE COPY

Subsection B. Summary of Emissions Unit ID No. and Brief Description.

7. Subsection B. Summary of Emissions Unit ID No(s). and Brief Description(s), since there is only one regulated emissions unit.
8. The unregulated emissions units mentioned in Appendix U-1 should also be listed and described.

Section III.

9. The parentheses and 's' should be deleted from the following:  
Section II. Emissions Unit(s) and Conditions, since there is only one regulated emission unit.
  10. Since there is only one regulated emissions unit, "Subsection A. Common Conditions" should be "Subsection A. This section addresses the following emissions unit."  
"Common Conditions" is used when there are more than one regulated emissions units.
  11. Since this emissions unit has a regulatory classification, a permitting note should state the following:  
{Permitting note: This emissions unit is regulated under Rule 62-296.410, F.A.C., Carbonaceous Fuel Burning Equipment. }
  12. The parentheses and 's' should be deleted from the following:  
"The following specific conditions apply to the emissions unit(s) listed above."
  13. Specific Conditions A.5. and A.7. should have the ton per year limitation listed as 12-month rolling averages. For example, 155.4 tons in any consecutive 12-month period.
  14. Specific Condition A.8. should include startup and shutdown to be consistent with Rule 62-210.700(2), F.A.C.
  15. The rule citation in Specific Condition A.13. should include "F.A.C."
  16. The permit citation in Specific Condition A.15. should be "AC40-248258".
  17. The rule citation in Specific Condition A.25. should include "F.A.C. and".
- Appendix I-1
18. Appendix I-1 should have the site name "Madison Facility" under "LFC No. 47 Corporation" as shown in Appendix U-1.
  19. Item 3 has a misspelled word, "twoer" should be "tower"

## BEST AVAILABLE COPY

20. The description of the second emissions unit has a misspelled word, "Scrwe". Should it be "Screw" ? ✓

21. At the lower left hand corner is a "1". Is this a page number? ✓

Table 2-1 and Appendix H-1

22. Table 2-1 and Appendix H-1 should have the site name "Madison Facility" under "LFC No. 47 Corporation" as shown in Appendix U-1. ✓

Intent to Issue

23. "located at Route 3, approximately 1.5 miles North of Madison" should be added as done in the Public Notice. ✓



Pos. # 1 Date 4/21/98 # of pages 1  
Fax Note R7673  
To JEFF BROWN  
Fax# OGC  
From Rita Felton  
Phone# SC 880-4310

LFC No. 47 Corp.  
Three Radnor Corporate Center, Suite 400  
PO Box 6760  
Radnor, PA 19087-8760

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APR 20 1998

DEPT. OF ENV. PROTECTION  
NORTHEAST DISTRICT - JAX

April 17, 1998

Mr. Christopher L. Kirts, P.E.  
District Air Program Administrator  
Florida Department of Environmental Regulation  
Northeast District  
7825 Baymeadows Way, Suite B200  
Jacksonville, FL 32256-7590

Re: File Number: 0790011-001-AV  
Madison County - AP  
Madison Facility  
April 3, 1998 INTENT TO DENY TITLE V AIR OPERATION PERMIT

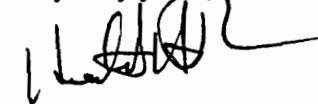
Dear Mr. Kirts:

On behalf of LFC No. 47 Corp., I would like to request a sixty (60) day extension to file a petition for an Administrative Hearing under Sections 120.569 and 120.57 of the Florida Statutes. Our request is based on the belief that the information requested in the Department's October 29, 1997 (Attachment 1) and our responses provided in Attachment 2 will adequately answer the Department's concerns. As you have discussed with Mr. Dave Brown, Consultant to LFC No. 47 Corp. and Mr. Darrel Graziani of Foster Wheeler Environmental Corporation, our failure to respond was primarily due to our misunderstanding that the request contained "Department Determinations" which we could not comment on until later in the application process.

You should also be aware that we are close to finalizing a sale of the Madison facility to a new buyer and we believe that it would be appropriate for the new buyer to have an opportunity to review this matter and to discuss any concerns with your office. We will ask the new buyer to contact you upon closing of the sale and to complete the Owner/Authorized Representative or Responsible Official form and send it to you.

As was discussed with Mr. Graziani, Attachment 3 contains my "Letter of Authorization" to act as the "Authorized Representative" in accordance with the regulations. I would also like to thank you for allowing us the opportunity to request this extension and provide the responses to the Department's request for information. Should you have any questions or comments please feel free to contact me at 610-964-2010.

Very truly yours,



Herbert H. Brown  
Vice President

RWS:kdu

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APR 20 1998

DEPT. OF ENV. PROTECTION  
NORTHEAST DISTRICT - SEA

**ATTACHMENT 1**

**REQUEST FOR ADDITIONAL INFORMATION  
(OCTOBER 29, 1997)**



# Department of Environmental Protection

Lawton Chiles  
Governor

Northeast District  
7825 Baymeadows Way, Suite B200  
Jacksonville, Florida 32256-7590

Virginia B. Wetherell  
Secretary

October 29, 1997

## CERTIFIED - RETURN RECEIPT

Mr. Dave Brown,  
Vice President, Operations  
LFC No. 47 Corporation  
4000 Kruse Way Place, Building One, Suite 255  
Lake Oswego, Oregon 97035

Dear Mr. Brown:

Madison County - AP  
Madison Facility  
Request for Additional Information Regarding Initial Title V Permit Application  
File No. 0790011

---

Your initial Title V permit application for the above referenced facility was "timely and complete" for purposes of the initial Title V application submission [see Rule 62-213.420(1)(a)1. and (b)2., F.A.C.]. However, in order to continue processing your application, the department will need the following additional information pursuant to Rules 62-213.420(1)(b)3. and 62-4.070(1), F.A.C.

Please provide an electronic submission of the application including any revisions that are made in response to this request for additional information. Should your response to any of the following items require new calculations, please submit the new calculations, assumptions, reference material and appropriate revised pages of the application form.

1. Please note, the department will maintain its present designation of the Carbonaceous Fuel Boiler as Emission Unit (EU) 001 instead of redesignating it as EU 003, as was done in the application.

### III. Emissions Unit Information - F. Segment (Process/Fuel) Information

2. Please note that since neither tire nor refuse derived fuel is permitted to be burned in Permit No. AO40-179441 or Permit No. AC40-248258 they may not be permitted to be burned in the Title V Permit.

### III. Emissions Unit Information - H. Emission Unit Pollutant Detail Information

3. Please note, due to the closeness with which this facility's potential CO emissions are to the PSD threshold, testing for CO emissions will be required prior to resuming operations and annually thereafter.

### Attachments

4. MCF-06, EU03-03 & EU03-06: Please note, the department does not agree with your interpretation of the amount of heat input that a carbonaceous fuel burner must obtain from carbonaceous fuel. We view the definition as requiring the vast majority of the heat input to be obtained from carbonaceous fuel.

LFC No. 47 Corporation  
Madison Facility  
Title V Application  
October 29, 1997

5. EU03-01: Part B of page 3 uses the assumption that the burning of paper has the same CO emission factor as that for the burning of wood. Please note, while that assumption is being accepted at this time, the Permit may require that each method of operation be tested separately.

Responsible Official (R.O.) Certification Statement:

Rule 62-213, F.A.C., requires that all Title V permit applications must be certified by a responsible official. Due to the nature of the information requested above, your response should be certified by the responsible official. Please complete and submit a new R.O. certification statement page from the new long application form, DEP Form No. 62-210.900, effective March 21, 1996 (enclosed).

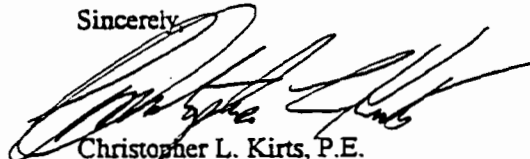
Professional Engineer (P.E.) Certification Statement:

Rule 62-4.050(3), F.A.C., requires that all applications for a department permit must be certified by a professional engineer registered in the State of Florida. This requirement also applies to responses to department requests for additional information of an engineering nature. As a result, your response should be certified by a professional engineer registered in the State of Florida. Please complete and submit a new P.E. certification statement page from the new long application form, DEP Form No. 62-210.900, effective March 21, 1996 (enclosed).

The department must receive a response from you within 90 (ninety) days of the date of this letter unless you (the applicant) request additional time under Rule 62-213.420(1)(b)6., F.A.C.

If you should have any questions, please call Emerson Raulerson at (904)448-4310, extension 238).

Sincerely,



Christopher L. Kirts, P.E.  
District Air Program Administrator

Enclosures

cc: Darrel J. Graziani, P.E. - Foster Wheeler Environmental Corp.

[electronic file name: 07900111.doc]

**ATTACHMENT 2**

**RESPONSE TO REQUEST FOR  
ADDITIONAL INFORMATION  
APRIL 17, 1998**

**LFC No. 47 Corp.**  
**Three Radnor Corporate Center, Suite 400**  
**PO Box 6760**  
**Radnor, PA 19087-8760**

April 17, 1998

Mr. Christopher L. Kirts, P.E.  
District Air Program Administrator  
Florida Department of Environmental Regulation  
Northeast District  
7825 Baymeadows Way, Suite B200  
Jacksonville, FL 32256-7590

Re: File Number: 0790011-001-AV  
Madison County - AP  
Madison Facility  
October 29, 1997 Request for Additional Information  
Regarding the Initial Title V Permit Application

Dear Mr. Kirts:

In response to the above request, LFC No. 47 Corp. would like to request that the Department not require electronic submittal of the application at this time based on the status (For Sale) of the facility. In response to the specific items listed in the request LFC No. 47 Corp. would like to offer the following responses:

Item 1: In response to the Department's designation of the Carbonaceous Fuel Boiler as Emission Unit (EU) 001 instead of the EU 003 designation used in the application, please be advised that LFC No. 47 Corp. has no objections to such designation.

Item 2: In response to the Department's comments regarding the authorization to burn tire or refuse derived fuels described in the Title V application, please be advised that LFC No. 47 Corp. has no objections to the Department's denial of the authorization for the operating scenarios addressing tire and/or refuse derived fuels at this time.

Item 3: In response to the Department's concerns regarding the facility's potential emissions of Carbon Monoxide (CO) and applicability for review under the Prevention of Significant Deterioration (PSD) major source program, please be advised that LFC No. 47 Corp. understands that the Madison Facility was permitted as a minor source and intends to operate it as such. LFC No. 47 Corp. is also aware that the initial construction and operating permits for the facility do not address CO emissions and as such no short-term emission limitation was established. Through the Title V application LFC No. 47 Corp. has requested that CO emissions be capped at less than 250 tons per year. LFC No. 47 also understands that as part of reactivation or start-up

Mr. Christopher L. Kirts, P.E.  
April 17, 1998  
Page 2

of the facility, notification and performance tests for Particulate Matter and opacity will be required. LFC No. 47 Corp. has no objections to the Department adding a condition in the permit to test for CO emission in accordance with EPA Method 10 as was identified in the initial Title V application. In addition, LFC No. 47 Corp. has no objections to the Department adding a condition to require submittal of either a PSD application or a Synthetic Minor Source application in the event that potential CO emissions exceed the PSD major source threshold based on the stack test results and the authorized hours of operation.

Item 4: In response to the Department's interpretation of the amount of carbonaceous fuel which constitutes "Majority" please be advised that LFC No. 47 Corp. based its interpretation on conversations with the Department's Northwest District Office regarding a similar unit in Jefferson County. For purposes of the Madison Facility, LFC No. 47 Corp. requests that the Department provide a numerical value (two-thirds, three-quarters...) on vast majority with the permit conditions.

Item 5: In response to the Department's concerns over the use of the CO emission factor for wood when estimating CO emissions while burning paper, please be advised that it represented the best information available to our permit engineer. LFC No. 47 Corp. understands the limitations of the emission factor and would not object to the Department's intent to require CO testing under different operating scenarios.

Attachment A to this response contains the "Authorized Representative or Responsible Official (R.O.) Certification Statement" which is being provided since the response contains operation commitments. Please note that you will be receiving the original, sealed Professional Engineer statement directly from Mr. Dan Graziani of Foster Wheeler Environmental Corporation by Federal Express and we have enclosed a copy of this statement with this letter. Attachment B contains the "Professional Engineer (P.E.) Certification Statement" which is being provided to ensure completeness even though the responses are not of an engineering nature at this time. Should you have any questions please feel free to contact either myself at 610-964-2010, Mr. Brown at 503-635-5252, or Mr. Graziani at 281-483-0481.

In conclusion, we are close to finalizing the sale of the Madison Facility to a new owner and we would like the new owner to have a chance to review and comment upon the responses set forth herein. We will ask the new owner to expedite their review of this matter in light of the timing constraints.

Sincerely,



Herbert H. Brown  
Vice President

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APR 20 1998

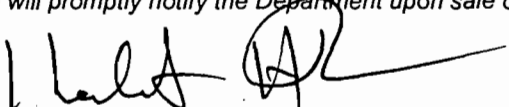
DEPT. OF ENV. PROTECTION  
NORTHEAST DISTRICT - JAX

**ATTACHMENT A**

**Responsible Official (R.O.) Certification Statement**



Owner/Authorized Representative or Responsible Official

1.	Name and Title of Owner/Authorized Representative or Responsible Official:  Herbert H. Brown
2.	Owner/Authorized Representative or Responsible Official Mailing Address: Organization/Firm: LFC No. 47 Corp. Street Address: 3 Radnor Corporate Center, Suite 400 City: Radnor State: PA Zip Code: 19087
3.	Owner/Authorized Representative or Responsible Official Telephone Numbers: Telephone: 610-964-2010 Fax: 610-964-2001
4.	Owner/Authorized Representative or Responsible Official Statement:  <i>I, the undersigned, am the owner or authorized representative* of the non-Title V source addressed in this Application for Air Permit or the responsible official, as defined in Rule 62-210.200. F.A.C., of the Title V source addressed in this application, whichever is applicable. I hereby certify, based on information and belief formed after reasonable inquiry, that the statements made in this application are true, accurate and complete and that, to the best of my knowledge, any estimates of emissions reported in this application are based upon reasonable techniques for calculating emissions. The air pollutant emissions units and air pollution control equipment described in this application will be operated and maintained so as to comply with all applicable standards for control or air pollutant emissions found in the statutes of the State of Florida and rules of the Department of Environmental Protection and revisions thereof. I understand that a permit, if granted by the Department, cannot be transferred without authorization from the Department, and I will promptly notify the Department upon sale or legal transfer of any permitted emissions unit.</i>   _____ Signature  4/17/98 _____ Date

\*Attach letter of authorization if not currently on file.

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APR 20 1998

DEPT. OF ENV. PROTECTION  
NORTHEAST DISTRICT - JAW

**ATTACHMENT B**

**Professional Engineer (P.E.) Certification Statement**

**4. Professional Engineer Statement:**

*I, the undersigned, hereby certify, except as particularly noted herein\*, that:*

*(1) To the best of my knowledge, there is reasonable assurance that the air pollutant emissions unit(s) and the air pollution control equipment described in this Application for Air Permit, when properly operated and maintained, will comply with all applicable standards for control of air pollutant emissions found in the Florida Statutes and rules of the Department of Environmental Protection; and*

*(2) To the best of my knowledge, any emission estimates reported or relied on in this application are true, accurate, and complete and are either based upon reasonable techniques available for calculating emissions or, for emission estimates of hazardous air pollutants not regulated for an emissions unit addressed in this application, based solely upon the materials, information and calculations submitted with this application.*

*If the purpose of this application is to obtain a Title V source air operation permit (check here [ X ] if so), I further certify that each emissions unit described in this Application for Air Permit, when properly operated and maintained, will comply with the applicable requirements identified in this application to which the unit is subject, except those emissions units for which a compliance schedule is submitted with this application.*

*If the purpose of this application is to obtain an air construction permit for one or more proposed new or modified emissions units (check here [ ] if so), I further certify that the engineering features of each such emissions unit described in this application have been designed or examined by me or individuals under my direct supervision and found to be in conformity with sound engineering principles applicable to the control of emissions of the air pollutants characterized in this application.*

*If the purpose of this application is to obtain an initial air operation permit or operation permit revision for one or more newly constructed or modified emissions units (check here [ ] if so), I further certify that, with the exception of any changes detailed as part of this application, each such emissions unit has been constructed or modified in substantial accordance with the information given in the corresponding application for air construction permit and with all provisions contained in such permit.*

*Daniel J. [Signature]*  
Signature

*4-15-98*  
Date

(seal)

\* Attach any exception to certification statement. (ATTACHED)

**Professional Engineer Statement - Clarification**  
**LFC No. 47 Corporation**  
**DEP File Number 0790011-001-AV**

The certification provided in response to the Department's October 19, 1997 request is being provided for purposes of certifying that the restriction placed on the methods of operation should not result in annual emissions above the caps requested in the Title V permit application. The emission caps for the criteria pollutants, except particulate matter, were requested at the synthetic minor source levels in the Title V permit application because they were not capped in air construction permit nor in the air operation permit.

Daniel J. Bug...  
Signature

4-15-98  
Date

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APR 20 1998

DEPT. OF ENV. PROTECTION  
NORTHEAST DISTRICT - JAA

**RESPONSIBLE OFFICIAL**

**Letter of Authorization**

**LFC No. 47 Corp.**  
**Three Radnor Corporate Center, Suite 400**  
**PO Box 6760**  
**Radnor, PA 19087-8760**

April 17, 1998

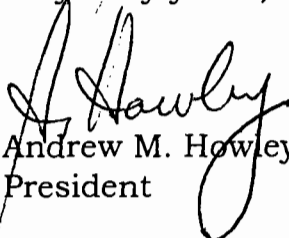
Mr. Christopher L. Kirts, P.E.  
District Air Program Administrator  
Florida Department of Environmental Regulation  
Northeast District  
7825 Baymeadows Way, Suite B200  
Jacksonville, FL 32256-7590

Dear Mr. Kirts:

This letter of authorization hereby confirms the appointment of Herbert H. Brown as Authorized Representative of LFC No. 47 Corp. in dealing with the State of Florida, Department of Environmental Protection and the Department of Environmental Regulations with respect to the application and renewal of Air Permits and other necessary licenses and permits required to operate the Madison or Jefferson power plants.

Mr. Herbert H. Brown, Vice President of LFC No. 47 Corp. replaces Mr. David Brown who is no longer an employee but remains a consultant to LFC No. 47 Corp.

Very truly yours,

  
Andrew M. Howley  
President

AMH/kdu



# Department of Environmental Protection

File 9/28

Lawton Chiles  
Governor

Northeast District  
7825 Baymeadows Way, Suite B200  
Jacksonville, Florida 32256-7590

Virginia B. Wetherell  
Secretary

September 28, 1998

Mr. Robert Landrum  
Perpetual Energy Corporation of Florida  
Post Office Box 1200  
Tallahassee, Florida 32302

Draft Title V Permit No. 0790011-001-AV  
Specific Condition Permit Language

One copy of the "DRAFT PERMIT DETERMINATION" for the Perpetual Energy Corporation of Florida, Madison Facility, located at Route 3, 1.5 miles N. of Madison, Madison County, is enclosed. This letter is only a courtesy to inform you of the DRAFT permit language changes in response to your letter dated August 31, 1998.

The "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT", originally mailed with the permitting authority's "INTENT TO ISSUE TITLE V AIR OPERATION PERMIT" dated June 26, 1998, must be published as soon as possible. Proof of publication, i.e., newspaper affidavit, must be provided to the permitting authority's office within 7 (seven) days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit.

Please submit any written comments you wish to have considered concerning the permitting authority's proposed action to Christopher L. Kirts, P.E. at the above letterhead address no later than October 16, 1998. If you have any other questions, please contact Rita Felton-Smith at (904) 448-4310, extension 237.

Sincerely,

Christopher L. Kirts, P.E.  
District Air Program Administrator

CLK:RFS

Enclosures

copy furnished to:

Darrel Graziani, P.E.  
Ms. Carla E. Pierce, U.S. EPA, Region 4 (INTERNET E-mail Memorandum)  
Ms. Gracy Danois, U.S. EPA, Region 4 (INTERNET E-mail Memorandum)  
Bruce Mitchell, Bureau of Air Regulation (E-mail Memorandum)

*"Protect, Conserve and Manage Florida's Environment and Natural Resources"*

## **DRAFT PERMIT DETERMINATION**

### **I. Public Notice.**

An "INTENT TO ISSUE TITLE V AIR OPERATION PERMIT" to LFC No. 47 Corporation (legal transfer 7/7/98 to Perpetual Energy Corporation of Florida), Madison Facility, located at Route 3, 1.5 miles N. of Madison, Madison County was clerked on June 29, 1998. The "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT" has not been published as of this date. The DRAFT Title V Air Operation Permit was available for public inspection at the Northeast District Office in Jacksonville. Proof of publication of the "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT" has not been received as of this date.

### **II. Public Comment(s).**

Comments were received and the DRAFT Title V Operation Permit was changed. The comments were considered significant enough to reissue the DRAFT Title V Permit. Listed below is each comment letter in the chronological order of receipt and a response to each comment in the order that the comment was received.

A. Letter from John L. Matthews, Vice President Perpetual Energy Corporation of America, dated August 31, 1998, received September 2, 1998.

#### **Comment #1:**

**The draft permit was issued to the previous owner, LFC No. 47 Corp. If possible, could the draft permit which goes out for public review and comment, be issued to Perpetual Energy Corporation of Florida. The transfer of ownership documents have been filed with your office.**

Response: The Department received the Application for Transfer of Permit on July 17, 1998. On July 21, the Department issued a Transfer of Ownership letter stating that Air Operation permit AO40-179441 and Draft Title V permit 0790011-001-AV were transferred to Perpetual Energy Corporation of Florida. The revised draft Title V permit and subsequent permit stages (i.e. Proposed, and Final Title V permits), will reflect Perpetual Energy Corporation of Florida as the owner of this facility.

#### **Comment #2:**

**In the Statement of Basis, the draft permit notes the requested 249.9 tons per year cap on carbon monoxide (CO) emissions. Please note that the facility was permitted under the State's preconstruction review program for minor sources and that during the Title V process it was noted that the original permits (construction and operation) did not limit or cap CO emissions. If possible we would like paragraph 4 to read as follows:**

**"The facility is classified as a synthetic minor source under Prevention of Significant Deterioration (PSD) program and through the Title V process the applicant has requested that carbon monoxide (CO) emissions to be capped at 249.9 tons per year. This request makes the emission cap federally enforceable. Compliance with the emissions cap will be determined using annual operating records and EPA Method 10 for compliance testing."**



Response: The requested 249.9 ton per year carbon monoxide emissions cap will only become federally enforceable after the final Title V permit is issued. The Northeast District is not aware of a *synthetic minor* classification term under the PSD program. A source is either a minor or major source. By electing to establish the 249.9 ton per year emissions cap, the facility is actually trying to *escape* the PSD designation and requirements. Therefore, the Northeast District does not object to stating such in the Statement of Basis and the Facility Description. However, the applicant must agree to establish operating restrictions in order to meet the requested emissions cap. In the August 31 letter, it is stated, "that the applicant is willing to restrict the hours of operation or total annual heat input based on CO testing to avoid a short-term CO limit" (Comment 13). Based on these comments, the Statement of Basis, the Facility Description, and Section III, Emissions Units and Conditions, Subsection A, Conditions A.3. and A.4. are hereby changed:

**From (Statement of Basis and Facility Description):**

The applicant has requested a 249.9 ton per year emissions cap on carbon monoxide emissions and therefore has agreed to determine compliance by conducting an EPA Method 10 compliance test.

**To:**

In order to escape classification as a PSD source for Carbon Monoxide emissions, the applicant has requested a 249.9 ton per year emissions cap for this pollutant. Compliance will be demonstrated by conducting an EPA Method 10 test on an annual basis, and by restricting the hours of operation and the amount of fuel burned in this emissions unit.

**From (Section III, Emissions Unit and Conditions, Subsection A, Condition A.3):**

**A.3. Hours of Operation.** The hours of operation for these emissions units shall not exceed 24 H/D, 7 D/W, 50 W/Y and 8,400 hours per year.

[Rule 62-210.200(223) (PTE), F.A.C.; Construction Permit AC40-248258; requested by applicant in the initial Title V permit application received June 17, 1996.]

**To:**

**A.3. Hours of Operation.** The hours of operation for these emissions units shall not exceed 24 H/D, 7 D/W, 50 W/Y and 8,400 hours per year. The annual hours of operation and the tons of fuel burned shall be limited in such a manner so as not to exceed the carbon monoxide emissions cap stated in Specific Condition A.7.

[Rule 62-210.200(223) (PTE), F.A.C.; Construction Permit AC40-248258; requested by applicant in the initial Title V permit application received June 17, 1996.]

**From (Section III, Emissions Unit and Conditions, Subsection A, Condition A.4):**

**A.4. Fuel Usage.** The maximum carbonaceous fuel usage shall not exceed 41,111 pounds per hour assuming heat content is 4500 BTU/ pound of fuel.

[Air Construction Permit AC40-248258]

To:

**A.4. Fuel Usage.** The maximum carbonaceous fuel usage shall not exceed 41,111 pounds per hour assuming heat content is 4500 BTU/ pound of fuel. The annual hours of operation and the tons of fuel burned shall be limited in such a manner so as not to exceed the carbon monoxide emissions cap stated in Specific Condition A.7.

[Air Construction Permit AC40-248258]

**Comment #3:**

**In the Statement of Basis, the draft permit notes that the facility is a major source of hazardous air pollutants (HAP). Discussions with our consultant noted that the major source designation may have been based solely on the alternate fuels requested in the initial Title V permit application. They are currently reviewing their calculations to determine potential HAP emissions based solely on the fuels allowed in the draft Title V permit.**

Response: The Statement of Basis will continue to state that the facility is a major source of hazardous air pollutants unless the Department receives revised application pages along with a signed and sealed Professional Engineer Statement that indicates otherwise.

**Comment #4:**

**Section I, Subsection A, Facility Description paragraph 3, please see Comment Number 2.**

Response: Please refer to Response to Comment #2.

**Comment #5:**

**Section I, Subsection A, Facility Description paragraph 6, we would like to request that the paragraph state that the "facility is a major source under the Title V Operating Permit Program based..." We are also in the process of re-evaluating the potential HAP emissions as noted in Comment Number 3.**

Response: Again, the facility description will remain same unless the Department receives revised application pages along with a signed and sealed Professional Engineer Statement that indicates that this facility is not a major source of any individual HAP or total combined HAPs.

The referenced paragraph contains standardized permit language, however the Northeast District Office (NED) will modify the language as follows:

**From:**

Based on the initial Title V permit application received **June 17, 1996** this facility is a major source (based on potential emissions of 100 tons or more) of lead, CO, Nox, Particulate Matter, and Sulfur Dioxide. The facility is also a major source of HAPs.

**To:**

Based on the initial Title V permit application received June 17, 1996, this facility is a major source of lead, Carbon Monoxide, NO<sub>x</sub>, Particulate Matter, Sulfur Dioxide, and Chlorine. The emissions units at this facility directly emit or have the potential to emit 5 tons per year or more of lead (or lead compounds measured as elemental lead), 100 tons per year of Carbon Monoxide, NO<sub>x</sub>, Particulate Matter, and Sulfur Dioxide, and 10 tons per year or more of Chlorine.

**Comment #6:**

**Section II, Facility-wide Conditions. should Condition Number 3 be labeled “Not Federally Enforceable” as in Condition Number 2?**

Response: Rules 62-296.320(4)(b)1. and 4., Florida Administrative Code are a part of the State Implementation Plan, and therefore this facility-wide condition is federally enforceable.

**Comment #7:**

**Section II, Facility-wide Condition. In condition Number 5, can the reasonable precautions include water for the Other Sources such as “Application of dust suppressants, including waster,....?”**

Response: The Department is in agreement with the proposed language. As a result of this comment **Section II. Facility-wide Conditions, Condition 5** is hereby changed:

**From:**

**5. [Not federally enforceable.]** Reasonable precautions to prevent emissions of unconfined particulate matter at this facility include:

Potential Sources	Reasonable Precautions
Fuel unloading and transfer operations	Water will be kept available during fuel unloading and transfer operations in order to suppress any fugitive emissions generated by these operations. Application of the water will be on an as need basis (manual operation)
Ash transfer points/storage	Ash transfer points will be protected from the wind. Ash storage containers will be kept closed when not in use.
Other Sources	Application of dust suppressants, unless an alternative method is requested and approved, to all areas necessary to reasonably control such emissions.

**To:**

**5. [Not federally enforceable.]** Reasonable precautions to prevent emissions of unconfined particulate matter at this facility include:

Potential Sources	Reasonable Precautions
Fuel unloading and transfer operations	Water will be kept available during fuel unloading and transfer operations in order to suppress any fugitive emissions generated by these operations. Application of the water will be on an as need basis (manual operation)
Ash transfer points/storage	Ash transfer points will be protected from the wind. Ash storage containers will be kept closed when not in use.
Other Sources	Application of dust suppressants (including water), unless an alternative method is requested and approved, to all areas necessary to reasonably control such emissions.

**Comment #8:**

**Section III, Emission Units and Conditions, Condition Number A.2. This condition represent a significant restriction on the operation. Because it plays such a significant role we would like to meet with you and your staff to discuss our fuel sources and contaminants (i.e., plastics and metals) received with these fuels.**

Response: In accordance with 62-210.200(60) and (61), carbonaceous fuel burning equipment is defined as a combustion device which burns carbonaceous and fossil fuels for the primary purpose of producing steam or to heat other liquids or gases. Carbonaceous fuel is defined as solid material composed primarily of vegetative matter such as tree bark, wood waste or bagasse. Furthermore, the previous construction and operation permits, AC40-248258 and AO40-179441, also state that the fuels to be burned in this boiler are to consist of wood, bark, paper and waste wood (i.e. carbonaceous fuels).

Because Section III, Subsection A, Condition A.2. is based on the proper application of Department rules, the language will remain as it appears in the original draft Title V permit. If it is intended to burn more than the occasional plastic or metal contaminant (i.e. packaging staples, labels, etc.), the applicant may request the burning of additional fuels through the Title V permit revision process after the final Title V permit has been issued.

**Comment #9:**

**Section III, "Emissions Units and Conditions, Condition Number A.4. We would like to request that the unit be limited by Permitted Capacity, Condition Number A.1., versus the Fuel Usage limit of A.4. The request is based on the ability to maintain the maximum heat input, 185 mmBtu/hr, given the many variables in fuel quality, moisture content, and burn rates. If possible, we would prefer to monitor heat input based on an F-Factor, a heat balance, and steam output.**

Response: Because the applicant must demonstrate compliance with the requested carbon monoxide emissions cap (by restricting the hours of operation and fuel usage in addition to conducting annual compliance tests), Condition A.4. must remain in the Title V permit. The heat input could be determined from the fuel usage as opposed to the suggested F-factor method. Furthermore, one would have to know additional parameters (flow rate out of the stack, moisture content, etc.), before using the F-factor.

**Comment #10:**

**Section III, Emission Units and Conditions, Condition Number A.7., we would request that the condition not include a short-term emission limit since the annual emission cap is all that was requested. In this condition, it would be acceptable to cap emissions at 249.9 tons per year and to further restrict either hours of operation or total annual heat input (mmBtu/hr) based on compliance testing.**

Response: As a result of this comment **Section III, Subsection A, Condition A.7.** is hereby changed

**From:**

**A.7. Carbon Monoxide.** Carbon Monoxide emissions shall not exceed 59.4 pounds per hour nor 249.4 tons in any consecutive 12-month period.

[Requested by applicant in Title V application received June 17, 1996]

**To:**

**A.7. Carbon Monoxide.** Carbon Monoxide emissions shall not exceed 249.4 tons in any consecutive 12-month period.

[Requested emissions cap by applicant in Title V application additional information received April 20, 1998.]

**Comment #11:**

**Section III, Emissions Units and conditions, Condition Number A.9., is this a repeat of condition of number A.8.?**

Response: Both Condition A.8. and A.9. were taken from Florida Administrative Code Rules 62-210.700(1) and (2). However, rule 62-210.700(2) speaks directly to fossil fuel steam generators, which is not applicable to this emissions unit. Therefore, as a result of this comment, **Section III, Subsection A, Condition A.9.** is hereby removed. The remaining conditions within this subsection have been renumbered accordingly.

**Comment #12:**

**Section III, Emissions Units and Conditions, Condition Numbers A.11 and A.12., the unit is now running and as discussed previously the requirements are not applicable at this time. We would request that the conditions be removed, if possible.**

Response: In a previous telephone conversation with Perpetual Energy Corporation of America representatives, the startup of this unit was discussed in great detail. Because the facility planned to startup the unit within a timeframe that would not allow for a demonstration of whether the reactivation of the unit would constitute reconstruction 60 days prior to the reactivation, the Northeast District waived the 60 day timeframe. However, in accordance with FAC Rules 62-210.300(5)(a) and (b), it was stated that a letter was still to be submitted to this office stating whether reactivation would constitute reconstruction. To date, the Northeast District has not received this information. This information must be submitted prior to the removal of Conditions A.11. and A.12. The information must be signed by the Responsible Official and sealed by the Professional Engineer of Record.

**Comment #13:**

**Section III, Emissions Units and Conditions, Condition Number A.16., relating to Comment Number 9, can this condition be expanded to restrict hours of operation or total annual heat input based on CO testing to avoid a short-term CO limit?**

Response: The Department has removed the short-term Carbon Monoxide limit from Condition A..7. (see Response to Comment #9). Condition A.16. simply states the test method that will be used to determine Carbon Monoxide emissions. If it is the applicant's wish to have additional permit conditions which state that the hours of operation and/or the total annual heat input be reduced based on the Carbon Monoxide compliance test results, then suggested permit language is requested. Should the Carbon Monoxide emissions cap be exceeded, it the applicant that must provide definitive methods to assure future compliance (i.e. operation restrictions or changes, or a request to modify the emissions cap).

**Comment #14:**

**Section III, Emission Units and Conditions, Condition Number A.21., can the testing frequency for CO be reduced to an initial test, followed by renewal testing, and if required, testing following boiler performance changes?**

Response: Because the facility has requested that a long-term (12-month period) emissions cap be established for this pollutant, compliance must be demonstrated on the shortest term/basis as possible. In this case, conducting an EPA Method 10 test on an annual basis is appropriate.

**Comment #15:**

**Section III, Emissions Units and Conditions, Condition Numbers A.24 and A.25., reconstruction costs did not exceed the 50 percent cost. As in Comment Number 12, the unit is now running and we would request that these conditions be removed, if possible.**

Response: As stated in the response to Comment #12, Perpetual Energy Corporation of Florida was to submit to the Northeast District Office a letter stating whether the reactivation of this unit would constitute reconstruction. An inspection of your facility conducted by Mr. Mort Benjamin of this office on September 25, indicates that there are several checks and steps that need to be implemented prior to the actual startup of this unit. Conditions A.24. and A.25. will be removed from the revised draft Title V permit upon receipt of the information required by these conditions (i.e. the date that the unit was reactivated and became operational, and a determination of reconstruction). Please also note that because this unit hasn't been in operation for the previous two years, a demonstration of compliance within 45 days of startup (Specific Condition A.12 of the Draft Title V permit) is justified.

**Comment #16:**

**Section III, Emission Units and Condition, Condition Number A.27. is an excess emissions report required if no excess emission occurred during the reporting period?**

Response: Condition A.27. refers to Fossil Fuel Steam Generators with more than 250 MMBTU/hr heat input, and therefore is not applicable to this emissions unit. It has been removed from the permit. Please note, however, the facility is still subject to the reporting requirements stated in Appendix TV-1, Title V Conditions.

**Comment #17:**

**Table 1-1, based on Comment Number 10, can we remove the short-term CO limitation and add a note that hours of operation vary based on CO compliance testing?**

Response: The Department has hereby changed Table 1-1 to reflect only the long-term Carbon Monoxide emissions cap.

**Comment #18:**

**Table 2-1, based on Comment Number 14, can we reduce the CO testing frequency?**

Response: Because the facility has requested that a long-term (12-month period) emissions cap be established for this pollutant, compliance must be demonstrated on the shortest term/basis as possible. In this case, conducting an EPA Method 10 test on an annual basis is appropriate.

**Comment #19:**

**Appendix 1-1 Emissions Unit 3, Fresh Water Cooling Tower, please add a restriction that “no chromium-based water treatment chemicals may be used” to ensure that it is not considered a HAP source category.**

Response: Based on this Comment Appendix I-1, List of Insignificant Emissions Units and/or Activities, Item 3 is hereby changed

**From:**

3. Fresh Water Cooling Tower and Water Treatment System ( Water Chlorinations with Sodium Hypochlorite, and pH Control with Sulfuric Acid).

**To:**

3. Fresh Water Cooling Tower and Water Treatment System ( Water Chlorinations with Sodium Hypochlorite, and pH Control with Sulfuric Acid). *No chromium-based water treatment chemicals may be used..*

**Document(s) on file with the permitting authority:**

- Letter Mr. John L. Matthews, Vice President, Perpetual Energy Corporation of Florida dated August 31, 1998 and received September 2, 1998.

**III. Conclusion.**

The permitting authority hereby issues the REVISED DRAFT Permit No.: 0790011-001-AV, with any changes noted above.

Perpetual Energy Corporation of Florida  
Madison Facility

**Facility ID No.:** 0790011  
Madison County

Initial Title V Air Operation Permit  
**REVISED DRAFT Permit No.:** 0790011-001-AV

Permitting Authority:

Department of Environmental Protection  
Northeast District Air Program  
7825 Baymeadows Way, Suite B-200  
Jacksonville, Florida 32256-7590  
Telephone: 904/448-4320  
Fax: 904/448-4363

Compliance Authority:

Department of Environmental Protection  
Northeast District Branch Office  
101 NW 75 Street, Suite 3  
Gainesville, Florida 32607-1609  
Telephone: 352/333-2850  
Fax: 352/333-2856

Drafted in September 1998



Initial Title V Air Operation Permit  
REVISED DRAFT Permit No.: 0790011-001-AV

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**Please reference the Permit No., Facility ID No., and appropriate Emissions Unit(s) ID No(s). on all correspondence, test report submittals, applications, etc.**



# Department of Environmental Protection

Lawton Chiles  
Governor

Northeast District  
7825 Baymeadows Way, Suite B200  
Jacksonville, Florida 32256-7590

Virginia B. Wetherell  
Secretary

**Permittee:**  
Perpetual Energy Corporation of Florida  
Madison Facility

**REVISED DRAFT Permit No.:** 0790011-001-AV  
**Facility ID No.:** 0790011  
**SIC No.:** 49  
**Project:** Initial Title V Air Operation Permit

This permit is for the operation of the air sources at Perpetual Energy Corporation of Florida. This facility is located at on Route 3, 1.5 miles N. of Madison Madison County, Florida; UTM Coordinates: Zone 17, 270.1 km East and 3376.5 km North; Latitude: 30° 30' 00" North and Longitude: 83° 23' 45" West.

**STATEMENT OF BASIS:** This Title V air operation permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-204, 62-210, 62-212, 62-296 and 62-297. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents, attached hereto or on file with the permitting authority, in accordance with the terms and conditions of this permit.

**Referenced attachments made a part of this permit:**

APPENDIX TV-1, TITLE V CONDITIONS (version dated 12/2/97)  
APPENDIX I-1, List of Insignificant Emissions Units and/or Activities  
APPENDIX U-1, List of Unregulated Emissions Units and/or Activities

**Effective Date:**  
**Renewal Application Due Date:**  
**Expiration Date:**

---

**Christopher L. Kirts, P.E.**  
**District Air Program Administrator**

CLK:RFS

## Section I. Facility Information

### Subsection A. Facility Description.

Perpetual Energy Corporation of Florida consists of a carbonaceous fuel boiler which provides steam to a turbine generator and a switchgear designed to deliver electrical power to the regional power grid.

This facility has been shut down for the previous two years and is currently not in operation.

In order to escape classification as a PSD source for Carbon Monoxide emissions, the applicant has requested a 249.9 ton per year emissions cap for this pollutant. Compliance will be demonstrated by conducting an EPA Method 10 test on an annual basis, and by restricting the hours of operation and the amount of fuel burned in this emissions unit.

Sources of unconfined emissions include the operations associated with the fuel handling, truck unloading operations, and vehicular traffic associated with plant operations.

Also included in this permit are miscellaneous unregulated/insignificant emissions units and/or activities.

Based on the initial Title V permit application received June 17, 1996, this facility is a major source of lead, Carbon Monoxide, NO<sub>x</sub>, Particulate Matter, Sulfur Dioxide, and Chlorine. The emissions units at this facility directly emit or have the potential to emit 5 tons per year or more of lead (or lead compounds measured as elemental lead), 100 tons per year or more of Carbon Monoxide, NO<sub>x</sub>, Particulate Matter, and Sulfur Dioxide, and 10 tons per year or more of Chlorine.

### Subsection B. Summary of Emissions Unit ID No. and Brief Description.

E.U.

ID No.

Brief Description

001	A carbonaceous fuel-fired boiler
-xxx	Fugitive dust sources heavy construction activities
-xxx	Fugitive dust associated with Fuel Handling Operations: Feed Bin, Conveyor Belts, Fuel Reclaim, Feed Screw Conveyor)

### Subsection C. Relevant Documents

The documents listed below are not a part of this permit; however, they are specifically related to this permitting action.

These documents are provided to the permittee for information purposes only:

Table 1-1, Summary of Air Pollutant Standards and Terms

Table 2-1, Summary of Compliance Requirements

Appendix A-1, Abbreviations, Acronyms, Citations, and Identification Numbers

Appendix H-1, Permit History/ID Number Changes

These documents are on file with permitting authority:

Initial Title V Permit Application received June 17, 1996.

Letter from Mr. John L. Matthews, Perpetual Energy Corporation of Florida dated August 31, 1998.

Additional Information request dated October 29, 1997.

Additional Information Response received April 17, 1998.

## Section II. Facility-wide Conditions.

The following conditions apply facility-wide:

1. APPENDIX TV-1, TITLE V CONDITIONS is a part of this permit.  
*APPENDIX TV-1, TITLE V CONDITIONS, is distributed to the permittee only. Other persons requesting copies of these conditions shall be provided one copy when requested or otherwise appropriate.*
2. [Not federally enforceable.] General Pollutant Emission Limiting Standards. Objectionable Odor Prohibited. The permittee shall not cause, suffer, allow, or permit the discharge of air pollutants which cause or contribute to an objectionable odor.  
[Rule 62-296.320(2), F.A.C.]
3. General Particulate Emission Limiting Standards. General Visible Emissions Standard.  
Except for emissions units that are subject to a particulate matter or opacity limit set forth or established by rule and reflected by conditions in this permit, no person shall cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity, the density of which is equal to or greater than that designated as Number 1 on the Ringelmann Chart (20 percent opacity). EPA Method 9 is the method of compliance pursuant to Chapter 62-297, F.A.C.  
[Rules 62-296.320(4)(b)1. & 4., F.A.C.]
4. Prevention of Accidental Releases (Section 112(r) of CAA). If required by 40 CFR 68, the permittee shall submit to the implementing agency:
  - a. a risk management plan (RMP) when, and if, such requirement becomes applicable; and
  - b. certification forms and/or RMPs according to the promulgated rule schedule.[40 CFR 68]
5. [Not federally enforceable.] Reasonable precautions to prevent emissions of unconfined particulate matter at this facility include:

Potential Sources	Reasonable Precautions
Fuel unloading and transfer operations	Water will be kept available during fuel unloading and transfer operations in order to suppress any fugitive emissions generated by these operations. Application of the water will be on an as need basis (manual operation)
Ash transfer points/storage	Ash transfer points will be protected from the wind. Ash storage containers will be kept closed when not in use.
Other Sources	Application of dust suppressants, unless an alternative method is requested and approved, to all areas necessary to reasonably control such emissions.

[Rule 62-296.320(4)(c)2., F.A.C.; Requested by applicant in the initial Title V permit application received June 17, 1996; Air Construction Permit AC40-248258]

Please reference the Permit No., Facility ID No., and appropriate Emissions Unit(s) ID No(s). on all correspondence, test report submittals, applications, etc.

6. Insignificant Emissions Units and/or Activities. Appendix I-1, List of Insignificant Emissions Units and/or Activities, is a part of this permit.

[Rules 62-213.440(1), 62-213.430(6), and 62-4.040(1)(b), F.A.C.]

7. Unregulated Emissions Units and/or Activities. Appendix U-1, List of Unregulated Emissions Units and/or Activities, is a part of this permit.

[Rule 62-213.440(1), F.A.C.]

8. The permittee shall submit all compliance related notifications and reports required of this permit to the Department's Northeast District Branch Office, Air Section:

Department of Environmental Protection  
Northeast District Branch Office  
101 NW 75 Street, Suite 3  
Gainesville, Florida 32607-1609  
Telephone: 352/333-2850  
Fax: 352/333-2856

9. When appropriate, any recording, monitoring, or reporting requirements that are time-specific shall be in accordance with the effective date of the permit, which defines day one.

[Rule 62-213.440(1), F.A.C.]

10. Any reports, data, notifications, certification, and requests required to be sent to the United States environmental protection Agency, Region 4, should be sent to the following address:

United States Environmental Protection Agency, Region 4  
Air, Pesticides and Toxics Management Division  
Operating Permits Section  
61 Forsyth Street  
Atlanta, Georgia 30303  
Telephone No.: 404/562-9099  
Fax No.: 404/562-9095

**Please reference the Permit No., Facility ID No., and appropriate Emissions Unit(s) ID No(s). on all correspondence, test report submittals, applications, etc.**

### Section III. Emission Unit and Conditions

**Subsection A. This section addresses the following emissions unit.**

#### E.U. ID

<u>No.</u>	<u>Brief Description</u>
001	A carbonaceous fuel-fired boiler

Emission Unit 001 identifies a carbonaceous fuel-fired boiler with a maximum heat input capacity of 185 MMBtu per hour. Particulate emissions are controlled by a multicyclone and wet venturi scrubber in series.

{Permitting note: This emissions unit is regulated under Rule 62-296.410, F.A.C., Carbonaceous Fuel Burning Equipment.}

**The following specific conditions apply to the emissions unit listed above:**

#### Essential Potential to Emit (PTE) Parameters

**A.1. Permitted Capacity.** The maximum operation heat input rate is 185 mmBtu per hour. [Rules 62-4.160(2) and 62-210.200(PTE), F.A.C., Title V permit application received June 17, 1996]

**A.2. Methods of Operation. Fuel(s).** Only carbonaceous fuels defined as wood, bark, paper, and waste wood shall be fired in this emissions unit. [Rule 62-213.410, F.A.C.; Air Construction Permit AC40-248258]

**A.3. Hours of Operation.** The hours of operation for these emissions units shall not exceed 24 H/D, 7 D/W, 50 W/Y and 8,400 hours per year. The annual hours of operation and the tons of fuel burned shall be limited in such a manner not to exceed the carbon monoxide emissions cap stated in Specific Condition A.7. [Rule 62-210.200(223) (PTE), F.A.C.; Construction Permit AC40-248258; requested by applicant in the initial Title V permit application received June 17, 1996.]

#### Emission Limitations and Standards

{Permitting Note: Table 1-1, Summary of Air Pollutant Standards and Terms, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

**A.4. Fuel Usage.** The maximum carbonaceous fuel usage shall not exceed 41,111 pounds per hour assuming heat content is 4500 BTU/ pound of fuel. The annual hours of operation and the tons of fuel burned shall be limited in such a manner so as not to exceed the carbon monoxide emissions cap stated in Specific Condition A.7. [Air Construction Permit AC40-248258]

**Please reference the Permit No., Facility ID No., and appropriate Emissions Unit(s) ID No(s). on all correspondence, test report submittals, applications, etc.**

**A.5. Particulate Matter.** Particulate matter emissions shall not exceed 0.2 pounds per MMBtu. Equivalent emissions are 37 pounds per hour and 155.4 tons in any consecutive 12-month period. [Rule 62-296.410(2)(b)2.; Air Construction Permit AC40-248258]

**A.6. Visible Emissions.** Visible emissions shall not exceed 30 percent opacity except 40 percent opacity is permissible for no more than (2) two minutes in any one hour. [Rule 62-296.410(2)(b)1.; Air Construction Permit AC40-248258]

**A.7. Carbon Monoxide.** Carbon Monoxide emissions shall not exceed 249.4 tons in any consecutive 12-month period. [Requested emissions cap by applicant in Title V application additional information received April 20, 1998.]

### **Excess Emissions**

**A.8.** Excess emissions resulting from startup, shutdown or malfunction shall be permitted provided that best operational practices to minimize emissions are adhered to and the duration of excess emissions shall be minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration. [Rule 62-210.700(1), F.A.C.]

**A.9.** Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown or malfunction shall be prohibited. [Rule 62-210.700(4), F.A.C.]

### **Test Methods and Procedures**

{Permitting Note: Table 2-1, Summary of Compliance Requirements, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

**A.10. Reactivation.** 60 days prior to reactivation of this unit, the Permittee shall demonstrate to the Department whether the reactivation would constitute reconstruction. Reconstruction is defined as the replacement of components of an existing emissions unit to the extent that the fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable entirely new emissions unit. [Rule 62-210.300(2)(a)4., Rule 62-204.800(7)(d), 40 CFR 60.15(b) and 40 CFR 60.15(b)(1)]

**A.11.** An existing facility or emissions unit, upon a Department determination of reconstruction, shall become an affected facility and subject to the applicable standards of 40 CFR Subpart 60. [40 CFR 60.15(a)]

**A.12.** A compliance test for each of the pollutants stated in Specific Conditions A.5., A.6., and A.7. shall be conducted within 45 days after startup. [Rule 62-297.310(7)(a)1., F.A.C.]

**Please reference the Permit No., Facility ID No., and appropriate Emissions Unit(s) ID No(s). on all correspondence, test report submittals, applications, etc.**



**A.13. Visible Emissions.** The test method for visible emissions shall be DEP Method 9, incorporated in Chapter 62-297, F.A.C.  
[Air Construction Permit AC40-248258]

**A.14. Particulate Emissions.** The test method for particulate emissions shall be DEP Method 5, incorporated in Chapter 62-297, F.A.C. Compliance and heat input rate calculations shall be based on the test data and 9280 DSCF/MMBTU( $F_d$  from Table 19-1, 40 CFR 60, Appendix A, Method 19) or the actual  $F_d$  shall be determined from acceptable data collected during the test period.  
[Air Construction Permit AC40-248258 ]

**A.15. Carbon Monoxide.** The test method for carbon monoxide emissions shall be EPA Method 10, incorporated in Chapter 62-297, F.A.C.  
[Agreed by applicant in Title V additional information submittal dated April 20, 1998]

**A.16. DEP Method 9.** The provisions of EPA Method 9 (40 CFR 60, Appendix A) are adopted by reference with the following exceptions:

1. EPA Method 9, Section 2.4, Recording Observations. Opacity observations shall be made and recorded by a certified observer at sequential fifteen second intervals during the required period of observation.

2. EPA Method 9, Section 2.5, Data Reduction. For a set of observations to be acceptable, the observer shall have made and recorded, or verified the recording of, at least 90 percent of the possible individual observations during the required observation period. For single-valued opacity standards (e.g., 20 percent opacity), the test result shall be the highest valid six-minute average for the set of observations taken. For multiple-valued opacity standards (e.g., 20 percent opacity, except that an opacity of 40 percent is permissible for not more than two minutes per hour) opacity shall be computed as follows:

a. For the basic part of the standard (i.e., 20 percent opacity) the opacity shall be determined as specified above for a single-valued opacity standard.

b. For the short-term average part of the standard, opacity shall be the highest valid short-term average (i.e., two-minute, three-minute average) for the set of observations taken. In order to be valid, any required average (i.e., a six-minute or two-minute average) shall be based on all of the valid observations in the sequential subset of observations selected, and the selected subset shall contain at least 90 percent of the observations possible for the required averaging time. Each required average shall be calculated by summing the opacity value of each of the valid observations in the appropriate subset, dividing this sum by the number of valid observations in the subset, and rounding the result to the nearest whole number. The number of missing observations in the subset shall be indicated in parenthesis after the subset average value.

[Rules 62-297.310, and 62-297.401, F.A.C.]

**A.17. Required Number of Test Runs.** For mass emission limitations, a compliance test shall consist of three complete and separate determinations of the total air pollutant emission rate through the test section of the stack or duct and three complete and separate determinations of any applicable process variables corresponding to the three distinct time periods during which the stack emission rate was measured provided, however, that three complete and separate determinations shall not be required if the process variables are not subject to variation during a

**Please reference the Permit No., Facility ID No., and appropriate Emissions Unit(s) ID No(s). on all correspondence, test report submittals, applications, etc.**

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

[Rule 62-297.310(1), F.A.C.]

**A.18. Operating Rate During Testing.** Testing of emissions shall be conducted with each emissions unit operation at permitted capacity, which is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. If it is impracticable to test at permitted capacity, an emissions unit may be tested at less than the minimum permitted capacity; in this case, subsequent emissions unit operation is limited to 110 percent of the test load until a new test is conducted. Once the emissions unit is so limited, operation at higher capacities is allowed for no more than 15 consecutive days for the purpose of additional compliance testing to regain the authority to operate at the permitted capacity.

[Rules 62-297.310(2) & (2)(b), F.A.C.]

**A.19. Calculation of Emission Rate.** The indicated emission rate or concentration shall be the arithmetic average of the emission rate or concentration determined by each of the separate test runs unless otherwise specified in a particular test method or applicable rule.

[Rule 62-297.310(3), F.A.C.]

**A.20. Frequency of Compliance Tests.** The following provisions apply only to those emissions units that are subject to an emissions limiting standard for which compliance testing is required.

(a) General Compliance Testing.

3. The owner or operator of an emissions unit that is subject to any emission limiting standard shall conduct a compliance test that demonstrates compliance with the applicable emission limiting standard prior to obtaining a renewed operation permit. Emissions units that are required to conduct an annual compliance test may submit the most recent annual compliance test to satisfy the requirements of this provision. In renewing an air operation permit pursuant to Rule 62-210.300(2)(a)3.b., c., or d., F.A.C., the Department shall not require submission of emission compliance test results for any emissions unit that, during the year prior to renewal:

a. Did not operate; or

b. In the case of a fuel burning emissions unit, burned liquid and/or solid fuel for a total of no more than 400 hours.

4. During each federal fiscal year (October 1 -- September 30), unless otherwise specified by rule, order, or permit, the owner or operator of each emissions unit shall have a formal compliance test conducted for:

a. Visible emissions, if there is an applicable standard;

9. The owner or operator shall notify the Department, at least 15 days prior to the date on which each formal compliance test is to begin, of the date, time, and place of each such test, and the test contact person who will be responsible for coordinating and having such test conducted for the owner or operator.

**Please reference the Permit No., Facility ID No., and appropriate Emissions Unit(s) ID No(s). on all correspondence, test report submittals, applications, etc.**

10. An annual compliance test conducted for visible emissions shall not be required for units exempted from permitting at Rule 62-210.300(3)(a), F.A.C., or units permitted under the General Permit provisions at Rule 62-210.300(4), F.A.C.

(b) 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 report on the results of said tests to the Department.

(c) Waiver of Compliance Test Requirements. If the owner or operator of an emissions unit that is subject to a compliance test requirement demonstrates to the Department, pursuant to the procedure established in Rule 62-297.620, F.A.C., that the compliance of the emissions unit with an applicable weight emission limiting standard can be adequately determined by means other than the designated test procedure, such as specifying a surrogate standard of no visible emissions for particulate matter sources equipped with a bag house or specifying a fuel analysis for sulfur dioxide emissions, the Department shall waive the compliance test requirements for such emissions units and order that the alternate means of determining compliance be used, provided, however, the provisions of Rule 62-297.310(7)(b), F.A.C., shall apply.  
[Rule 62-297.310(7), F.A.C.]

#### A.21. Applicable Test Procedures.

##### (a) Required Sampling Time.

1. 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 port shall be of equal intervals of at least two minutes.

2. Opacity Compliance Tests. When either EPA Method 9 or DEP Method 9 is specified as the applicable opacity test method, the required minimum period of observation for a compliance test shall be sixty (60) minutes for emissions units which emit or have the potential to emit 100 tons per year or more of particulate matter, and thirty (30) minutes for emissions units which have potential emissions less than 100 tons per year of particulate matter and are not subject to a multiple-valued opacity standard. The opacity test observation period shall include the period during which the highest opacity emissions can reasonably be expected to occur.

Exceptions to these requirements are as follows:

a. For batch, cyclical processes, or other operations which are normally completed within less than the minimum observation period and do not recur within that time, the period of observation shall be equal to the duration of the batch cycle or operation completion time.

b. The observation period for special opacity tests that are conducted to provide data to establish a surrogate standard pursuant to Rule 62-297.310(5)(k), F.A.C., Waiver of Compliance Test Requirements, shall be established as necessary to properly establish the relationship between a proposed surrogate standard and an existing mass emission limiting standard.

c. The minimum observation period for opacity tests conducted by employees or agents of the Department to verify the day-to-day continuing compliance of a unit or activity with an applicable opacity standard shall be twelve minutes.

[Rule 62-297.310(4)(a)2., F.A.C.]

**Please reference the Permit No., Facility ID No., and appropriate Emissions Unit(s) ID No(s). on all correspondence, test report submittals, applications, etc.**

**A.22. 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.

(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), F.A.C.]

**Record keeping and Reporting Requirements**

**A.23. Reconstruction.** If it is proposed to replace components of an existing emissions unit to the extent that the fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable entirely new emissions unit, the Permittee shall notify the Department's Tallahassee Office, New Source Review Section, at least 60 days prior to commencement of construction of the replacements. The following information shall be included in the notification:

- (1) Name and address of the owner or operator.
- (2) The location of the existing facility.
- (3) A brief description of the existing facility, emissions unit, and the components which are to be replaced.
- (4) A description of the existing air pollution control equipment and the proposed air pollution control equipment.
- (5) An estimate of the fixed capital cost of the replacements and of constructing a comparable entirely new emissions unit.
- (6) The estimated life of the existing emissions unit after the replacements.
- (7) A discussion of any economic or technical limitations of the facility may have in complying with the applicable standards of performance after the proposed replacements.

[40 CFR 60.15(d)(1)-(7)]

**A.24. Startup.** 30 days prior to anticipated startup of this emissions unit, the Permittee shall notify the Northeast District Office in writing.

[Rule 62-210.300(2)(a)4., F.A.C. and 40 CFR 60.7(a)(2)]

**Excess Emissions**

**A.25.** In the case of excess emissions resulting from malfunctions, each owner or operator shall notify the Department in accordance with Rule 62-4.130, F.A.C. A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Department.

[Rule 62-210.700(6), F.A.C.]

**Please reference the Permit No., Facility ID No., and appropriate Emissions Unit(s) ID No(s). on all correspondence, test report submittals, applications, etc.**

**A.26. Test Reports.**

- (a) The owner or operator of an emissions unit for which a compliance test is required shall file a report with the Department on the results of each such test.
- (b) The required test report shall be filed with the Department as soon as practical but no later than 45 days after the last sampling run of each test is completed.
- (c) The test report shall provide sufficient detail on the emissions unit tested and the test procedures used to allow the Department to determine if the test was properly conducted and the test results properly computed. As a minimum, the test report, other than for an EPA or DEP Method 9 test, shall provide the following information:
1. The type, location, and designation of the emissions unit tested.
  2. The facility at which the emissions unit is located.
  3. The owner or operator of the emissions unit.
  4. The normal type and amount of fuels used and materials processed, and the types and amounts of fuels used and material processed during each test run.
  5. The means, raw data and computations used to determine the amount of fuels used and materials processed, if necessary to determine compliance with an applicable emission limiting standard.
  6. The type of air pollution control devices installed on the emissions unit, their general condition, their normal operating parameters (pressure drops, total operating current and GPM scrubber water), and their operating parameters during each test run.
  7. A sketch of the duct within 8 stack diameters upstream and 2 stack diameters downstream of the sampling ports, including the distance to any upstream and downstream bends or other flow disturbances.
  8. The date, starting time and duration of each sampling run.
  9. The test procedures used, including any alternative procedures authorized pursuant to Rule 62-297.620, F.A.C. Where optional procedures are authorized in this chapter, indicate which option was used.
  10. The number of points sampled and configuration and location of the sampling plane.
  11. For each sampling point for each run, the dry gas meter reading, velocity head, pressure drop across the stack, temperatures, average meter temperatures and sample time per point.
  12. The type, manufacturer and configuration of the sampling equipment used.
  13. Data related to the required calibration of the test equipment.
  14. Data on the identification, processing and weights of all filters used.
  15. Data on the types and amounts of any chemical solutions used.
  16. Data on the amount of pollutant collected from each sampling probe, the filters, and the impingers, are reported separately for the compliance test.
  17. The names of individuals who furnished the process variable data, conducted the test, analyzed the samples and prepared the report.
  18. All measured and calculated data required to be determined by each applicable test procedure for each run.
  19. The detailed calculations for one run that relate the collected data to the calculated emission rate.
  20. The applicable emission standard, and the resulting maximum allowable emission rate for the emissions unit, plus the test result in the same form and unit of measure.

**Please reference the Permit No., Facility ID No., and appropriate Emissions Unit(s) ID No(s). on all correspondence, test report submittals, applications, etc.**

21. A certification that, to the knowledge of the owner or his authorized agent, all data submitted are true and correct. When a compliance test is conducted for the Department or its agent, the person who conducts the test shall provide the certification with respect to the test procedures used. The owner or his authorized agent shall certify that all data required and provided to the person conducting the test are true and correct to his knowledge.

[Rules 62-213.440 and 62-297.310(8), F.A.C]

**A.27.** In each compliance test report, provide the maximum operation heat input rate at which the emissions unit was operated since the most recent compliance test.

[Rules 62-213.440 and 62-297.310(2), F.A.C.; and, Air Construction Permit AC40-248258]

**Table 1-1, Summary of Air Pollutant Standards and Terms**

Perpetual Energy Corporation of Florida  
Madison Facility

DRAFT Permit No.: 0790011-001-AV  
Facility ID No.: 0790011

This table summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.

**E.U. ID No.**      **Brief Description**  
001 Carbonaceous Fuel-Fired Boiler

Pollutant Name	Fuel(s)	Hours/Year	Allowable Emissions			Equivalent Emissions*		Regulatory Citation(s)	See permit condition(s)
			Standard(s)	lbs./hour	TPY	lbs./hour	TPY		
Particulate matter		8400	0.2 lb/MMBtu			37.0	155.4	62-296.410(2)(b)2, AC Permit	III.A.5.
Visible Emissions		8400	30% Opacity, except 40% no more than (2) min/hr					62-296.410(2)(b)1.	III.A.6.
Carbon Monoxide		8400			249.4			Requested CAP in T5	III.A.7.

Notes:  
\* The "Equivalent Emissions" listed are for informational purposes only.

**Table 2-1, Summary of Compliance Requirements**

Perpetual Energy Corporation of Florida

**DRAFT Permit No.:** 0790011-001-AV

**Facility ID No.:** 0790011

This table summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.

**E.U. ID No.      Brief Description**

001Carbonaceous Fuel-Fired Boiler

Pollutant Name or Parameter	Fuel(s)	Compliance Method	Testing Time Frequency	Frequency Base Date *	Min. Compliance Test Duration	CMS **	
						CMS **	See permit condition(s)
Particulate Matter		EPA Method 5	Annual	Within 45 days of Startup & Annually thereafter		N/A	III.A.13, A.15.
Visible Emissions		DEP Method 9	Annual	Within 45 days of Startup & Annually thereafter	60 Minutes	N/A	III.A.13., A.14.
Carbon Dioxide		EPA Method 10	Annual	Within 45 days of Startup & Annually thereafter			III.A.13, A.16.

**Notes:**

\* The frequency base date is established for planning purposes only; see Rule 62-297.310, F.A.C.

\*\*CMS [=] continuous monitoring system



## Appendix A-1, Abbreviations, Acronyms, Citations, and Identification Numbers (version dated 02/05/97)

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### Abbreviations and Acronyms:

°F: Degrees Fahrenheit  
BACT: Best Available Control Technology  
CFR: Code of Federal Regulations  
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  
ISO: International Standards Organization  
LAT: Latitude  
LONG: Longitude  
MMBtu: million British thermal units  
MW: Megawatt  
ORIS: Office of Regulatory Information Systems  
SOA: Specific Operating Agreement  
UTM: Universal Transverse Mercator

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### Citations:

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

#### Code of Federal Regulations:

*Example:* [40 CFR 60.334]

Where:	40	reference to	Title 40
	CFR	reference to	Code of Federal Regulations
	60	reference to	Part 60
	60.334	reference to	Regulation 60.334

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

*Example:* [Rule 62-213, F.A.C.]

Where:	62	reference to	Title 62
	62-213	reference to	Chapter 62-213
	62-213.205	reference to	Rule 62-213.205, F.A.C.

**ISO:** International Standards Organization refers to those conditions at 288 degrees K, 60 percent relative humidity, and 101.3 kilopascals pressure.

**Appendix A-1, Abbreviations, Acronyms, Citations, and Identification Numbers  
(version dated 02/05/97) (continued)**

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**Identification Numbers:**

Facility Identification (ID) Number:

*Example:* Facility ID No.: 1050221

*Where:*

105 = 3-digit number code identifying the facility is located in Polk County  
0221 = 4-digit number assigned by state database.

Permit Numbers:

*Example:* 1050221-002-AV, or  
1050221-001-AC

*Where:*

AC = Air Construction Permit  
AV = Air Operation Permit (Title V Source)  
105 = 3-digit number code identifying the facility is located in Polk County  
0221 = 4-digit number assigned by permit tracking database  
001 or 002 = 3-digit sequential project number assigned by permit tracking database

*Example:* PSD-FL-185  
PA95-01  
AC53-208321

*Where:*

PSD = Prevention of Significant Deterioration Permit  
PA = Power Plant Siting Act Permit  
AC = old Air Construction Permit numbering

## Appendix H-1, Permit History/ID Number Changes

Perpetual Energy Corporation of Florida  
Madison Facility

Facility ID No.: 0790011

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### Permit History (for tracking purposes):

<u>E.U. ID No.</u>	<u>Description</u>	<u>Permit No.</u>	<u>Issue Date</u>	<u>Expiration Date</u>	<u>Extended Date<sup>1,2</sup></u>	<u>Revised Date(s)</u>
001	Carbonaceous Fuel-Fired Boiler	AC40-75860	12/1/83	6/30/85		
001	Carbonaceous Fuel-Fired Boiler	AC40-105817	7/24/85	7/24/90		
001	Carbonaceous Fuel-Fired Boiler	AC40-248258	6/10/94	12/31/94		7/31/95
001	Carbonaceous Fuel-Fired Boiler	AO40-179441	7/9/90	7/24/95		

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### ID Number Changes (for tracking purposes):

From: Facility ID No.: 31GVL400011

To: Facility ID No.: 0790011

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#### Notes:

1 - AO permit(s) automatic extension(s) in Rule 62-210.300(2)(a)3.a., F.A.C., effective 03/21/96.

2 - AC permit(s) automatic extension(s) in Rule 62-213.420(1)(a)4., F.A.C., effective 03/20/96.

{Rule 62-213.420(1)(b)2., F.A.C., effective 03/20/96, allows Title V Sources to operate under existing valid permits}

## Appendix I-1, List of Insignificant Emissions Units and/or Activities.

Perpetual Energy Corporation of Florida  
Madison Facility

Permit No.: 0790011-001-AV  
Facility ID No.: 0790011

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The facilities, emissions units, or pollutant-emitting activities listed in Rule 62-210.300(3)(a), F.A.C., Categorical Exemptions, are exempt from the permitting requirements of Chapters 62-210 and 62-4, F.A.C.; provided, however, that exempt emissions units shall be subject to any applicable emission limiting standards and the emissions from exempt emissions units or activities shall be considered in determining the potential emissions of the facility containing such emissions units. Emissions units and pollutant-emitting activities exempt from permitting under Rule 62-210.300(3)(a), F.A.C., shall not be exempt from the permitting requirements of Chapter 62-213, F.A.C., if they are contained within a Title V source; however, such emissions units and activities shall be considered insignificant for Title V purposes provided they also meet the criteria of Rule 62-213.430(6)(b), F.A.C. No emissions unit shall be entitled to an exemption from permitting under Rule 62.210.300(3)(a), F.A.C., if its emissions, in combination with the emissions of other units and activities at the facility, would 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.

The below listed emissions units and/or activities are considered insignificant pursuant to Rule 62-213.430(6), F.A.C.

### Brief Description of Emissions Units and/or Activities

1. Lube Oil Tank Storage including Lube/Fuel Oil Drip pans.
2. #2 Diesel Storage Tank including dispensing operations.
3. Fresh Water Cooling Tower and Water Treatment System ( Water Chlorinations with Sodium Hypochlorite, and pH Control with Sulfuric Acid). *No chromium-based water treatment chemicals may be used.*
4. Chlorine Storage.
5. Oil/Water Separator
6. Surface Coating/Solvent Usage Maintenance Activities pursuant to 62-210.300(3)(a)(22).
7. Brazing/Soldering/Welding Maintenance Activities pursuant to 62-210.300(3)(a)(16).
8. Small Parts Washer.
9. Wood/Metal Working Activities: Sawing and Grinding.
9. Laboratory equipment, chemical storage and usage, and vacuum pumps pursuant to 62-210.300(3)(a)(9).

[electronic file name: 0790011g.doc]

## APPENDIX SS-1, STACK SAMPLING FACILITIES (version dated 10/07/96)

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Stack Sampling Facilities Provided by the Owner of an Emissions Unit. This section describes the minimum requirements for stack sampling facilities that are necessary to sample point emissions units. Sampling facilities include sampling ports, work platforms, access to work platforms, electrical power, and sampling equipment support. Emissions units must provide these facilities at their expense. All stack sampling facilities must meet any Occupational Safety and Health Administration (OSHA) Safety and Health Standards described in 29 CFR Part 1910, Subparts D and E.

(a) Permanent Test Facilities. The owner or operator of an emissions unit for which a compliance test, other than a visible emissions test, is required on at least an annual basis, shall install and maintain permanent stack sampling facilities.

(b) Temporary Test Facilities. The owner or operator of an emissions unit that is not required to conduct a compliance test on at least an annual basis may use permanent or temporary stack sampling facilities. If the owner chooses to use temporary sampling facilities on an emissions unit, and the Department elects to test the unit, such temporary facilities shall be installed on the emissions unit within 5 days of a request by the Department and remain on the emissions unit until the test is completed.

(c) Sampling Ports.

1. All sampling ports shall have a minimum inside diameter of 3 inches.

2. The ports shall be capable of being sealed when not in use.

3. The sampling ports shall be located in the stack at least 2 stack diameters or equivalent diameters downstream and at least 0.5 stack diameter or equivalent diameter upstream from any fan, bend, constriction or other flow disturbance.

4. For emissions units for which a complete application to construct has been filed prior to December 1, 1980, at least two sampling ports, 90 degrees apart, shall be installed at each sampling location on all circular stacks that have an outside diameter of 15 feet or less. For stacks with a larger diameter, four sampling ports, each 90 degrees apart, shall be installed. For emissions units for which a complete application to construct is filed on or after December 1, 1980, at least two sampling ports, 90 degrees apart, shall be installed at each sampling location on all circular stacks that have an outside diameter of 10 feet or less. For stacks with larger diameters, four sampling ports, each 90 degrees apart, shall be installed. On horizontal circular ducts, the ports shall be located so that the probe can enter the stack vertically, horizontally or at a 45 degree angle.

5. On rectangular ducts, the cross sectional area shall be divided into the number of equal areas in accordance with EPA Method 1. Sampling ports shall be provided which allow access to each sampling point. The ports shall be located so that the probe can be inserted perpendicular to the gas flow.

(d) Work Platforms.

1. Minimum size of the working platform shall be 24 square feet in area. Platforms shall be at least 3 feet wide.

2. On circular stacks with 2 sampling ports, the platform shall extend at least 110 degrees around the stack.

3. On circular stacks with more than two sampling ports, the work platform shall extend 360 degrees around the stack.

4. All platforms shall be equipped with an adequate safety rail (ropes are not acceptable), toeboard, and hinged floor-opening cover if ladder access is used to reach the platform. The safety rail directly in line with the sampling ports shall be removable so that no obstruction exists in an area 14 inches below each sample port and 6 inches on either side of the sampling port.

(e) Access to Work Platform.

**APPENDIX SS-1, STACK SAMPLING FACILITIES (version dated 10/07/96)**  
**(continued)**

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1. Ladders to the work platform exceeding 15 feet in length shall have safety cages or fall arresters with a minimum of 3 compatible safety belts available for use by sampling personnel.

2. Walkways over free-fall areas shall be equipped with safety rails and toeboards.

**(f) Electrical Power.**

1. A minimum of two 120-volt AC, 20-amp outlets shall be provided at the sampling platform within 20 feet of each sampling port.

2. If extension cords are used to provide the electrical power, they shall be kept on the plant's property and be available immediately upon request by sampling personnel.

**(g) Sampling Equipment Support.**

1. A three-quarter inch eyebolt and an angle bracket shall be attached directly above each port on vertical stacks and above each row of sampling ports on the sides of horizontal ducts.

a. The bracket shall be a standard 3 inch x 3 inch x one-quarter inch equal-legs bracket which is 1 and one-half inches wide. A hole that is one-half inch in diameter shall be drilled through the exact center of the horizontal portion of the bracket. The horizontal portion of the bracket shall be located 14 inches above the centerline of the sampling port.

b. A three-eighth inch bolt which protrudes 2 inches from the stack may be substituted for the required bracket. The bolt shall be located 15 and one-half inches above the centerline of the sampling port.

c. The three-quarter inch eyebolt shall be capable of supporting a 500 pound working load. For stacks that are less than 12 feet in diameter, the eyebolt shall be located 48 inches above the horizontal portion of the angle bracket. For stacks that are greater than or equal to 12 feet in diameter, the eyebolt shall be located 60 inches above the horizontal portion of the angle bracket. If the eyebolt is more than 120 inches above the platform, a length of chain shall be attached to it to bring the free end of the chain to within safe reach from the platform.

2. A complete monorail or dualrail arrangement may be substituted for the eyebolt and bracket.

3. When the sample ports are located in the top of a horizontal duct, a frame shall be provided above the port to allow the sample probe to be secured during the test.

[Rule 62-297.310(6), F.A.C.]

**TABLE 297.310-1 CALIBRATION SCHEDULE**  
**(version dated 10/07/96)**

[Note: This table is referenced in Rule 62-297.310, F.A.C.]

ITEM	MINIMUM CALIBRATION FREQUENCY	REFERENCE INSTRUMENT	TOLERANCE
Liquid in glass thermometer	Annually	ASTM Hg in glass ref. thermometer or equivalent, or thermometric points	+/-2%
Bimetallic thermometer	Quarterly	Calib. liq. in glass thermometer	5 degrees F
Thermocouple	Annually	ASTM Hg in glass ref. thermometer, NBS calibrated reference and potentiometer	5 degrees F
Barometer	Monthly	Hg barometer or NOAA station	+/-1% scale
Pitot Tube	When required or when damaged	By construction or measurements in wind tunnel D greater than 16" and standard pitot tube	See EPA Method 2, Fig. 2-2 & 2-3
Probe Nozzles	Before each test or when nicked, dented, or corroded	Micrometer	+/-0.001" mean of at least three readings Max. deviation between readings .004"
Dry Gas Meter and Orifice Meter	1. Full Scale: When received, When 5% change observed, Annually 2. One Point: Semiannually 3. Check after each test series	Spirometer or calibrated wet test or dry gas test meter	2%
		Comparison check	5%

## APPENDIX TV-1, TITLE V CONDITIONS (version dated 12/02/97)

[Note: This attachment includes "canned conditions" developed from the "Title V Core List."]

{Permitting note: APPENDIX TV-1, TITLE V CONDITIONS, is distributed to the permittee only. Other persons requesting copies of these conditions shall be provided one copy when requested or otherwise appropriate.}

### Chapter 62-4, F.A.C.

1. **Not federally enforceable. General Prohibition.** Any stationary installation which will reasonably be expected to be a source of pollution shall not be operated, maintained, or modified without the appropriate and valid permits issued by the Department, unless the source is exempted by Department rule. The Department may issue a permit only after it receives reasonable assurance that the installation will not cause pollution in violation of any of the provisions of Chapter 403, F.S., or the rules promulgated thereunder. A permitted installation may only be operated, maintained, constructed, expanded or modified in a manner that is consistent with the terms of the permit.

[Rule 62-4.030, Florida Administrative Code (F.A.C.); Section 403.087, Florida Statute (F.S.)]

2. **Not federally enforceable. Procedure to Obtain Permits: Application.**

(1) Any person desiring to obtain a permit from the Department shall apply on forms prescribed by the Department and shall submit such additional information as the Department by law may require.

(2) All applications and supporting documents shall be filed in quadruplicate with the Department.

(3) To ensure protection of public health, safety, and welfare, any construction, modification, or operation of an installation which may be a source of pollution shall be in accordance with sound professional engineering practices pursuant to Chapter 471, F.S. All applications for a Department permit shall be certified by a professional engineer registered in the State of Florida except when the application is for renewal of an air pollution operation permit at a minor facility as defined in Rule 62-210.200, F.A.C., or where professional engineering is not required by Chapter 471, F.S. Where required by Chapter 471 or 492, F.S., applicable portions of permit applications and supporting documents which are submitted to the Department for public record shall be signed and sealed by the professional(s) who prepared or approved them.

(4) Processing fees for air construction permits shall be in accordance with Rule 62-4.050(4), F.A.C.

(5)(a) To be considered by the Department, each application must be accompanied by the proper processing fee. The fee shall be paid by check, payable to the Department of Environmental Protection. The fee is non-refundable except as provided in Section 120.60, F.S., and in this section.

(c) Upon receipt of the proper application fee, the permit processing time requirements of Sections 120.60(2) and 403.0876, F.S., shall begin.

(d) If the applicant does not submit the required fee within ten days of receipt of written notification, the Department shall either return the unprocessed application or arrange with the applicant for the pick up of the application.

(e) If an applicant submits an application fee in excess of the required fee, the permit processing time requirements of Sections 120.60(2) and 403.0876, F.S., shall begin upon receipt, and the Department shall refund to the applicant the amount received in excess of the required fee.

(6) Any substantial modification to a complete application shall require an additional processing fee determined pursuant to the schedule set forth in Rule 62-4.050, F.A.C., and shall restart the time requirements of Sections 120.60 and 403.0876, F.S. For purposes of this Subsection, the term "substantial modification" shall mean a modification which is reasonably expected to lead to substantially different environmental impacts which require a detailed review.

(7) Modifications to existing permits proposed by the permittee which require substantial changes in the existing permit or require substantial evaluation by the Department of potential impacts of the proposed modifications shall require the same fee as a new application.

[Rule 62-4.050, F.A.C.]

3. **Standards for Issuing or Denying Permits.** Except as provided at Rule 62-213.460, F.A.C., the issuance of a permit does not relieve any person from complying with the requirements of Chapter 403, F.S., or Department rules.

[Rule 62-4.070(7), F.A.C.]



4. Modification of Permit Conditions.

(1) For good cause 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. For the purpose of this section, good cause shall include, but not be limited to, any of the following:

- (a) A showing that an improvement in effluent or emission quality or quantity can be accomplished because of technological advances without unreasonable hardship.
- (b) A showing that a higher degree of treatment is necessary to effect the intent and purpose of Chapter 403, F.S.
- (c) A showing of any change in the environment or surrounding conditions that requires a modification to conform to applicable air or water quality standards.
- (e) Adoption or revision of Florida Statutes, rules, or standards which require the modification of a permit condition for compliance.

(2) A permittee may request a modification of a permit by applying to the Department.

(3) A permittee may request that a permit be extended as a modification of the permit. Such a request must be submitted to the Department in writing before the expiration of the permit. Upon timely submittal of a request for extension, unless the permit automatically expires by statute or rule, the permit will remain in effect until final agency action is taken on the request. For construction permits, an extension shall be granted if the applicant can demonstrate reasonable assurances that, upon completion, the extended permit will comply with the standards and conditions required by applicable regulation. For all other permits, an extension shall be granted if the applicant can demonstrate reasonable assurances that the extended permit will comply with the standards and conditions applicable to the original permit. A permit for which the permit application fee was prorated in accordance with Rule 62-4.050(4)(1), F.A.C., shall not be extended. In no event shall a permit be extended or remain in effect longer than the time limits established by statute or rule.

[Rule 62-4.080, F.A.C.]

5. Renewals. Prior to one hundred eighty (180) days before the expiration of a permit issued pursuant to Chapter 62-213, F.A.C., the permittee shall apply for a renewal of a permit using forms incorporated by reference in the specific rule chapter for that kind of permit. A renewal application shall be timely and sufficient. If the application is submitted prior to 180 days before expiration of the permit, it will be considered timely and sufficient. If the renewal application is submitted at a later date, it will not be considered timely and sufficient unless it is submitted and made complete prior to the expiration of the operation permit. When the application for renewal is timely and sufficient, the existing permit shall remain in effect until the renewal application has been finally acted upon by the Department or, if there is court review of the Department's final agency action, until a later date is required by Section 120.60, F.S., provided that, for renewal of a permit issued pursuant to Chapter 62-213, F.A.C., the applicant complies with the requirements of Rules 62-213.420(1)(b)3. and 4., F.A.C.

[Rule 62-4.090(1), F.A.C.]

6. Suspension and Revocation.

(1) Permits shall be effective until suspended, revoked, surrendered, or expired and shall be subject to the provisions of Chapter 403, F.S., and rules of the Department.

(2) Failure to comply with pollution control laws and rules shall be grounds for suspension or revocation.

(3) A permit issued pursuant to Chapter 62-4, F.A.C., shall not become a vested property right in the permittee. The Department may revoke any permit issued by it if it finds that the permit holder or the permit holder's agent:

- (a) Submitted false or inaccurate information in application or operational reports.
- (b) Has violated law, Department orders, rules or permit conditions.
- (c) Has failed to submit operational reports or other information required by Department rules.
- (d) Has refused lawful inspection under Section 403.091, F.S.

[Rule 62-4.100, F.A.C.]

7. **Not federally enforceable.** Financial Responsibility. The Department may require an applicant to submit proof of financial responsibility and may require the applicant to post an appropriate bond to guarantee compliance with the law and Department rules.

[Rule 62-4.110, F.A.C.]

APPENDIX TV-1, TITLE V CONDITIONS (version dated 12/02/97) (continued)

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8. Transfer of Permits.

- (1) Within 30 days after the sale or legal transfer of a permitted facility, an "Application for Transfer of Permit" (DEP Form 62-1.201(1)) must be submitted to the Department. This form must be completed with the notarized signatures of both the permittee and the proposed new permittee.
- (2) The Department shall approve the transfer of a permit unless it determines that the proposed new permittee cannot provide reasonable assurances that conditions of the permit will be met. The determination shall be limited solely to the ability of the new permittee to comply with the conditions of the existing permit, and it shall not concern the adequacy of these permit conditions. If the Department proposes to deny the transfer, it shall provide both the permittee and the proposed new permittee a written objection to such transfer together with notice of a right to request a Chapter 120, F.S., proceeding on such determination.
- (3) Within 30 days of receiving a properly completed Application for Transfer of Permit form, the Department shall issue a final determination. The Department may toll the time for making a determination on the transfer by notifying both the permittee and the proposed new permittee that additional information is required to adequately review the transfer request. Such notification shall be served within 30 days of receipt of an Application for Transfer of Permit form, completed pursuant to Rule 62-4.120(1), F.A.C. If the Department fails to take action to approve or deny the transfer within 30 days of receipt of the completed Application for Transfer of Permit form, or within 30 days of receipt of the last item of timely requested additional information, the transfer shall be deemed approved.
- (4) The permittee is encouraged to apply for a permit transfer prior to the sale or legal transfer of a permitted facility. However, the transfer shall not be effective prior to the sale or legal transfer.
- (5) Until this transfer is approved by the Department, the permittee and any other person constructing, operating, or maintaining the permitted facility shall be liable for compliance with the terms of the permit. The permittee transferring the permit shall remain liable for corrective actions that may be required as a result of any violations occurring prior to the sale or legal transfer of the facility.

[Rule 62-4.120, F.A.C.]

9. Plant Operation-Problems. If the permittee is temporarily unable to comply with any of the conditions of the permit due to breakdown of equipment or destruction by hazard of fire, wind or by other cause, the permittee shall immediately notify the Department. Notification shall include pertinent information as to the cause of the problem, and what steps are being taken to correct the problem and to prevent its 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 Department rules.

[Rule 62-4.130, F.A.C.]

10. For purposes of notification to the Department pursuant to Rule 62-4.130, F.A.C., Plant Operation-Problems, "immediately" shall mean the same day, if during a workday (i.e., 8:00 a.m. - 5:00 p.m.), or the first business day after the incident, excluding weekends and holidays.

[40 CFR 70.6(a)(3)(iii)(B)]

11. Not federally enforceable. Review. Failure to request a hearing within 14 days of receipt of notice of proposed or final agency action on a permit application or as otherwise required in Chapter 62-103, F.A.C., shall be deemed a waiver of the right to an administrative hearing.

[Rule 62-4.150, F.A.C.]

12. Permit Conditions. All permits issued by the Department shall include the following general conditions:

- (1) The terms, conditions, requirements, limitations and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, F.S. 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.
- (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, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
- (3) As provided in subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any 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 of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in this permit.

APPENDIX TV-1, TITLE V CONDITIONS (version dated 12/02/97) (continued)

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- (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.
- (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 F.S. and Department rules, unless specifically authorized by an order from the Department.
- (6) The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and 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.
- (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 reasonable times, access to the premises where the permitted activity is located or conducted to:
- (a) Have access to and copy any records that must be kept under 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 reasonable necessary to assure compliance with this permit or Department rules. Reasonable time may depend on the nature of the concern being investigated.
- (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 noncompliance; and,
  - (b) The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. 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.
- (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 F.S. or Department rules, except where such use is prescribed by Sections 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.
- (10) The permittee agrees to comply with changes in Department rules and F.S. after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by F.S. or Department rules.
- (11) This permit is transferable only upon Department approval in accordance with Rule 62-4.120, 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.
- (12) This permit or a copy thereof shall be kept at the work site of the permitted activity.
- (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 for this permit. These materials shall be retained at least five (5) 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.
- (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 the 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.
- [Rules 62-4.160 and 62-213.440(1)(b), F.A.C.]

APPENDIX TV-1, TITLE V CONDITIONS (version dated 12/02/97) (continued)

13. Construction Permits.

(1) No person shall construct any installation or facility which will reasonably be expected to be a source of air or water pollution without first applying for and receiving a construction permit from the Department unless exempted by statute or Department rule. In addition to the requirements of Chapter 62-4, F.A.C., applicants for a Department Construction Permit shall submit the following as applicable:

- (a) A completed application on forms furnished by the Department.
- (b) An engineering report covering:
  - 1. plant description and operations,
  - 2. types and quantities of all waste material to be generated whether liquid, gaseous or solid,
  - 3. proposed waste control facilities,
  - 4. the treatment objectives,
  - 5. the design criteria on which the control facilities are based, and,
  - 6. other information deemed relevant.

Design criteria submitted pursuant to Rule 62-4.210(1)(b)5., F.A.C., shall be based on the results of laboratory and pilot-plant scale studies whenever such studies are warranted. The design efficiencies of the proposed waste treatment facilities and the quantities and types of pollutants in the treated effluents or emissions shall be indicated. Work of this nature shall be subject to the requirements of Chapter 471, F.S. Where confidential records are involved, certain information may be kept confidential pursuant to Section 403.111, F.S.

- (c) The owners' written guarantee to meet the design criteria as accepted by the Department and to abide by Chapter 403, F.S. and the rules of the Department as to the quantities and types of materials to be discharged from the installation. The owner may be required to post an appropriate bond or other equivalent evidence of financial responsibility to guarantee compliance with such conditions in instances where the owner's financial resources are inadequate or proposed control facilities are experimental in nature.

(2) The construction permit may contain conditions and an expiration date as determined by the Secretary or the Secretary's designee.

(3) When the Department issues a permit to construct, the permittee shall be allowed a period of time, specified in the permit, to construct, and to operate and test to determine compliance with Chapter 403, F.S., and the rules of the Department and, where applicable, to apply for and receive an operation permit. The Department may require tests and evaluations of the treatment facilities by the permittee at his/her expense.

[Rule 62-4.210, F.A.C.]

14. Not federally enforceable. Operation Permit for New Sources. To properly apply for an operation permit for new sources, the applicant shall submit certification that construction was completed noting any deviations from the conditions in the construction permit and test results where appropriate.

[Rule 62-4.220, F.A.C.]

Chapter 62-103. F.A.C.

15. Public Notice, Public Participation, and Proposed Agency Action. The permittee shall comply with all of the requirements for public notice, public participation, and proposed agency action pursuant to Rule 62-103.150 and Rule 62-210.350, F.A.C.

[Rules 62-103.150, 62-210.350 and 62-213.430(1)(b), F.A.C.]

16. Administrative Hearing. The permittee shall comply with all of the requirements for a petition for administrative hearing or waiver of right to administrative proceeding pursuant to Rule 61-103.155, F.A.C.

[Rule 62-103.155, F.A.C.]

Chapter 62-204. F.A.C.

17. Asbestos. This permit does not authorize any demolition or renovation of the facility or its parts or components which involves asbestos removal. This permit does not constitute a waiver of any of the requirements of Chapter 62-257, F.A.C., and 40 CFR Part 61, Subpart M, National Emission Standard for Asbestos, adopted and incorporated by reference in Rule 62-204.800, F.A.C. Compliance with Chapter 62-257, F.A.C., and 40 CFR 61, Subpart M, Section 61.145, is required for any asbestos demolition or renovation at the source.

[40 CFR 61; Rule 62-204.800, F.A.C.; and, Chapter 62-257, F.A.C.]

APPENDIX TV-1, TITLE V CONDITIONS (version dated 12/02/97) (continued)

Chapter 62-210. F.A.C.

18. Permits Required. The owner or operator of any emissions unit which emits or can reasonably be expected to emit any air pollutant shall obtain an appropriate permit from the Department prior to beginning construction, modification, or initial or continued operation of the emissions unit unless exempted pursuant to Department rule or statute. All emissions limitations, controls, and other requirements imposed by such permits shall be at least as stringent as any applicable limitations and requirements contained in or enforceable under the State Implementation Plan (SIP) or that are otherwise federally enforceable. Except as provided at Rule 62-213.460, F.A.C., issuance of a permit does not relieve the owner or operator of an emissions unit from complying with any applicable requirements, any emission limiting standards or other requirements of the air pollution rules of the Department or any other such requirements under federal, state, or local law.

(1) Air Construction Permits. An air construction permit shall be obtained by the owner or operator of any proposed new or modified facility or emissions unit prior to the beginning of construction or modification, in accordance with all applicable provisions of Chapters 62-210, 62-212 and 62-4, F.A.C. The construction permit shall be issued for a period of time sufficient to allow construction or modification of the facility or emissions unit and operation while the new or modified facility or emissions unit is conducting tests or otherwise demonstrating initial compliance with the conditions of the construction permit.

(2) Air Operation Permits. Upon expiration of the air operation permit for any existing facility or emissions unit, subsequent to construction or modification and demonstration of initial compliance with the conditions of the construction permit for any new or modified facility or emissions unit, or as otherwise provided in Chapter 62-210 or Chapter 62-213, the owner or operator of such facility or emissions unit shall obtain a renewal air operation permit, an initial air operation permit, or an administrative correction or revision of an existing air operation permit, whichever is appropriate, in accordance with all applicable provisions of Chapter 62-210, Chapter 62-213, and Chapter 62-4, F.A.C.

(a) Minimum Requirements for All Air Operation Permits. At a minimum, a permit issued pursuant to this subsection shall:

1. Specify the manner, nature, volume and frequency of the emissions permitted, and the applicable emission limiting standards or performance standards, if any;
2. Require proper operation and maintenance of any pollution control equipment by qualified personnel, where applicable in accordance with the provisions of any operation and maintenance plan required by the air pollution rules of the Department.
3. Contain an effective date stated in the permit which shall not be earlier than the date final action is taken on the application and be issued for a period, beginning on the effective date, as provided below.

a. The operation permit for an emissions unit which is in compliance with all applicable rules and in operational condition, and which the owner or operator intends to continue operating, shall be issued or renewed for a five-year period, except that, for Title V sources subject to Rule 62-213.420(1)(a)1., F.A.C., operation permits shall be extended until 60 days after the due date for submittal of the facility's Title V permit application as specified in Rule 62-213.420(1)(a)1., F.A.C.

b. Except as provided in Rule 62-210.300(2)(a)3.d., F.A.C., the operation permit for an emissions unit which has been shut down for six months or more prior to the expiration date of the current operation permit, shall be renewed for a period not to exceed five years from the date of shutdown, even if the emissions unit is not maintained in operational condition, provided:

- (i) the owner or operator of the emissions unit demonstrates to the Department that the emissions unit may need to be reactivated and used, or that it is the owner's or operator's intent to apply to the Department for a permit to construct a new emissions unit at the facility before the end of the extension period; and,
- (ii) the owner or operator of the emissions unit agrees to and is legally prohibited from providing the allowable emission permitted by the renewed permit as an emissions offset to any other person under Rule 62-212.500, F.A.C.; and,
- (iii) the emissions unit was operating in compliance with all applicable rules as of the time the source was shut down.

c. Except as provided in Rule 62-210.300(2)(a)3.d., F.A.C., the operation permit for an emissions unit which has been shut down for five years or more prior to the expiration date of the current operation permit shall be renewed for a maximum period not to exceed ten years from the date of shutdown, even if the emissions unit is not maintained in operational condition, provided the conditions given in Rule 62-210.300(2)(a)3.b., F.A.C., are met and the owner or operator demonstrates to the Department that failure to renew the permit would constitute a hardship, which may include economic hardship.

APPENDIX TV-1, TITLE V CONDITIONS (version dated 12/02/97) (continued)

d. The operation permit for an electric utility generating unit on cold standby or long-term reserve shutdown shall be renewed for a five-year period, and additional five-year periods, even if the unit is not maintained in operational condition, provided the conditions given in Rules 62-210.300(2)(a)3.b.(i) through (iii), F.A.C., are met.

4. In the case of an emissions unit permitted pursuant to Rules 62-210.300(2)(a)3.b., c., and d., F.A.C., include reasonable notification and compliance testing requirements for reactivation of such emissions unit and provide that the owner or operator demonstrate to the Department prior to reactivation that such reactivation would not constitute reconstruction pursuant to Rule 62-204.800(7), F.A.C.

[Rules 62-210.300(1) & (2), F.A.C.]

19. **Not federally enforceable. Notification of Startup.** The owner or operator of any emissions unit or facility which has a valid air operation permit and which has been shut down more than one (1) year, shall notify the Department in writing of the intent to start up such emissions unit or facility, a minimum of sixty (60) days prior to the intended startup date.

(a) The notification shall include the planned startup date, anticipated emission rates or pollutants released, changes to processes or control devices which will result in changes to emission rates, and any other conditions which may differ from the valid outstanding operation permit.

(b) If, due to an emergency, a startup date is not known 60 days prior thereto, the owner shall notify the Department as soon as possible after the date of such startup is ascertained.

[Rule 62-210.300(5), F.A.C.]

20. **Emissions Unit Reclassification.**

(a) Any emissions unit whose operation permit has been revoked as provided for in Chapter 62-4, F.A.C., shall be deemed permanently shut down for purposes of Rule 62-212.500, F.A.C. Any emissions unit whose permit to operate has expired without timely renewal or transfer may be deemed permanently shut down, provided, however, that no such emissions unit shall be deemed permanently shut down if, within 20 days after receipt of written notice from the Department, the emissions unit owner or operator demonstrates that the permit expiration resulted from inadvertent failure to comply with the requirements of Rule 62-4.090, F.A.C., and that the owner or operator intends to continue the emissions unit in operation, and either submits an application for an air operation permit or complies with permit transfer requirements, if applicable.

(b) If the owner or operator of an emissions unit which is so permanently shut down, applies to the Department for a permit to reactivate or operate such emissions unit, the emissions unit will be reviewed and permitted as a new emissions unit.

[Rule 62-210.300(6), F.A.C.]

21. **Public Notice and Comment.**

(1) **Public Notice of Proposed Agency Action.**

(a) Notwithstanding any discretionary public notice requirements contained in Rule 62-103.150(2)(a), F.A.C., a notice of proposed agency action on permit application, where the proposed agency action is to issue the permit, shall be published by any applicant for:

1. An air construction permit;
2. An air operation permit, permit renewal or permit revision subject to Rule 62-210.300(2)(b), F.A.C., (i.e., a FESOP), except as provided in Rule 62-210.300(2)(b)1.b., F.A.C.; or
3. An air operation permit, permit renewal, or permit revision subject to Chapter 62-213, F.A.C., except those permit revisions meeting the requirements of Rule 62-213.412(1), F.A.C.

(b) The notice required by Rule 62-210.350(1)(a), F.A.C., shall be published in accordance with all otherwise applicable provisions of Rule 62-103.150, F.A.C.

(2) **Additional Public Notice Requirements for Emissions Units Subject to Prevention of Significant Deterioration or Nonattainment-Area Preconstruction Review.**

(a) Before taking final agency action on a construction permit application for any proposed new or modified facility or emissions unit subject to the preconstruction review requirements of Rule 62-212.400 or 62-212.500, F.A.C., the Department shall comply with all applicable provisions of Rule 62-103.150, F.A.C., and provide an opportunity for public comment which shall include as a minimum the following:

1. A complete file available for public inspection in at least one location in the district affected which includes the information submitted by the owner or operator, exclusive of confidential records under Section 403.111, F.S., and the Department's analysis of the effect of the proposed construction or modification on ambient air quality, including the Department's preliminary determination of whether the permit should be approved or disapproved;
2. A 30-day period for submittal of public comments; and,

3. A notice, by advertisement in a newspaper of general circulation in the county affected, specifying the nature and location of the proposed facility or emissions unit, whether BACT or LAER has been determined, the degree of PSD increment consumption expected, if applicable, and the location of the information specified in paragraph 1. above; and notifying the public of the opportunity for submitting comments and requesting a public hearing.
- (b) The notice provided for in Rule 62-210.350(2)(a)3., F.A.C., shall be prepared by the Department and published by the applicant in accordance with all applicable provisions of Rule 62-103.150, F.A.C., except that the applicant shall cause the notice to be published no later than thirty (30) days prior to final agency action.
- (c) A copy of the notice provided for in Rule 62-210.350(2)(a)3., F.A.C., shall also be sent by the Department to the Regional Office of the U. S. Environmental Protection Agency and to all other state and local officials or agencies having cognizance over the location of such new or modified facility or emissions unit, including local air pollution control agencies, chief executives of city or county government, regional land use planning agencies, and any other state, Federal Land Manager, or Indian Governing Body whose lands may be affected by emissions from the new or modified facility or emissions unit.
- (d) A copy of the notice provided for in Rule 62-210.350(2)(a)3., F.A.C., shall be displayed in the appropriate district, branch and local program offices.
- (e) An opportunity for public hearing shall be provided in accordance with Chapter 120, F.S., and Rule 62-103.150, F.A.C.
- (f) Any public comments received shall be made available for public inspection in the location where the information specified in Rule 62-210.350(2)(a)1., F.A.C., is available and shall be considered by the Department in making a final determination to approve or deny the permit.
- (g) The final determination shall be made available for public inspection at the same location where the information specified in Rule 62-210.350(2)(a)1., F.A.C., was made available.
- (h) For a proposed new or modified emissions unit which would be located within 100 kilometers of any Federal Class I area or whose emissions may affect any Federal Class I area, and which would be subject to the preconstruction review requirements of Rule 62-212.400, F.A.C., or Rule 62-212.500, F.A.C.:
1. The Department shall mail or transmit to the Administrator a copy of the initial application for an air construction permit and notice of every action related to the consideration of the permit application.
  2. The Department shall mail or transmit to the Federal Land Manager of each affected Class I area a copy of any written notice of intent to apply for an air construction permit; the initial application for an air construction permit, including all required analyses and demonstrations; any subsequently submitted information related to the application; the preliminary determination and notice of proposed agency action on the permit application; and any petition for an administrative hearing regarding the application or the Department's proposed action. Each such document shall be mailed or transmitted to the Federal Land Manager within fourteen (14) days after its receipt by the Department.
- (3) Additional Public Notice Requirements for Facilities Subject to Operation Permits for Title V Sources.
- (a) Before taking final agency action to issue a new, renewed, or revised air operation permit subject to Chapter 62-213, F.A.C., the Department shall comply with all applicable provisions of Rule 62-103.150, F.A.C., and provide an opportunity for public comment which shall include as a minimum the following:
1. A complete file available for public inspection in at least one location in the district affected which includes the information submitted by the owner or operator, exclusive of confidential records under Section 403.111, F.S.; and,
  2. A 30-day period for submittal of public comments.
- (b) The notice provided for in Rule 62-210.350(3)(a), F.A.C., shall be prepared by the Department and published by the applicant in accordance with all applicable provisions of Rule 62-103.150, F.A.C., except that the applicant shall cause the notice to be published no later than thirty (30) days prior to final agency action.
- (c) The notice shall identify:
1. The facility;
  2. The name and address of the office at which processing of the permit occurs;
  3. The activity or activities involved in the permit action;
  4. The emissions change involved in any permit revision;
  5. The name, address, and telephone number of a Department representative from whom interested persons may obtain additional information, including copies of the permit draft, the application, and all relevant supporting materials, including any permit application, compliance plan, permit, monitoring report, and compliance statement required pursuant to Chapter 62-213, F.A.C. (except for information entitled to confidential treatment pursuant to Section 403.111, F.S.), and all other materials available to the Department that are relevant to the permit decision;
  6. A brief description of the comment procedures required by Rules 62-103.150 and 62-210.350(3), F.A.C.;
  7. The time and place of any hearing that may be held, including a statement of procedure to request a hearing (unless a hearing has already been scheduled); and,

APPENDIX TV-1, TITLE V CONDITIONS (version dated 12/02/97) (continued)

8. The procedures by which persons may petition the Administrator to object to the issuance of the proposed permit after expiration of the Administrator's 45-day review period.

[Rule 62-210.350, F.A.C.]

22. Administrative Permit Corrections.

(1) A facility owner shall notify the Department by letter of minor corrections to information contained in a permit. Such notifications shall include:

- (a) Typographical errors noted in the permit;
- (b) Name, address or phone number change from that in the permit;
- (c) Any other similar minor administrative change at the source; and,
- (d) A change requiring more frequent monitoring or reporting by the permittee.
- (e) Changes listed at 40 CFR 72.83(a)(1), (2), (6), (9) and (10), hereby adopted and incorporated by reference, to Title V sources subject to emissions limitations or reductions pursuant to 42 USC ss. 7651-7651o;
- (f) Changes listed at 40 CFR 72.83(a)(11), hereby adopted and incorporated by reference, to Title V sources subject to emissions limitations or reductions pursuant to 42 USC ss. 7651-7651o, provided the notification is accompanied by a copy of any EPA determination concerning the similarity of the change to those listed at Rule 17-210.360(1)(e).

(2) Upon receipt of such notifications the Department shall within 60 days correct the permit and provide a corrected copy to the owner.

(3) For facilities subject to Chapter 62-213, F.A.C., a copy shall be provided to EPA and any approved local air program in the county where the facility or any part of the facility is located.

(4) The Department shall incorporate requirements resulting from issuance of new or revised construction permits into existing operation permits issued pursuant to Chapter 62-213, F.A.C., if the construction permit revisions incorporate requirements of federally enforceable preconstruction review and if the applicant requests at the time of application that all of the requirements of Rule 62-213.430(1), F.A.C., be complied with in conjunction with the processing of the construction permit application.

[Rule 62-210.360, F.A.C.]

23. Reports.

(3) Annual Operating Report for Air Pollutant Emitting Facility.

(a) The Annual Operating Report for Air Pollutant Emitting Facility (DEP Form No. 62-210.900(5)) shall be completed each year.

(c) The annual operating report shall be submitted to the appropriate Department District or Department approved local air pollution control program office by March 1 of the following year unless otherwise indicated by permit condition or Department request.

[Rule 62-210.370(3), F.A.C.]

24. Circumvention. No person shall circumvent any air pollution control device, or allow the emission of air pollutants without the applicable air pollution control device operating properly.

[Rule 62-210.650, F.A.C.]

25. Forms and Instructions. The forms used by the Department in the stationary source control program are adopted and incorporated by reference in this section. The forms are listed by rule number, which is also the form number, with the subject, title and effective date. Copies of forms may be obtained by writing to the Department of Environmental Protection, Division of Air Resources Management, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

(1) Application for Air Permit - Long Form, Form and Instructions.

(a) Acid Rain Part (Phase II). Form and Instructions.

- 1. Repowering Extension Plan, Form and Instructions.
- 2. New Unit Exemption, Form and Instructions.
- 3. Retired Unit Exemption, Form and Instructions.

(b) Reserved.

(5) Annual Operating Report (AOR) for Air Pollutant Emitting Facility, Form and Instructions.

[Rule 62-210.900, F.A.C.]



APPENDIX TV-1, TITLE V CONDITIONS (version dated 12/02/97) (continued)

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Chapter 62-213, F.A.C.

26. Annual Emissions Fee. Each Title V source permitted to operate in Florida must pay between January 15 and March 1 of each year, upon written notice from the Department, an annual emissions fee in accordance with Rule 62-213.205, F.A.C., and the appropriate form and associated instructions.  
[Rules 62-213.205 and 62-213.900(1), F.A.C.]
27. Annual Emissions Fee. Failure to pay timely any required annual emissions fee, penalty, or interest constitutes grounds for permit revocation pursuant to Rule 62-4.100, F.A.C.  
[Rule 62-213.205(1)(g), F.A.C.]
28. Annual Emissions Fee. Any documentation of actual hours of operation, actual material or heat input, actual production amount, or actual emissions used to calculate the annual emissions fee shall be retained by the owner for a minimum of five (5) years and shall be made available to the Department upon request.  
[Rule 62-213.205(1)(j), F.A.C.]
29. Annual Emissions Fee. DEP Form 62-213.900(1), F.A.C., "Major Air Pollution Source Annual Emissions Fee Form", must be completed by the permittee and submitted with the annual emissions fee.  
[Rule 62-213.205(4), F.A.C.]
30. Air Operation Permit Fees. After December 31, 1992, no permit application processing fee, renewal fee, modification fee or amendment fee is required for an operation permit for a Title V source.  
[Rule 62-213.205(5), F.A.C.]
31. Permits and Permit Revisions Required. All Title V sources are subject to the permit requirements of Chapter 62-213, F.A.C.  
[Rule 62-213.400, F.A.C.]
32. No Title V source may operate except in compliance with Chapter 62-213, F.A.C.  
[Rule 62-213.400(1), F.A.C.]
33. Changes Without Permit Revision. Title V sources having a valid permit issued pursuant to Chapter 62-213, F.A.C., may make the following changes without permit revision, provided that sources shall maintain source logs or records to verify periods of operation in each alternative method of operation:
- (1) Permitted sources may change among those alternative methods of operation allowed by the source's permit as provided by the terms of the permit;
  - (2) Permitted sources may implement the terms or conditions of a new or revised construction permit if;
    - (a) The application for construction permit complied with the requirements of Rule 62-213.420(3) and (4), F.A.C.;
    - (b) The terms or conditions were subject to federally enforceable preconstruction review pursuant to Chapter 62-212, F.A.C.;and,
    - (c) The new or revised construction permit was issued after the Department and the applicant complied with all the requirements of Rule 62-213.430(1), F.A.C.;
  - (3) A permitted source may implement operating changes after the source submits any forms required by any applicable requirement and provides the Department and EPA with at least 7 days written notice prior to implementation. The source and the Department shall attach each notice to the relevant permit;
    - (a) The written notice shall include the date on which the change will occur, and a description of the change within the permitted source, the pollutants emitted and any change in emissions, and any term or condition becoming applicable or no longer applicable as a result of the change;
    - (b) The permit shield described in Rule 62-213.460, F.A.C., shall not apply to such changes;
  - (4) Permitted sources may implement changes involving modes of operation only in accordance with Rule 62-213.415, F.A.C.  
[Rule 62-213.410, F.A.C.]

APPENDIX TV-1, TITLE V CONDITIONS (version dated 12/02/97) (continued)

34. Immediate Implementation Pending Revision Process.

(1) Those permitted Title V sources making any change that constitutes a modification pursuant to paragraph (a) of the definition of modification at Rule 62-210.200, F.A.C., but which would not constitute a modification pursuant to paragraph (b) of the same definition, may implement such change prior to final issuance of a permit revision in accordance with Rule 62-213.412, F.A.C., provided the change:

- (a) Does not violate any applicable requirement;
- (b) Does not contravene any permit term or condition for monitoring, testing, recordkeeping or reporting, or any compliance certification requirement;
- (c) Does not require or change a case-by-case determination of an emission limitation or other standard, or a source-specific determination of ambient impacts, or a visibility or increment analysis under the provisions of Chapter 62-212 or 62-296, F.A.C.;
- (d) Does not seek to establish or change a permit term or condition for which there is no corresponding underlying applicable requirement and that the source has assumed to avoid an applicable requirement to which the source would otherwise be subject including any federally enforceable emissions cap or federally enforceable alternative emissions limit.

(2) A Title V source may immediately implement such changes after they have been incorporated into the terms and conditions of a new or revised construction permit issued pursuant to Chapter 62-212, F.A.C., and after the source provides to EPA, the Department, each affected state and any approved local air program having geographic jurisdiction over the source, a copy of the source's application for operation permit revision. The Title V source may conform its application for construction permit to include all information required by Rule 62-213.420, F.A.C., in lieu of submitting separate application forms.

(3) The Department shall process the application for operation permit revision in accordance with the provisions of Chapter 62-213, F.A.C., except that the Department shall issue a draft permit revision or a determination to deny the revision within 60 days of receipt of a complete application for operation permit revision or, if the Title V source has submitted a construction permit application conforming to the requirements of Rule 62-213.420, F.A.C., the Department shall issue a draft permit or a determination to deny the revision at the same time the Department issues its determination on issuance or denial of the construction permit application. The Department shall not take final action until all the requirements of Rule 62-213.430(1)(a), (c), (d), and (e), F.A.C., have been complied with.

(4) Pending final action on the operation permit revision application, the source shall implement the changes in accordance with the terms and conditions of the source's new or revised construction permit.

(5) The permit shield described in Rule 62-213.460, F.A.C., shall not apply to such changes until after the Department takes final action to issue the operation permit revision.

(6) If the Department denies the source's application for operation permit revision, the source shall cease implementation of the proposed changes.

[Rule 62-213.412, F.A.C.]

35. Permit Applications.

(1) Duty to Apply. For each Title V source, the owner or operator shall submit a timely and complete permit application in compliance with the requirements of Rules 62-213.420, 62-4.050(1) & (2), and 62-210.900, F.A.C.

(a) Timely Application.

3. For purposes of permit renewal, a timely application is one that is submitted in accordance with Rule 62-4.090, F.A.C.

(b) Complete Application.

1. Any applicant for a Title V permit, permit revision or permit renewal must submit an application on DEP Form No. 62-210.900(1), which must include all the information specified by Rule 62-213.420(3), F.A.C., except that an application for permit revision must contain only that information related to the proposed change. The applicant shall include information concerning fugitive emissions and stack emissions in the application. Each application for permit, permit revision or permit renewal shall be certified by a responsible official in accordance with Rule 62-213.420(4), F.A.C.

2. For those applicants submitting initial permit applications pursuant to Rule 62-213.420(1)(a)1., F.A.C., a complete application shall be an application that substantially addresses all the information required by the application form number 62-210.900(1), and such applications shall be deemed complete within sixty days of receipt of a signed and certified application unless the Department notifies the applicant of incompleteness within that time. For all other applicants, the applications shall be deemed complete sixty days after receipt, unless the Department, within sixty days after receipt of a signed application for permit, permit revision or permit renewal, requests additional documentation or information needed to process the application. An applicant making timely and complete application for permit, or timely application for permit renewal as described by Rule 62-4.090(1), F.A.C., shall continue to operate the source

APPENDIX TV-1, TITLE V CONDITIONS (version dated 12/02/97) (continued)

under the authority and provisions of any existing valid permit or Florida Electrical Power Plant Siting Certification, provided the applicant complies with all the provisions of Rules 62-213.420(1)(b)3. and 4. F.A.C. Failure of the Department to request additional information within sixty days of receipt of a properly signed application shall not impair the Department's ability to request additional information pursuant to Rules 62-213.420(1)(b)3. and 4., F.A.C.

3. For those permit applications submitted pursuant to the provisions of Rule 62-213.420(1)(a)1., F.A.C., the Department shall notify the applicant if the Department becomes aware at any time during processing of the application that the application contains incorrect or incomplete information. The applicant shall submit the corrected or supplementary information to the Department within ninety days unless the applicant has requested and been granted additional time to submit the information. Failure of an applicant to submit corrected or supplementary information requested by the Department within ninety days or such additional time as requested and granted shall render the application incomplete.

4. For all applications other than those addressed at Rule 62-213.420(1)(b)3., F.A.C., should the Department become aware, during processing of any application that the application contains incorrect information, or should the Department become aware, as a result of comment from an affected State, an approved local air program, EPA, or the public that additional information is needed to evaluate the application, the Department shall notify the applicant within 30 days. When an applicant becomes aware that an application contains incorrect or incomplete information, the applicant shall submit the corrected or supplementary information to the Department. If the Department notifies an applicant that corrected or supplementary information is necessary to process the permit, and requests a response, the applicant shall provide the information to the Department within ninety days of the Department request unless the applicant has requested and been granted additional time to submit the information or, the applicant shall, within ninety days, submit a written request that the Department process the application without the information. Failure of an applicant to submit corrected or supplementary information requested by the Department within ninety days, or such additional time as requested and granted, or to demand in writing within ninety days that the application be processed without the information shall render the application incomplete. Nothing in this section shall limit any other remedies available to the Department.

[Rules 62-213.420(1)(a)3. and 62-213.420(1)(b)1., 2., 3. & 4., F.A.C.]

36. Confidential Information. Whenever an applicant submits information under a claim of confidentiality pursuant to Section 403.111, F.S., the applicant shall also submit a copy of all such information and claim directly to EPA.

[Rule 62-213.420(2), F.A.C.]

37. Standard Application Form and Required Information. Applications shall be submitted under Chapter 62-213, F.A.C., on forms provided by the Department and adopted by reference in Rule 62-210.900(1), F.A.C. The information as described in Rule 62-210.900(1), F.A.C., shall be included for the Title V source and each emissions unit. An application must include information sufficient to determine all applicable requirements for the Title V source and each emissions unit and to evaluate a fee amount pursuant to Rule 62-213.205, F.A.C.

[Rule 62-213.420(3), F.A.C.]

38. Certification by Responsible Official (RO). In addition to the professional engineering certification required for applications by Rule 62-4.050(3), F.A.C., any application form, report, compliance statement, compliance plan and compliance schedule submitted pursuant to Chapter 62-213, F.A.C., shall contain a certification signed by a responsible official that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

[Rule 62-213.420(4), F.A.C.]

39. a. Permit Renewal and Expiration. Permits being renewed are subject to the same requirements that apply to permit issuance at the time of application for renewal. Permit renewal applications shall contain that information identified in Rules 62-210.900(1) and 62-213.420(3), F.A.C. Unless a Title V source submits a timely application for permit renewal in accordance with the requirements of Rule 62-4.090(1), F.A.C., the existing permit shall expire and the source's right to operate shall terminate.

b. Permit Revision Procedures. Permit revisions shall meet all requirements of Chapter 62-213, F.A.C., including those for content of applications, public participation, review by approved local programs and affected states, and review by EPA, as they apply to permit issuance and renewal, except that permit revisions for those activities implemented pursuant to Rule 62-213.412, F.A.C., need not meet the requirements of Rule 62-213.430(1)(b), F.A.C. The Department shall require permit revision in accordance with the provisions of Rule 62-4.080, F.A.C., and 40 CFR 70.7(f), whenever any source becomes

subject to any condition listed at 40 CFR 70.7(f)(1), hereby adopted and incorporated by reference. The below requirements from 40 CFR 70.7(f) are adopted and incorporated by reference in Rule 62-213.430(4), F.A.C.:

o 40 CFR 70.7(f): Reopening for Cause.

(1) This section contains provisions from 40 CFR 70.7(f) that specify the conditions under which a Title V permit shall be reopened prior to the expiration of the permit. A Title V permit shall be reopened and revised under any of the following circumstances:

(i) Additional applicable requirements under the Act become applicable to a major Part 70 source with a remaining permit term of 3 or more years. Such a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 40 CFR 70.4(b)(10)(i) or (ii).

(ii) Additional requirements (including excess emissions requirements) become applicable to an affected source under the acid rain program. Upon approved by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit.

(iii) The permitting authority or EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

(iv) The Administrator or the permitting authority determines that the permit must be revised or revoked to assure compliance with the applicable requirements.

(2) Proceedings to reopen and issue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Such reopening shall be made as expeditiously as practicable.

(3) Reopenings under 40 CFR 70.7(f)(1) shall not be initiated before a notice of such intent is provided to the Part 70 source by the permitting authority at least 30 days in advance of the date that the permit is to be reopened, except that the permitting authority may provide a shorter time period in the case of an emergency.

[Rules 62-213.430(3) & (4), F.A.C.; and, 40 CFR 70.7(f)]

40. Insignificant Emissions Units or Pollutant-Emitting Activities.

(a) All requests for determination of insignificant emissions units or activities made pursuant to Rule 62-213.420(3)(m), F.A.C., shall be processed in conjunction with the permit, permit renewal or permit revision application submitted pursuant to Chapter 62-213, F.A.C. Insignificant emissions units or activities shall be approved by the Department consistent with the provisions of Rule 62-4.040(1)(b), F.A.C. Emissions units or activities which are added to a Title V source after issuance of a permit under Chapter 62-213, F.A.C., shall be incorporated into the permit at its next renewal, provided such emissions units or activities have been exempted from the requirement to obtain an air construction permit and also qualify as insignificant pursuant to Rule 62-213.430(6), F.A.C.

(b) An emissions unit or activity shall be considered insignificant if:

1. Such unit or activity would be subject to no unit-specific applicable requirement;
2. Such unit or activity, in combination with other units or activities proposed as insignificant, would not cause the facility to exceed any major source threshold(s) as defined in Rule 62-213.420(3)(c)1., F.A.C., unless it is acknowledged in the permit application that such units or activities would cause the facility to exceed such threshold(s); and
3. Such unit or activity would not emit or have the potential to emit:
  - a. 500 pounds per year or more of lead and lead compounds expressed as lead;
  - b. 1,000 pounds per year or more of any hazardous air pollutant;
  - c. 2,500 pounds per year or more of total hazardous air pollutants; or
  - d. 5.0 tons per year or more of any other regulated pollutant.

[Rule 62-213.430(6), F.A.C.]

41. Permit Duration. Operation permits for Title V sources may not be extended as provided in Rule 62-4.080(3), F.A.C., if such extension will result in a permit term greater than five (5) years.

[Rule 62-213.440(1)(a), F.A.C.]

42. Monitoring Information. All records of monitoring information shall specify the date, place, and time of sampling or measurement and the operating conditions at the time of sampling or measurement, the date(s) analyses were performed, the company or entity that performed the analyses, the analytical techniques or methods used, and the results of such analyses.

[Rule 62-213.440(1)(b)2.a., F.A.C.]

APPENDIX TV-1, TITLE V CONDITIONS (version dated 12/02/97) (continued)

43. Retention of Records. Retention of records of all monitoring data and support information shall be for a period of at least 5 years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

[Rule 62-213.440(1)(b)2.b., F.A.C.]

44. Monitoring Reports. The permittee shall submit reports of any required monitoring at least every six (6) months. All instances of deviations from permit requirements must be clearly identified in such reports.

[Rule 62-213.440(1)(b)3.a., F.A.C.]

45. Deviation from Permit Requirements Reports. The permittee shall report in accordance with the requirements of Rules 62-210.700(6) and 62-4.130, F.A.C., any deviations from permit requirements, including those attributable to upset conditions as defined in the permit. Reports shall include the probable cause of such deviations, and any corrective actions or preventive measures taken.

[Rule 62-213.440(1)(b)3.b., F.A.C.]

46. Reports. All reports shall be accompanied by a certification by a responsible official, pursuant to Rule 62-213.420(4), F.A.C.

[Rule 62-213.440(1)(b)3.c., F.A.C.]

47. If any portion of the final permit is invalidated, the remainder of the permit shall remain in effect.

[Rule 62-213.440(1)(d)1., F.A.C.]

48. It shall not be a defense for a permittee in an enforcement action that maintaining compliance with any permit condition would necessitate halting or reduction of the source activity.

[Rule 62-213.440(1)(d)3., F.A.C.]

49. A Title V source shall comply with all the terms and conditions of the existing permit until the Department has taken final action on any permit renewal or any requested permit revision, except as provided at Rule 62-213.412(2), F.A.C.

[Rule 62-213.440(1)(d)4., F.A.C.]

50. A situation arising from sudden and unforeseeable events beyond the control of the source which causes an exceedance of a technology-based emissions limitation because of unavoidable increases in emissions attributable to the situation and which requires immediate corrective action to restore normal operation, shall be an affirmative defense to an enforcement action in accordance with the provisions and requirements of 40 CFR 70.6(g)(2) and (3), hereby adopted and incorporated by reference.

[Rule 62-213.440(1)(d)5., F.A.C.]

51. Confidentiality Claims. Any permittee may claim confidentiality of any data or other information by complying with Rule 62-213.420(2), F.A.C.

[Rule 62-213.440(1)(d)6., F.A.C.]

52. Statement of Compliance. The permittee shall submit a statement of compliance with all terms and conditions of the permit. Such statement shall be submitted to the Department and EPA annually, or more frequently if specified by Rule 62-213.440(2), F.A.C., or by any other applicable requirement. The statement of compliance shall include the identity of each term or condition of the permit for which each unit has remained in compliance during the period covered by the statement. The statement shall include identification of all methods used to demonstrate compliance and identification of each term or condition of the permit for which any unit has not remained in compliance during the period covered by the statement. For each term or condition for which the source has not remained in compliance during the period covered by the statement, the statement shall also identify each unit not in compliance and each term and condition with which the unit was not in compliance and state the inclusive dates that the source was not in compliance, the actions taken to achieve compliance and the method used to demonstrate compliance. Such statement shall be accompanied by a certification by a responsible official, in accordance with Rule 62-213.420(4), F.A.C.

[Rule 62-213.440(3), F.A.C.]

APPENDIX TV-1, TITLE V CONDITIONS (version dated 12/02/97) (continued)

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53. Permit Shield. Except as provided in Chapter 62-213, F.A.C., compliance with the terms and conditions of a permit issued pursuant to Chapter 62-213, F.A.C., shall be deemed compliance with any applicable requirements in effect as of the date of permit issuance, provided that the source included such applicable requirements in the permit application. Nothing in Rule 62-213.460, F.A.C., or in any permit shall alter or affect the ability of EPA or the Department to deal with an emergency, the liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance, or the requirements of the Federal Acid Rain Program.

[Rule 62-213.460, F.A.C.]

54. Forms and Instructions. The forms used by the Department in the Title V source operation program are adopted and incorporated by reference in Rule 62-213.900, F.A.C. The form is listed by rule number, which is also the form number, and with the subject, title, and effective date. Copies of forms may be obtained by writing to the Department of Environmental Protection, Division of Air Resources Management, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, or by contacting the appropriate permitting authority.

(1) Major Air Pollution Source Annual Emissions Fee (AEF) Form.

[Rule 62-213.900(1), F.A.C.]

Chapter 62-256, F.A.C.

55. Not federally enforceable. Open Burning. This permit does not authorize any open burning nor does it constitute any waiver of the requirements of Chapter 62-256, F.A.C. Source shall comply with Chapter 62-256, F.A.C., for any open burning at the source.

[Chapter 62-256, F.A.C.]

Chapter 62-281, F.A.C.

56. Refrigerant Requirements. Any facility having refrigeration equipment, including air conditioning equipment, which uses a Class I or II substance (listed at 40 CFR 82, Subpart A, Appendices A and B), and any facility which maintains, services, or repairs motor vehicles using a Class I or Class II substance as refrigerant must comply with all requirements of 40 CFR 82, Subparts B and F, and with Rule 62-281.100, F.A.C. Those requirements include the following restrictions:

(1) Any facility having any refrigeration equipment normally containing 50 (fifty) pounds of refrigerant, or more, must keep servicing records documenting the date and type of all service and the quantity of any refrigerant added pursuant to 40 CFR 82.166;

(2) No person repairing or servicing a motor vehicle may perform any service on a motor vehicle air conditioner (MVAC) involving the refrigerant for such air conditioner unless the person has been properly trained and certified as provided at 40 CFR 82.34 and 40 CFR 82.40, and properly uses equipment approved pursuant to 40 CFR 82.36 and 40 CFR 82.38, and complies with 40 CFR 82.42;

(3) No person may sell or distribute, or offer for sale or distribution, any substance listed as a Class I or Class II substance at 40 CFR 82, Subpart A, Appendices A and B, except in compliance with Rule 62-281.100, F.A.C., and 40 CFR 82.34(b), 40 CFR 82.42, and/or 40 CFR 82.166;

(4) No person maintaining, servicing, repairing, or disposing of appliances may knowingly vent or otherwise release into the atmosphere any Class I or Class II substance used as a refrigerant in such equipment and no other person may open appliances (except MVACs as defined at 40 CFR 82.152) for service, maintenance or repair unless the person has been properly trained and certified pursuant to 40 CFR 82.161 and unless the person uses equipment certified for that type of appliance pursuant to 40 CFR 82.158 and unless the person observes the practices set forth at 40 CFR 82.156 and 40 CFR 82.166;

(5) No person may dispose of appliances (except small appliances, as defined at 40 CFR 82.152) without using equipment certified for that type of appliance pursuant to 40 CFR 82.158 and without observing the practices set forth at 40 CFR 82.156 and 40 CFR 82.166;

(6) No person may recover refrigerant from small appliances, MVACs and MVAC-like appliances (as defined at 40 CFR 82.152), except in compliance with the requirements of 40 CFR 82, Subpart F.

[40 CFR 82; and, Chapter 62-281, F.A.C. (Chapter 62-281, F.A.C., is not federally enforceable)]

Chapter 62-296, F.A.C.

57. **Not federally enforceable until SIP approved. Industrial, Commercial, and Municipal Open Burning Prohibited.** Open burning in connection with industrial, commercial, or municipal operations is prohibited, except when:

- (a) Open burning is determined by the Department to be the only feasible method of operation and is authorized by an air permit issued pursuant to Chapter 62-210 or 62-213, F.A.C.; or
- (b) An emergency exists which requires immediate action to protect human health and safety; or
- (c) A county or municipality would use a portable air curtain incinerator to burn yard trash generated by a hurricane, tornado, fire or other disaster and the air curtain incinerator would otherwise be operated in accordance with the permitting exemption criteria of Rule 62-210.300(3), F.A.C.

[Rule 62-296.320(3), F.A.C.]

58. Unconfined Emissions of Particulate Matter.

(4)(c)1. No person shall cause, let, permit, suffer or allow the emissions of unconfined particulate matter from any emissions unit whatsoever, including, but not limited to, vehicular movement, transportation of materials, construction, alteration, demolition or wrecking, or industrially related activities such as loading, unloading, storing or handling, without taking reasonable precautions to prevent such emission.

3. Reasonable precautions may include, but shall not be limited to the following:

- a. Paving and maintenance of roads, parking areas and yards.
- b. Application of water or chemicals to control emissions from such activities as demolition of buildings, grading roads, construction, and land clearing.
- c. Application of asphalt, water, oil, chemicals or other dust suppressants to unpaved roads, yards, open stock piles and similar emissions units.
- d. Removal of particulate matter from roads and other paved areas under the control of the owner or operator of the emissions unit to prevent reentrainment, and from buildings or work areas to prevent particulate from becoming airborne.
- e. Landscaping or planting of vegetation.
- f. Use of hoods, fans, filters, and similar equipment to contain, capture and/or vent particulate matter.
- g. Confining abrasive blasting where possible.
- h. Enclosure or covering of conveyor systems.

4. In determining what constitutes reasonable precautions for a particular facility, the Department shall consider the cost of the control technique or work practice, the environmental impacts of the technique or practice, and the degree of reduction of emissions expected from a particular technique or practice.

[Rules 62-296.320(4)(c)1., 3., & 4. F.A.C.]

[electronic file name: tv-1.doc]

## Appendix U-1, List of Unregulated Emissions Units and/or Activities.

Perpetual Energy Corporation of Florida  
Madison Facility

**DRAFT Permit No.:** 0790011-001-AV  
**Facility ID No.:** 0790011

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Unregulated Emissions Units and/or Activities. An emissions unit which emits no “emissions-limited pollutant” and which is subject to no unit-specific work practice standard, though it may be subject to regulations applied on a facility-wide basis (e.g., unconfined emissions, odor, general opacity) or to regulations that require only that it be able to prove exemption from unit-specific emissions or work practice standards.

The below listed emissions units and/or activities are neither ‘regulated emissions units’ nor ‘insignificant emissions units’.

### E.U. ID

<u>No.</u>	<u>Brief Description of Emissions Units and/or Activity</u>
-xxx	Fugitive dust sources heavy construction activities
-xxx	Fugitive dust associated with Fuel Handling Operations: Feed Bin, Conveyor Belts, Fuel Reclaim, Feed Scrwe Conveyor)

electronic file name: 0790011u.doc]





# Department of Environmental Protection

Jul 27

Lawton Chiles  
Governor

Northeast District  
7825 Baymeadows Way, Suite B200  
Jacksonville, Florida 32256-7590

Virginia B. Wetherell  
Secretary

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

June 26, 1998

Mr. Herbert H. Brown, Vice President  
LFC No. 47 Corp.  
3 Radnor Corporate Center, Suite 400  
Radnor, PA 19087

Re: DRAFT Title V Permit No.: 0790011-001-AV

Dear Mr. Brown:

One copy of the DRAFT Title V Air Operation Permit for the LFC No. 47 Corporation, Madison Facility located at Route 3, 1.5 miles N. of Madison, Madison County, is enclosed. The permitting authority's "INTENT TO ISSUE TITLE V AIR OPERATION PERMIT" and the "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT" are also included.

The "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT" must be published as soon as possible upon receipt of this letter. Proof of publication, i.e., newspaper affidavit, must be provided to the permitting authority's office within 7 (seven) days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit.

Please submit any written comments you wish to have considered concerning the permitting authority's proposed action to me at the above letterhead address. If you have any other questions, please contact Rita Felton-Smith at 904-448-4310 ext. 237.

Sincerely,

Christopher L. Kirts, P.E.  
District Air Program Administrator

CLK:RFS

Enclosures

[electronic file name: 0790011i.doc]

In the Matter of an  
Application for Permit by:

LFC No. 47 Corporation  
Madision Facility

DRAFT Title V Permit No.: 0790011-001-AV  
Madison County

**INTENT TO ISSUE TITLE V AIR OPERATION PERMIT**

The Florida Department of Environmental Protection gives notice of its intent to issue a Title V air operation permit (copy of DRAFT Permit attached) for the Title V source detailed in the application specified above, for the reasons stated below.

The applicant, LFC No. 47 Corporation, applied on June 17, 1996, to the permitting authority for a Title V air operation permit for the LFC No. 47 Corporation, Madison Facility located at Route 3, approximately 1.5 miles North of Madision, Madison County.

The permitting authority has permitting jurisdiction under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, and 62-222. This source is not exempt from Title V permitting procedures. The permitting authority has determined that a Title V air operation permit is required to commence or continue operations at the described facility.

The permitting authority intends to issue this Title V air operation permit based on the belief that reasonable assurances have been provided to indicate that operation of the source will not adversely impact air quality, and the source will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-256, 62-257, 62-281, 62-296, and 62-297, F.A.C.

Pursuant to Sections 403.815 and 403.0872, F.S., and Rules 62-103.150 and 62-210.350(3), F.A.C., you (the applicant) are required to publish at your own expense the enclosed "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT." The notice shall be published one time only as soon as possible in the legal advertisement section of a newspaper of general circulation in the area affected. For the purpose of these rules, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. Where there is more than one newspaper of general circulation in the county, the newspaper used must be one with significant circulation in the area that may be affected by the permit. If you are uncertain that a newspaper meets these requirements, please contact the permitting authority at the address or telephone number listed below. The applicant shall provide proof of publication to the permitting authority's office, Florida Department of Environmental Protection, Northeast District, 7825 Baymeadows Way, Suite B200, Jacksonville, Florida 32056-7590 (Telephone: 904-448-4310; Fax: 904-448-4363), within 7 (seven) days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit pursuant to Rule 62-103.150(6), F.A.C.

The permitting authority will issue the Title V PROPOSED Permit, and subsequent Title V FINAL Permit, in accordance with the conditions of the attached Title V DRAFT Permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The permitting authority will accept written comments concerning the proposed permit issuance action for a period of 30 (thirty) days from the date of publication of the "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT." Written comments should be provided to the permitting authority office. Any written comments filed shall be made available for public inspection. If written

comments received result in a significant change in this DRAFT Permit, the permitting authority shall issue a Revised DRAFT Permit and require, if applicable, another Public Notice.

The permitting authority will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, F.S. Mediation under Section 120.573, F.S., will not be available for this proposed action.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/488-9730; Fax: 850/921-3000). Petitions filed by the permit applicant or any of the parties listed below must be filed within 14 (fourteen) days of receipt of this notice of intent. Petitions filed by any other person must be filed within 14 (fourteen) days of publication of the public notice or within 14 (fourteen) days of receipt of this notice of intent, whichever occurs first. A petitioner must mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-5.207, F.A.C.

A petition must contain the following information:

- (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Permit File Number, and the county in which the project is proposed;
- (b) A statement of how and when each petitioner received notice of the permitting authority's action or proposed action;
- (c) A statement of how each petitioner's substantial interests are affected by the permitting authority's action or proposed action;
- (d) A statement of the material facts disputed by the petitioner, if any;
- (e) A statement of the facts that the petitioner contends warrant reversal or modification of the permitting authority's action or proposed action;
- (f) A statement identifying the rules or statutes that the petitioner contends require reversal or modification of the permitting authority's action or proposed action; and,
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the permitting authority to take with respect to the action or proposed action addressed in this notice of intent.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the permitting authority's final action may be different from the position taken by it in this notice of intent. Persons whose substantial interests will be affected by any such final decision of the permitting authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

In addition to the above, a person subject to regulation has a right to apply to the Department of Environmental Protection for a variance from or waiver of the requirements of particular rules, on certain conditions, under Section 120.542, F.S. The relief provided by this state statute applies only to state rules, not statutes, and not to any federal regulatory requirements. Applying for a variance or waiver does not substitute or extend the time for filing a petition for an administrative hearing or exercising any other right that a person may have in relation to the action proposed in this notice of intent.

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. The petition must specify the following information:

- (a) The name, address, and telephone number of the petitioner;
- (b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any;
- (c) Each rule or portion of a rule from which a variance or waiver is requested;
- (d) The citation to the statute underlying (implemented by) the rule identified in (c) above;
- (e) The type of action requested;
- (f) The specific facts that would justify a variance or waiver for the petitioner;
- (g) The reason why the variance or waiver would serve the purposes of the underlying statute (implemented by the rule); and,
- (h) A statement whether the variance or waiver is permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

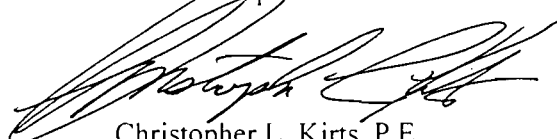
The Department will grant a variance or waiver when the petition demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of those terms is defined in Section 120.542(2), F.S., and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner.

Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable by the Administrator of the United States Environmental Protection Agency and by any person under the Clean Air Act unless and until the Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

Finally, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 (sixty) days of the expiration of the Administrator's 45 (forty-five) day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to issuance of any permit. Any petition shall be based only on objections to the permit that were raised with reasonable specificity during the 30 (thirty) day public comment period provided in this notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at 410 M Street, SW, Washington, D.C. 20460.

Executed in Jacksonville, Florida.

Florida Department of Environmental Protection



Christopher L. Kirts, P.E.  
District Air Program Administrator

**CERTIFICATE OF SERVICE**

The undersigned duly designated deputy agency clerk hereby certifies that this INTENT TO ISSUE TITLE V AIR OPERATION PERMIT (including the PUBLIC NOTICE and the DRAFT permit) and all copies were sent by certified mail before the close of business on 6/29/98 to the person(s) listed:

Mr. Brown, Vice President, LFC No. 47 Corp.

In addition, the undersigned duly designated deputy agency clerk hereby certifies that copies of this INTENT TO ISSUE TITLE V AIR OPERATION PERMIT (including the PUBLIC NOTICE and the DRAFT permit) were sent by U.S. mail on the same date to the person(s) listed or as otherwise noted:

Darrel Graziani, P.E.

Ms. Carla E. Pierce, U.S. EPA, Region 4 (INTERNET E-mail Memorandum)

Ms. Gracie Danois, U.S. EPA, Region 4 (INTERNET E-mail Memorandum)

Bruce Mitchell, Bureau of Air Regulation (E-mail Memorandum)

Clerk Stamp

**FILING AND ACKNOWLEDGMENT FILED**, on this date, pursuant to Section 120.52(7), Florida Statutes, with the designated agency Clerk, receipt of which is hereby acknowledged.

Dorothy Benefield 6/29/98  
(Clerk) (Date)

**PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT**

Florida Department of Environmental Protection

Title V DRAFT Permit No.: 0790011-001-AV  
LFC No. 47 Corporation  
Madison County

The Florida Department of Environmental Protection (permitting authority) gives notice of its intent to issue a Title V air operation permit to LFC No. 47 Corporation, Madison Facility located at Route 3, approximately 1.5 miles North of Madison, Madison County. The applicant's name and address are: Mr. Herbert H. Brown, Vice President, LFC No. 47 Corporation, 3 Radnor Corporate Center, Suite 400, Radnor, PA 19087.

The permitting authority will issue the Title V PROPOSED Permit, and subsequent Title V FINAL Permit, in accordance with the conditions of the Title V DRAFT Permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The permitting authority will accept written comments concerning the proposed Title V DRAFT Permit issuance action for a period of 30 (thirty) days from the date of publication of this Notice. Written comments should be provided to the State of Florida, Department of Environmental Protection, Northeast District Air Program, 7825 Baymeadows Way, Suite B200, Jacksonville, Florida 32256-7590. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this DRAFT Permit, the permitting authority shall issue a Revised DRAFT Permit and require, if applicable, another Public Notice.

The permitting authority will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, F.S. Mediation under Section 120.573, F.S., will not be available for this proposed action.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/488-9730; Fax: 850/487-4938). Petitions must be filed within 14 (fourteen) days of publication of the public notice or within 14 (fourteen) days of receipt of the notice of intent, whichever occurs first. A petitioner must mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the applicable time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S. or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-5.207 of the Florida Administrative Code.

A petition must contain the following information:

- (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Permit File Number, and the county in which the project is proposed;
- (b) A statement of how and when each petitioner received notice of the permitting authority's action or proposed action;
- (c) A statement of how each petitioner's substantial interests are affected by the permitting authority's action or proposed action;
- (d) A statement of the material facts disputed by the petitioner, if any;
- (e) A statement of the facts that the petitioner contends warrant reversal or modification of the permitting authority's action or proposed action;
- (f) A statement identifying the rules or statutes that the petitioner contends require reversal or modification of the permitting authority's action or proposed action; and,
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the permitting authority to take with respect to the action or proposed action addressed in this notice of intent.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the permitting authority's final action may be different from the position taken by it in this notice of intent. Persons whose substantial interests will be affected by any such final decision of the permitting authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

In addition to the above, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 (sixty) days of the expiration of the Administrator's 45 (forty-five) day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to issuance of any permit. Any petition shall be based only on objections to the permit that were raised with reasonable specificity during the 30 (thirty) day public comment period provided in this notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at 410 M Street, SW, Washington, D.C. 20460.

A complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

Permitting Authority:

State of Florida  
Department of Environmental Protection  
Northeast District Air Program  
7825 Baymeadows Way, Suite B200  
Jacksonville, Florida 32256-7590  
Telephone: 904/448-4310  
FAX: 904/448-4363

The complete project file includes the DRAFT Permit, the application, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact Christopher L. Kirts, P.E., at the above address, or call 904-448-4310 ext. 235, for additional information.

LFC No. 47 Corporation  
Madison Facility

**Facility ID No.:** 0790011  
Madison County

Initial Title V Air Operation Permit  
**DRAFT Permit No.:** 0790011-001-AV

Permitting Authority:

Department of Environmental Protection  
Northeast District Air Program  
7825 Baymeadows Way, Suite B-200  
Jacksonville, Florida 32256-7590  
Telephone: 904/448-4320  
Fax: 904/448-4363

Compliance Authority:

Department of Environmental Protection  
Northeast District Branch Office  
101 NW 75 Street, Suite 3  
Jacksonville, Florida 32607-1609  
Telephone: 352/333-2850  
Fax: 352/333-2856

Drafted in June 1998



## STATEMENT OF BASIS

LFC Corporation  
Madison Facility  
**Facility ID No.:** 0790011  
Madison County

Initial Title V Air Operation Permit  
**DRAFT Permit No.:** 0790011-001-AV

This Title V air operation permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, and 62-213. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents, attached hereto or on file with the permitting authority, in accordance with the terms and conditions of this permit.

This facility consists of a carbonaceous fuel boiler (Emissions Unit 001) which provides steam to a turbine generator and switch gear designed to deliver electrical power to the regional power grid. The maximum heat capacity of the boiler is 185 MMBtu per hour. Particulate emissions are controlled by a multicyclone and wet venturi scrubber.

This facility has been shut down for the previous two years and is currently not in operation.

The applicant has requested a 249.9 ton per year emissions cap on carbon monoxide emissions and therefore has agreed to determine compliance by conducting an EPA Method 10 compliance test.

Sources of unconfined emissions include the operations associated with the fuel handling, truck unloading operations, and vehicular traffic associated with plant operations.

Also included in this permit are miscellaneous unregulated/insignificant emissions units and/or activities.

Based on the initial Title V permit application received **June 17, 1996** this facility is a major source of hazardous air pollutants (HAPs).

0790011.sob  
last update 8/12/97

Initial Title V Air Operation Permit  
DRAFT Permit No.: 0790011-001-AV

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**Please reference the Permit No., Facility ID No., and appropriate Emissions Unit(s) ID No(s). on all correspondence, test report submittals, applications, etc.**



# Department of Environmental Protection

Lawton Chiles  
Governor

Northeast District  
7825 Baymeadows Way, Suite B200  
Jacksonville, Florida 32256-7590

Virginia B. Wetherell  
Secretary

**Permittee:**

LFC No. 47 Corporation  
Madison Facility

**DRAFT Permit No.:** 0790011-001-AV

**Facility ID No.:** 0790011

**SIC No.:** 49

**Project:** Initial Title V Air Operation Permit

This permit is for the operation of the air sources at LFC No. 47 Corporation. This facility is located at on Route 3, 1.5 miles N. of Madison Madison County, Florida; UTM Coordinates: Zone 17, 270.1 km East and 3376.5 km North; Latitude: 30° 30' 00" North and Longitude: 83° 23' 45" West.

STATEMENT OF BASIS: This Title V air operation permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-204, 62-210, 62-212, 62-296 and 62-297. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents, attached hereto or on file with the permitting authority, in accordance with the terms and conditions of this permit.

**Referenced attachments made a part of this permit:**

APPENDIX TV-1, TITLE V CONDITIONS (version dated 12/2/97)

APPENDIX I-1, List of Insignificant Emissions Units and/or Activities

APPENDIX U-1, List of Unregulated Emissions Units and/or Activities

**Effective Date:**

**Renewal Application Due Date:**

**Expiration Date:**

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**Christopher L. Kirts, P.E.**  
**District Air Program Administrator**

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**Section I. Facility Information****Subsection A. Facility Description.**

LFC No. 47 Corporation consists of a carbonaceous fuel boiler which provides steam to a turbine generator and a switchgear designed to deliver electrical power to the regional power grid.

This facility has been shut down for the previous two years and is currently not in operation.

The applicant has requested a 249.9 ton per year emissions cap on carbon monoxide emissions and therefore has agreed to determine compliance by conducting an EPA Method 10 compliance test.

Sources of unconfined emissions include the operations associated with the fuel handling, truck unloading operations, and vehicular traffic associated with plant operations.

Also included in this permit are miscellaneous unregulated/insignificant emissions units and/or activities.

Based on the initial Title V permit application received **June 17, 1996** this facility is a major source (based on potential emissions of 100 tons or more) of lead, CO, Nox, Particulate Matter, and Sulfur Dioxide. The facility is also a major source of HAPs.

**Subsection B. Summary of Emissions Unit ID No. and Brief Description.****E.U.**

<b><u>ID No.</u></b>	<b><u>Brief Description</u></b>
001	A carbonaceous fuel-fired boiler
-XXX	Fugitive dust sources heavy construction activities
-XXX	Fugitive dust associated with Fuel Handling Operations: Feed Bin, Conveyor Belts, Fuel Reclaim, Feed Screw Conveyor)

**Subsection C. Relevant Documents**

The documents listed below are not a part of this permit; however, they are specifically related to this permitting action.

These documents are provided to the permittee for information purposes only:

Table 1-1, Summary of Air Pollutant Standards and Terms

Table 2-1, Summary of Compliance Requirements

Appendix A-1, Abbreviations, Acronyms, Citations, and Identification Numbers

Appendix H-1, Permit History/ID Number Changes

These documents are on file with permitting authority:

Initial Title V Permit Application received June 17, 1996.

LFC No. 47 Corporation  
Madison Facility  
Page 3

**DRAFT Permit No.:** 0790011-001-AV

Additional Information request dated October 29, 1997.  
Additional Information Response received April 17, 1998.

**Please reference the Permit No., Facility ID No., and appropriate Emissions Unit(s) ID No(s). on all correspondence, test report submittals, applications, etc.**

**Section II. Facility-wide Conditions.**

**The following conditions apply facility-wide:**

1. APPENDIX TV-1, TITLE V CONDITIONS is a part of this permit.  
*APPENDIX TV-1, TITLE V CONDITIONS, is distributed to the permittee only. Other persons requesting copies of these conditions shall be provided one copy when requested or otherwise appropriate.*
2. [Not federally enforceable.] General Pollutant Emission Limiting Standards. Objectionable Odor Prohibited. The permittee shall not cause, suffer, allow, or permit the discharge of air pollutants which cause or contribute to an objectionable odor.  
[Rule 62-296.320(2), F.A.C.]
3. General Particulate Emission Limiting Standards. General Visible Emissions Standard.  
Except for emissions units that are subject to a particulate matter or opacity limit set forth or established by rule and reflected by conditions in this permit, no person shall cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity, the density of which is equal to or greater than that designated as Number 1 on the Ringelmann Chart (20 percent opacity). EPA Method 9 is the method of compliance pursuant to Chapter 62-297, F.A.C.  
[Rules 62-296.320(4)(b)1. & 4., F.A.C.]
4. Prevention of Accidental Releases (Section 112(r) of CAA). If required by 40 CFR 68, the permittee shall submit to the implementing agency:
  - a. a risk management plan (RMP) when, and if, such requirement becomes applicable; and
  - b. certification forms and/or RMPs according to the promulgated rule schedule.[40 CFR 68]
5. [Not federally enforceable.] Reasonable precautions to prevent emissions of unconfined particulate matter at this facility include:

Potential Sources	Reasonable Precautions
Fuel unloading and transfer operations	Water will be kept available during fuel unloading and transfer operations in order to suppress any fugitive emissions generated by these operations. Application of the water will be on an as need basis (manual operation)
Ash transfer points/storage	Ash transfer points will be protected from the wind. Ash storage containers will be kept closed when not in use.
Other Sources	Application of dust suppressants, unless an alternative method is requested and approved, to all areas necessary to reasonably control such emissions.

Please reference the Permit No., Facility ID No., and appropriate Emissions Unit(s) ID No(s). on all correspondence, test report submittals, applications, etc.

[Rule 62-296.320(4)(c)2., F.A.C.; Requested by applicant in the initial Title V permit application received June 17, 1996; Air Construction Permit AC40-248258]

6. Insignificant Emissions Units and/or Activities. Appendix I-1, List of Insignificant Emissions Units and/or Activities, is a part of this permit.

[Rules 62-213.440(1), 62-213.430(6), and 62-4.040(1)(b), F.A.C.]

7. Unregulated Emissions Units and/or Activities. Appendix U-1, List of Unregulated Emissions Units and/or Activities, is a part of this permit.

[Rule 62-213.440(1), F.A.C.]

8. The permittee shall submit all compliance related notifications and reports required of this permit to the Department's Northeast District Branch Office, Air Section:

Department of Environmental Protection  
Northeast District Branch Office  
101 NW 75 Street, Suite 3  
Gainesville, Florida 32607-1609  
Telephone: 352/333-2850  
Fax: 352/333-2856

9. When appropriate, any recording, monitoring, or reporting requirements that are time-specific shall be in accordance with the effective date of the permit, which defines day one.

[Rule 62-213.440(1), F.A.C.]

10. Any reports, data, notifications, certification, and requests required to be sent to the United States environmental protection Agency, Region 4, should be sent to the following address:

United States Environmental Protection Agency, Region 4  
Air, Pesticides and Toxics Management Division  
Operating Permits Section  
61 Forsyth Street  
Atlanta, Georgia 30303  
Telephone No.: 404/562-9099  
Fax No.: 404/562-9095

**Please reference the Permit No., Facility ID No., and appropriate Emissions Unit(s) ID No(s). on all correspondence, test report submittals, applications, etc.**

**Section III. Emission Unit and Conditions**

**Subsection A. This section addresses the following emissions unit.**

**E.U. ID**

<b><u>No.</u></b>	<b><u>Brief Description</u></b>
001	A carbonaceous fuel-fired boiler

Emission Unit 001 identifies a carbonaceous fuel-fired boiler with a maximum heat input capacity of 185 MMBtu per hour. Particulate emissions are controlled by a multicyclone and wet venturi scrubber in series.

{Permitting note: This emissions unit is regulated under Rule 62-296.410, F.A.C., Carbonaceous Fuel Burning Equipment.}

**The following specific conditions apply to the emissions unit listed above:**

**Essential Potential to Emit (PTE) Parameters**

**A.1. Permitted Capacity.** The maximum operation heat input rate is 185 mmBtu per hour. [Rules 62-4.160(2) and 62-210.200(PTE), F.A.C., Title V permit application received June 17, 1996]

**A.2. Methods of Operation. Fuel(s).** Only carbonaceous fuels defined as wood, bark, paper, and waste wood shall be fired in this emissions unit. [Rule 62-213.410, F.A.C.; Air Construction Permit AC40-248258]

**A.3. Hours of Operation.** The hours of operation for these emissions units shall not exceed 24 H/D, 7 D/W, 50 W/Y and 8,400 hours per year. [Rule 62-210.200(223) (PTE), F.A.C.; Construction Permit AC40-248258; requested by applicant in the initial Title V permit application received June 17, 1996.]

**Emission Limitations and Standards**

{Permitting Note: Table 1-1, Summary of Air Pollutant Standards and Terms, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

**A.4. Fuel Usage.** The maximum carbonaceous fuel usage shall not exceed 41,111 pounds per hour assuming heat content is 4500 BTU/ pound of fuel. [Air Construction Permit AC40-248258]

**A.5. Particulate Matter.** Particulate matter emissions shall not exceed 0.2 pounds per MMBtu. Equivalent emissions are 37 pounds per hour and 155.4 tons in any consecutive 12-month period. [Rule 62-296.410(2)(b)2.; Air Construction Permit AC40-248258]

**Please reference the Permit No., Facility ID No., and appropriate Emissions Unit(s) ID No(s). on all correspondence, test report submittals, applications, etc.**



# Best Available Copy

LFC No. 47 Corporation  
Madison Facility

DRAFT Permit No.: 0790011-001-AV

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**A.6. Visible Emissions.** Visible emissions shall not exceed 30 percent opacity except 40 percent opacity is permissible for no more than (2) two minutes in any one hour.

[Rule 62-296.410(2)(b)1.; Air Construction Permit AC40-248258]

**A.7. Carbon Monoxide.** Carbon Monoxide emissions shall not exceed 59.4 pounds per hour nor 249.4 tons in any consecutive 12-month period.

[Requested by applicant in Title V application received June 17, 1996]

## Excess Emissions

**A.8.** Excess emissions resulting from startup, shutdown or malfunction shall be permitted provided that best operational practices to minimize emissions are adhered to and the duration of excess emissions shall be minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration.

[Rule 62-210.700(1), F.A.C.]

**A.9.** Excess emissions resulting from startup or shutdown shall be permitted provided that best operational practices to minimize emissions are adhered to and the duration of excess emissions shall be minimized.

[Rule 62-210.700(2), F.A.C.]

**A.10.** Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown or malfunction shall be prohibited.

[Rule 62-210.700(4), F.A.C.]

## Test Methods and Procedures

{Permitting Note: Table 2-1, Summary of Compliance Requirements, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

**A.11. Reactivation.** 60 days prior to reactivation of this unit, the Permittee shall demonstrate to the Department whether the reactivation would constitute reconstruction. Reconstruction is defined as the replacement of components of an existing emissions unit to the extent that the fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable entirely new emissions unit.

[Rule 62-210.300(2)(a)4., Rule 62-204.800(7)(d), 40 CFR 60.15(b) and 40 CFR 60.15(b)(1)]

**A.12.** An existing facility or emissions unit, upon a Department determination of reconstruction, shall become an affected facility and subject to the applicable standards of 40 CFR Subpart 60.

[40 CFR 60.15(a)]

**A.13.** A compliance test for each of the pollutants stated in Specific Conditions A.5., A.6., and A.7. shall be conducted within 45 days after startup.

[Rule 62-297.310(7)(a)1., F.A.C.]

**Please reference the Permit No., Facility ID No., and appropriate Emissions Unit(s) ID No(s). on all correspondence, test report submittals, applications, etc.**

**A.14. Visible Emissions.** The test method for visible emissions shall be DEP Method 9, incorporated in Chapter 62-297, F.A.C.  
[Air Construction Permit AC40-248258]

**A.15. Particulate Emissions.** The test method for particulate emissions shall be DEP Method 5, incorporated in Chapter 62-297, F.A.C. Compliance and heat input rate calculations shall be based on the test data and 9280 DSCF/MMBTU( $F_d$  from Table 19-1, 40 CFR 60, Appendix A, Method 19) or the actual  $F_d$  shall be determined from acceptable data collected during the test period.  
[Air Construction Permit AC40-248258 ]

**A.16. Carbon Monoxide.** The test method for carbon monoxide emissions shall be EPA Method 10, incorporated in Chapter 62-297, F.A.C.  
[Agreed by applicant in Title V additional information submittal dated April 20, 1998]

**A.17. DEP Method 9.** The provisions of EPA Method 9 (40 CFR 60, Appendix A) are adopted by reference with the following exceptions:

1. EPA Method 9, Section 2.4, Recording Observations. Opacity observations shall be made and recorded by a certified observer at sequential fifteen second intervals during the required period of observation.

2. EPA Method 9, Section 2.5, Data Reduction. For a set of observations to be acceptable, the observer shall have made and recorded, or verified the recording of, at least 90 percent of the possible individual observations during the required observation period. For single-valued opacity standards (e.g., 20 percent opacity), the test result shall be the highest valid six-minute average for the set of observations taken. For multiple-valued opacity standards (e.g., 20 percent opacity, except that an opacity of 40 percent is permissible for not more than two minutes per hour) opacity shall be computed as follows:

a. For the basic part of the standard (i.e., 20 percent opacity) the opacity shall be determined as specified above for a single-valued opacity standard.

b. For the short-term average part of the standard, opacity shall be the highest valid short-term average (i.e., two-minute, three-minute average) for the set of observations taken. In order to be valid, any required average (i.e., a six-minute or two-minute average) shall be based on all of the valid observations in the sequential subset of observations selected, and the selected subset shall contain at least 90 percent of the observations possible for the required averaging time. Each required average shall be calculated by summing the opacity value of each of the valid observations in the appropriate subset, dividing this sum by the number of valid observations in the subset, and rounding the result to the nearest whole number. The number of missing observations in the subset shall be indicated in parenthesis after the subset average value.

[Rules 62-297.310, and 62-297.401, F.A.C.]

**A.18. Required Number of Test Runs.** For mass emission limitations, a compliance test shall consist of three complete and separate determinations of the total air pollutant emission rate through the test section of the stack or duct and three complete and separate determinations of any applicable process variables corresponding to the three distinct time periods during which the stack emission rate was measured provided, however, that three complete and separate determinations shall not be required if the process variables are not subject to variation during a compliance test, or if three determinations are not necessary in order to calculate the unit's

**Please reference the Permit No., Facility ID No., and appropriate Emissions Unit(s) ID No(s). on all correspondence, test report submittals, applications, etc.**

emission rate. The three required test runs shall be completed within one consecutive five day period. In the event that a sample is lost or one of the three runs must be discontinued because of circumstances beyond the control of the owner or operator, and a valid third run cannot be obtained within the five day period allowed for the test, the Secretary or his or her designee may accept the results of the two complete runs as proof of compliance, provided that the arithmetic mean of the results of the two complete runs is at least 20 percent below the allowable emission limiting standards.

[Rule 62-297.310(1), F.A.C.]

**A.19. Operating Rate During Testing.** Testing of emissions shall be conducted with each emissions unit operation at permitted capacity, which is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. If it is impracticable to test at permitted capacity, an emissions unit may be tested at less than the minimum permitted capacity; in this case, subsequent emissions unit operation is limited to 110 percent of the test load until a new test is conducted. Once the emissions unit is so limited, operation at higher capacities is allowed for no more than 15 consecutive days for the purpose of additional compliance testing to regain the authority to operate at the permitted capacity.

[Rules 62-297.310(2) & (2)(b), F.A.C.]

**A.20. Calculation of Emission Rate.** The indicated emission rate or concentration shall be the arithmetic average of the emission rate or concentration determined by each of the separate test runs unless otherwise specified in a particular test method or applicable rule.

[Rule 62-297.310(3), F.A.C.]

**A.21. Frequency of Compliance Tests.** The following provisions apply only to those emissions units that are subject to an emissions limiting standard for which compliance testing is required.

(a) General Compliance Testing.

3. The owner or operator of an emissions unit that is subject to any emission limiting standard shall conduct a compliance test that demonstrates compliance with the applicable emission limiting standard prior to obtaining a renewed operation permit. Emissions units that are required to conduct an annual compliance test may submit the most recent annual compliance test to satisfy the requirements of this provision. In renewing an air operation permit pursuant to Rule 62-210.300(2)(a)3.b., c., or d., F.A.C., the Department shall not require submission of emission compliance test results for any emissions unit that, during the year prior to renewal:

a. Did not operate; or

b. In the case of a fuel burning emissions unit, burned liquid and/or solid fuel for a total of no more than 400 hours.

4. During each federal fiscal year (October 1 -- September 30), unless otherwise specified by rule, order, or permit, the owner or operator of each emissions unit shall have a formal compliance test conducted for:

a. Visible emissions, if there is an applicable standard:

9. The owner or operator shall notify the Department, at least 15 days prior to the date on which each formal compliance test is to begin, of the date, time, and place of each such test, and the test contact person who will be responsible for coordinating and having such test conducted for the owner or operator.

10. An annual compliance test conducted for visible emissions shall not be required for units exempted from permitting at Rule 62-210.300(3)(a), F.A.C., or units permitted under the General Permit provisions at Rule 62-210.300(4), F.A.C.

**Please reference the Permit No., Facility ID No., and appropriate Emissions Unit(s) ID No(s). on all correspondence, test report submittals, applications, etc.**

(b) 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 report on the results of said tests to the Department.

(c) Waiver of Compliance Test Requirements. If the owner or operator of an emissions unit that is subject to a compliance test requirement demonstrates to the Department, pursuant to the procedure established in Rule 62-297.620, F.A.C., that the compliance of the emissions unit with an applicable weight emission limiting standard can be adequately determined by means other than the designated test procedure, such as specifying a surrogate standard of no visible emissions for particulate matter sources equipped with a bag house or specifying a fuel analysis for sulfur dioxide emissions, the Department shall waive the compliance test requirements for such emissions units and order that the alternate means of determining compliance be used, provided, however, the provisions of Rule 62-297.310(7)(b), F.A.C., shall apply.  
[Rule 62-297.310(7), F.A.C.]

**A.22. Applicable Test Procedures.**

(a) Required Sampling Time.

1. 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 port shall be of equal intervals of at least two minutes.

2. Opacity Compliance Tests. When either EPA Method 9 or DEP Method 9 is specified as the applicable opacity test method, the required minimum period of observation for a compliance test shall be sixty (60) minutes for emissions units which emit or have the potential to emit 100 tons per year or more of particulate matter, and thirty (30) minutes for emissions units which have potential emissions less than 100 tons per year of particulate matter and are not subject to a multiple-valued opacity standard. The opacity test observation period shall include the period during which the highest opacity emissions can reasonably be expected to occur. Exceptions to these requirements are as follows:

a. For batch, cyclical processes, or other operations which are normally completed within less than the minimum observation period and do not recur within that time, the period of observation shall be equal to the duration of the batch cycle or operation completion time.

b. The observation period for special opacity tests that are conducted to provide data to establish a surrogate standard pursuant to Rule 62-297.310(5)(k), F.A.C., Waiver of Compliance Test Requirements, shall be established as necessary to properly establish the relationship between a proposed surrogate standard and an existing mass emission limiting standard.

c. The minimum observation period for opacity tests conducted by employees or agents of the Department to verify the day-to-day continuing compliance of a unit or activity with an applicable opacity standard shall be twelve minutes.

[Rule 62-297.310(4)(a)2., F.A.C.]

**A.23. 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

**Please reference the Permit No., Facility ID No., and appropriate Emissions Unit(s) ID No(s). on all correspondence, test report submittals, applications, etc.**

data are needed in conjunction with emissions data to determine the compliance of the emissions unit with applicable emission limiting standards.

(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), F.A.C.]

### **Record keeping and Reporting Requirements**

**A.24. Reconstruction.** If it is proposed to replace components of an existing emissions unit to the extent that the fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable entirely new emissions unit, the Permittee shall notify the Department's Tallahassee Office, New Source Review Section, at least 60 days prior to commencement of construction of the replacements. The following information shall be included in the notification:

- (1) Name and address of the owner or operator.
- (2) The location of the existing facility.
- (3) A brief description of the existing facility, emissions unit, and the components which are to be replaced.
- (4) A description of the existing air pollution control equipment and the proposed air pollution control equipment.
- (5) An estimate of the fixed capital cost of the replacements and of constructing a comparable entirely new emissions unit.
- (6) The estimated life of the existing emissions unit after the replacements.
- (7) A discussion of any economic or technical limitations of the facility may have in complying with the applicable standards of performance after the proposed replacements.

[40 CFR 60.15(d)(1)-(7)]

**A.25. Startup.** 30 days prior to anticipated startup of this emissions unit, the Permittee shall notify the Northeast District Office in writing.

[Rule 62-210.300(2)(a)4., F.A.C. and 40 CFR 60.7(a)(2)]

### **Excess Emissions**

**A.26.** In the case of excess emissions resulting from malfunctions, each owner or operator shall notify the Department in accordance with Rule 62-4.130, F.A.C. A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Department.

[Rule 62-210.700(6), F.A.C.]

**A.27.** Submit to the Department a written report of emissions in excess of emission limiting standards as set forth in Rule 62-296.405(1), F.A.C., for each calendar quarter. The nature and cause of the excess emissions shall be explained. This report does not relieve the owner or operator of the legal liability for violations. All recorded data shall be maintained on file by the Source for a period of five years.

[Rules 62-213.440 and 62-296.405(1)(g), F.A.C.]

**Please reference the Permit No., Facility ID No., and appropriate Emissions Unit(s) ID No(s). on all correspondence, test report submittals, applications, etc.**

**A.28. Test Reports.**

(a) The owner or operator of an emissions unit for which a compliance test is required shall file a report with the Department on the results of each such test.

(b) The required test report shall be filed with the Department as soon as practical but no later than 45 days after the last sampling run of each test is completed.

(c) The test report shall provide sufficient detail on the emissions unit tested and the test procedures used to allow the Department to determine if the test was properly conducted and the test results properly computed. As a minimum, the test report, other than for an EPA or DEP Method 9 test, shall provide the following information:

1. The type, location, and designation of the emissions unit tested.
2. The facility at which the emissions unit is located.
3. The owner or operator of the emissions unit.
4. The normal type and amount of fuels used and materials processed, and the types and amounts of fuels used and material processed during each test run.
5. The means, raw data and computations used to determine the amount of fuels used and materials processed, if necessary to determine compliance with an applicable emission limiting standard.
6. The type of air pollution control devices installed on the emissions unit, their general condition, their normal operating parameters (pressure drops, total operating current and GPM scrubber water), and their operating parameters during each test run.
7. A sketch of the duct within 8 stack diameters upstream and 2 stack diameters downstream of the sampling ports, including the distance to any upstream and downstream bends or other flow disturbances.
8. The date, starting time and duration of each sampling run.
9. The test procedures used, including any alternative procedures authorized pursuant to Rule 62-297.620, F.A.C. Where optional procedures are authorized in this chapter, indicate which option was used.
10. The number of points sampled and configuration and location of the sampling plane.
11. For each sampling point for each run, the dry gas meter reading, velocity head, pressure drop across the stack, temperatures, average meter temperatures and sample time per point.
12. The type, manufacturer and configuration of the sampling equipment used.
13. Data related to the required calibration of the test equipment.
14. Data on the identification, processing and weights of all filters used.
15. Data on the types and amounts of any chemical solutions used.
16. Data on the amount of pollutant collected from each sampling probe, the filters, and the impingers, are reported separately for the compliance test.
17. The names of individuals who furnished the process variable data, conducted the test, analyzed the samples and prepared the report.
18. All measured and calculated data required to be determined by each applicable test procedure for each run.
19. The detailed calculations for one run that relate the collected data to the calculated emission rate.
20. The applicable emission standard, and the resulting maximum allowable emission rate for the emissions unit, plus the test result in the same form and unit of measure.
21. A certification that, to the knowledge of the owner or his authorized agent, all data submitted are true and correct. When a compliance test is conducted for the Department

**Please reference the Permit No., Facility ID No., and appropriate Emissions Unit(s) ID No(s). on all correspondence, test report submittals, applications, etc.**

or its agent, the person who conducts the test shall provide the certification with respect to the test procedures used. The owner or his authorized agent shall certify that all data required and provided to the person conducting the test are true and correct to his knowledge.

[Rules 62-213.440 and 62-297.310(8), F.A.C.]

**A.29.** In each compliance test report, provide the maximum operation heat input rate at which the emissions unit was operated since the most recent compliance test.

[Rules 62-213.440 and 62-297.310(2), F.A.C.; and, Air Construction Permit AC40-248258]

**Table 1-1, Summary of Air Pollutant Standards and Terms**

LFC No. 47 Corporation  
Madison Facility

DRAFT Permit No.: 0790011-001-AV  
Facility ID No.: 0790011

This table summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.

**E.U. ID No.**      **Brief Description**  
001 Carbonaceous Fuel-Fired Boiler

Pollutant Name	Fuel(s)	Hours/Year	Allowable Emissions			Equivalent Emissions*		Regulatory Citation(s)	See permit condition(s)
			Standard(s)	lbs./hour	TPY	lbs./hour	TPY		
Particulate matter		8400	0.2 lb/MMStu			37.0	155.4	62-296.410(2)(b)2, AC Permit	III.A.5.
Visible Emissions		8400	30% Opacity, except 40% no more than (2) min/hr					62-296.410(2)(b)1.	III.A.6.
Carbon Monoxide		8400		59.4	249.4			Requested CAP in T5	III.A.7.

Notes:  
\* The "Equivalent Emissions" listed are for informational purposes only.



**Table 2-1, Summary of Compliance Requirements**

LFC No. 47 Corporation

DRAFT Permit No.: 0790011-001-AV

Facility ID No.: 0790011

This table summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.

E.U. ID No.      Brief Description  
 001Carbonaceous Fuel-Fired Boiler

Pollutant Name or Parameter	Fuel(s)	Compliance Method	Testing Time Frequency	Frequency Base Date *	Min. Compliance Test Duration	CMS **	
						CMS **	See permit condition(s)
Particulate Matter		EPA Method 5	Annual	Within 45 days of Startup & Annually thereafter		N/A	III.A.13, A.15.
Visible Emissions		DEP Method 9	Annual	Within 45 days of Startup & Annually thereafter	60 Minutes	N/A	III.A.13., A.14.
Carbon Dioxide		EPA Method 10	Annual	Within 45 days of Startup & Annually thereafter			III.A.13, A.16.

Notes:  
 \* The frequency base date is established for planning purposes only; see Rule 62-297.310, F.A.C.  
 \*\* CMS | = | continuous monitoring system

## Appendix A-1, Abbreviations, Acronyms, Citations, and Identification Numbers (version dated 02/05/97)

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### Abbreviations and Acronyms:

°F: Degrees Fahrenheit  
BACT: Best Available Control Technology  
CFR: Code of Federal Regulations  
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  
ISO: International Standards Organization  
LAT: Latitude  
LONG: Longitude  
MMBtu: million British thermal units  
MW: Megawatt  
ORIS: Office of Regulatory Information Systems  
SOA: Specific Operating Agreement  
UTM: Universal Transverse Mercator

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### Citations:

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

#### Code of Federal Regulations:

*Example:* |40 CFR 60.334|

Where:	40	reference to	Title 40
	CFR	reference to	Code of Federal Regulations
	60	reference to	Part 60
	60.334	reference to	Regulation 60.334

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

*Example:* |Rule 62-213, F.A.C.|

Where:	62	reference to	Title 62
	62-213	reference to	Chapter 62-213
	62-213.205	reference to	Rule 62-213.205, F.A.C.

ISO: International Standards Organization refers to those conditions at 288 degrees K, 60 percent relative humidity, and 101.3 kilopascals pressure.

**Appendix A-1, Abbreviations, Acronyms, Citations, and Identification Numbers  
(version dated 02/05/97) (continued)**

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**Identification Numbers:**

Facility Identification (ID) Number:

*Example:* Facility ID No.: 1050221

*Where:*

105 = 3-digit number code identifying the facility is located in Polk County  
0221 = 4-digit number assigned by state database.

Permit Numbers:

*Example:* 1050221-002-AV, or  
1050221-001-AC

*Where:*

AC = Air Construction Permit  
AV = Air Operation Permit (Title V Source)  
105 = 3-digit number code identifying the facility is located in Polk County  
0221 = 4-digit number assigned by permit tracking database  
001 or 002 = 3-digit sequential project number assigned by permit tracking database

*Example:* PSD-FL-185  
PA95-01  
AC53-208321

*Where:*

PSD = Prevention of Significant Deterioration Permit  
PA = Power Plant Siting Act Permit  
AC = old Air Construction Permit numbering

## Appendix H-1, Permit History/ID Number Changes

LFC No. 47 Corporation  
Madison Facility

Facility ID No.: 0790011

**Permit History (for tracking purposes):**

E.U.						
<u>ID No.</u>	<u>Description</u>	<u>Permit No.</u>	<u>Issue Date</u>	<u>Expiration Date</u>	<u>Extended Date</u> <sup>1,2</sup>	<u>Revised Date(s)</u>
001	Carbonaceous Fuel-Fired Boiler	AC40-75860	12/1/83	6/30/85		
001	Carbonaceous Fuel-Fired Boiler	AC40-105817	7/24/85	7/24/90		
001	Carbonaceous Fuel-Fired Boiler	AC40-248258	6/10/94	12/31/94	7/31/95	
001	Carbonaceous Fuel-Fired Boiler	AO40-179441	7/9/90	7/24/95		

**ID Number Changes (for tracking purposes):**

From: Facility ID No.: 31GVL400011

To: Facility ID No.: 0790011

Notes:

- 1 - AO permit(s) automatic extension(s) in Rule 62-210.300(2)(a)3.a., F.A.C., effective 03/21/96.
  - 2 - AC permit(s) automatic extension(s) in Rule 62-213.420(1)(a)4., F.A.C., effective 03/20/96.
- {Rule 62-213.420(1)(b)2., F.A.C., effective 03/20/96, allows Title V Sources to operate under existing valid permits}

## **Appendix I-1, List of Insignificant Emissions Units and/or Activities.**

LFC No. 47 Corporation  
Madison Facility

Permit No.: 0790011-001-AV  
Facility ID No.: 0790011

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The facilities, emissions units, or pollutant-emitting activities listed in Rule 62-210.300(3)(a), F.A.C., Categorical Exemptions, are exempt from the permitting requirements of Chapters 62-210 and 62-4, F.A.C.; provided, however, that exempt emissions units shall be subject to any applicable emission limiting standards and the emissions from exempt emissions units or activities shall be considered in determining the potential emissions of the facility containing such emissions units. Emissions units and pollutant-emitting activities exempt from permitting under Rule 62-210.300(3)(a), F.A.C., shall not be exempt from the permitting requirements of Chapter 62-213, F.A.C., if they are contained within a Title V source; however, such emissions units and activities shall be considered insignificant for Title V purposes provided they also meet the criteria of Rule 62-213.430(6)(b), F.A.C. No emissions unit shall be entitled to an exemption from permitting under Rule 62.210.300(3)(a), F.A.C., if its emissions, in combination with the emissions of other units and activities at the facility, would 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.

The below listed emissions units and/or activities are considered insignificant pursuant to Rule 62-213.430(6), F.A.C.

### Brief Description of Emissions Units and/or Activities

1. Lube Oil Tank Storage including Lube/Fuel Oil Drip pans.
2. #2 Diesel Storage Tank including dispensing operations.
3. Fresh Water Cooling Tower and Water Treatment System ( Water Chlorinations with Sodium Hypochlorite, and pH Control with Sulfuric Acid).
4. Chlorine Storage.
5. Oil/Water Separator
6. Surface Coating/Solvent Usage Maintenance Activities pursuant to 62-210.300(3)(a)(22).
7. Brazing/Soldering/Welding Maintenance Activities pursuant to 62-210.300(3)(a)(16).
8. Small Parts Washer.
9. Wood/Metal Working Activities: Sawing and Grinding.
9. Laboratory equipment, chemical storage and usage, and vacuum pumps pursuant to 62-210.300(3)(a)(9).

[electronic file name: 0790011g.doc]

**TABLE 297.310-1 CALIBRATION SCHEDULE**  
**(version dated 10/07/96)**

[Note: This table is referenced in Rule 62-297.310, F.A.C.]

ITEM	MINIMUM CALIBRATION FREQUENCY	REFERENCE INSTRUMENT	TOLERANCE
Liquid in glass thermometer	Annually	ASTM Hg in glass ref. thermometer or equivalent, or thermometric points	+/-2%
Bimetallic thermometer	Quarterly	Calib. liq. in glass thermometer	5 degrees F
Thermocouple	Annually	ASTM Hg in glass ref. thermometer, NBS calibrated reference and potentiometer	5 degrees F
Barometer	Monthly	Hg barometer or NOAA station	+/-1% scale
Pitot Tube	When required or when damaged	By construction or measurements in wind tunnel D greater than 16" and standard pitot tube	See EPA Method 2, Fig. 2-2 & 2-3
Probe Nozzles	Before each test or when nicked, dented, or corroded	Micrometer	+/-0.001" mean of at least three readings Max. deviation between readings .004"
Dry Gas Meter and Orifice Meter	1. Full Scale: When received, When 5% change observed, Annually 2. One Point: Semiannually 3. Check after each test series	Spirometer or calibrated wet test or dry gas test meter	2%
		Comparison check	5%

## APPENDIX SS-1, STACK SAMPLING FACILITIES (version dated 10/07/96)

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Stack Sampling Facilities Provided by the Owner of an Emissions Unit. This section describes the minimum requirements for stack sampling facilities that are necessary to sample point emissions units. Sampling facilities include sampling ports, work platforms, access to work platforms, electrical power, and sampling equipment support. Emissions units must provide these facilities at their expense. All stack sampling facilities must meet any Occupational Safety and Health Administration (OSHA) Safety and Health Standards described in 29 CFR Part 1910, Subparts D and E.

(a) Permanent Test Facilities. The owner or operator of an emissions unit for which a compliance test, other than a visible emissions test, is required on at least an annual basis, shall install and maintain permanent stack sampling facilities.

(b) Temporary Test Facilities. The owner or operator of an emissions unit that is not required to conduct a compliance test on at least an annual basis may use permanent or temporary stack sampling facilities. If the owner chooses to use temporary sampling facilities on an emissions unit, and the Department elects to test the unit, such temporary facilities shall be installed on the emissions unit within 5 days of a request by the Department and remain on the emissions unit until the test is completed.

(c) Sampling Ports.

1. All sampling ports shall have a minimum inside diameter of 3 inches.
2. The ports shall be capable of being sealed when not in use.
3. The sampling ports shall be located in the stack at least 2 stack diameters or equivalent diameters downstream and at least 0.5 stack diameter or equivalent diameter upstream from any fan, bend, constriction or other flow disturbance.
4. For emissions units for which a complete application to construct has been filed prior to December 1, 1980, at least two sampling ports, 90 degrees apart, shall be installed at each sampling location on all circular stacks that have an outside diameter of 15 feet or less. For stacks with a larger diameter, four sampling ports, each 90 degrees apart, shall be installed. For emissions units for which a complete application to construct is filed on or after December 1, 1980, at least two sampling ports, 90 degrees apart, shall be installed at each sampling location on all circular stacks that have an outside diameter of 10 feet or less. For stacks with larger diameters, four sampling ports, each 90 degrees apart, shall be installed. On horizontal circular ducts, the ports shall be located so that the probe can enter the stack vertically, horizontally or at a 45 degree angle.

5. On rectangular ducts, the cross sectional area shall be divided into the number of equal areas in accordance with EPA Method 1. Sampling ports shall be provided which allow access to each sampling point. The ports shall be located so that the probe can be inserted perpendicular to the gas flow.

(d) Work Platforms.

1. Minimum size of the working platform shall be 24 square feet in area. Platforms shall be at least 3 feet wide.

2. On circular stacks with 2 sampling ports, the platform shall extend at least 110 degrees around the stack.

3. On circular stacks with more than two sampling ports, the work platform shall extend 360 degrees around the stack.

4. All platforms shall be equipped with an adequate safety rail (ropes are not acceptable), toeboard, and hinged floor-opening cover if ladder access is used to reach the platform. The safety rail directly in line with the sampling ports shall be removable so that no obstruction exists in an area 14 inches below each sample port and 6 inches on either side of the sampling port.

(e) Access to Work Platform.

**APPENDIX SS-1, STACK SAMPLING FACILITIES (version dated 10/07/96)**  
**(continued)**

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1. Ladders to the work platform exceeding 15 feet in length shall have safety cages or fall arresters with a minimum of 3 compatible safety belts available for use by sampling personnel.

2. Walkways over free-fall areas shall be equipped with safety rails and toeboards.

(f) Electrical Power.

1. A minimum of two 120-volt AC, 20-amp outlets shall be provided at the sampling platform within 20 feet of each sampling port.

2. If extension cords are used to provide the electrical power, they shall be kept on the plant's property and be available immediately upon request by sampling personnel.

(g) Sampling Equipment Support.

1. A three-quarter inch eyebolt and an angle bracket shall be attached directly above each port on vertical stacks and above each row of sampling ports on the sides of horizontal ducts.

a. The bracket shall be a standard 3 inch x 3 inch x one-quarter inch equal-legs bracket which is 1 and one-half inches wide. A hole that is one-half inch in diameter shall be drilled through the exact center of the horizontal portion of the bracket. The horizontal portion of the bracket shall be located 14 inches above the centerline of the sampling port.

b. A three-eighth inch bolt which protrudes 2 inches from the stack may be substituted for the required bracket. The bolt shall be located 15 and one-half inches above the centerline of the sampling port.

c. The three-quarter inch eyebolt shall be capable of supporting a 500 pound working load. For stacks that are less than 12 feet in diameter, the eyebolt shall be located 48 inches above the horizontal portion of the angle bracket. For stacks that are greater than or equal to 12 feet in diameter, the eyebolt shall be located 60 inches above the horizontal portion of the angle bracket. If the eyebolt is more than 120 inches above the platform, a length of chain shall be attached to it to bring the free end of the chain to within safe reach from the platform.

2. A complete monorail or dualrail arrangement may be substituted for the eyebolt and bracket.

3. When the sample ports are located in the top of a horizontal duct, a frame shall be provided above the port to allow the sample probe to be secured during the test.

[Rule 62-297.310(6), F.A.C.]



## APPENDIX TV-1, TITLE V CONDITIONS (version dated 12/02/97)

[Note: This attachment includes "canned conditions" developed from the "Title V Core List."]

{Permitting note: APPENDIX TV-1, TITLE V CONDITIONS. is distributed to the permittee only. Other persons requesting copies of these conditions shall be provided one copy when requested or otherwise appropriate.}

### Chapter 62-4, F.A.C.

1. **Not federally enforceable. General Prohibition.** Any stationary installation which will reasonably be expected to be a source of pollution shall not be operated, maintained, or modified without the appropriate and valid permits issued by the Department, unless the source is exempted by Department rule. The Department may issue a permit only after it receives reasonable assurance that the installation will not cause pollution in violation of any of the provisions of Chapter 403, F.S., or the rules promulgated thereunder. A permitted installation may only be operated, maintained, constructed, expanded or modified in a manner that is consistent with the terms of the permit.

[Rule 62-4.030, Florida Administrative Code (F.A.C.); Section 403.087, Florida Statute (F.S.)]

### 2. **Not federally enforceable. Procedure to Obtain Permits: Application.**

(1) Any person desiring to obtain a permit from the Department shall apply on forms prescribed by the Department and shall submit such additional information as the Department by law may require.

(2) All applications and supporting documents shall be filed in quadruplicate with the Department.

(3) To ensure protection of public health, safety, and welfare, any construction, modification, or operation of an installation which may be a source of pollution shall be in accordance with sound professional engineering practices pursuant to Chapter 471, F.S. All applications for a Department permit shall be certified by a professional engineer registered in the State of Florida except when the application is for renewal of an air pollution operation permit at a minor facility as defined in Rule 62-210.200, F.A.C., or where professional engineering is not required by Chapter 471, F.S. Where required by Chapter 471 or 492, F.S., applicable portions of permit applications and supporting documents which are submitted to the Department for public record shall be signed and sealed by the professional(s) who prepared or approved them.

(4) Processing fees for air construction permits shall be in accordance with Rule 62-4.050(4), F.A.C.

(5)(a) To be considered by the Department, each application must be accompanied by the proper processing fee. The fee shall be paid by check, payable to the Department of Environmental Protection. The fee is non-refundable except as provided in Section 120.60, F.S., and in this section.

(c) Upon receipt of the proper application fee, the permit processing time requirements of Sections 120.60(2) and 403.0876, F.S., shall begin.

(d) If the applicant does not submit the required fee within ten days of receipt of written notification, the Department shall either return the unprocessed application or arrange with the applicant for the pick up of the application.

(e) If an applicant submits an application fee in excess of the required fee, the permit processing time requirements of Sections 120.60(2) and 403.0876, F.S., shall begin upon receipt, and the Department shall refund to the applicant the amount received in excess of the required fee.

(6) Any substantial modification to a complete application shall require an additional processing fee determined pursuant to the schedule set forth in Rule 62-4.050, F.A.C., and shall restart the time requirements of Sections 120.60 and 403.0876, F.S. For purposes of this Subsection, the term "substantial modification" shall mean a modification which is reasonably expected to lead to substantially different environmental impacts which require a detailed review.

(7) Modifications to existing permits proposed by the permittee which require substantial changes in the existing permit or require substantial evaluation by the Department of potential impacts of the proposed modifications shall require the same fee as a new application.

[Rule 62-4.050, F.A.C.]

3. **Standards for Issuing or Denying Permits.** Except as provided at Rule 62-213.460, F.A.C., the issuance of a permit does not relieve any person from complying with the requirements of Chapter 403, F.S., or Department rules.

[Rule 62-4.070(7), F.A.C.]

APPENDIX TV-I, TITLE V CONDITIONS (version dated 12/02/97) (continued)

4. Modification of Permit Conditions.

(1) For good cause 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. For the purpose of this section, good cause shall include, but not be limited to, any of the following:

- (a) A showing that an improvement in effluent or emission quality or quantity can be accomplished because of technological advances without unreasonable hardship.
- (b) A showing that a higher degree of treatment is necessary to effect the intent and purpose of Chapter 403, F.S.
- (c) A showing of any change in the environment or surrounding conditions that requires a modification to conform to applicable air or water quality standards.
- (e) Adoption or revision of Florida Statutes, rules, or standards which require the modification of a permit condition for compliance.

(2) A permittee may request a modification of a permit by applying to the Department.

(3) A permittee may request that a permit be extended as a modification of the permit. Such a request must be submitted to the Department in writing before the expiration of the permit. Upon timely submittal of a request for extension, unless the permit automatically expires by statute or rule, the permit will remain in effect until final agency action is taken on the request. For construction permits, an extension shall be granted if the applicant can demonstrate reasonable assurances that, upon completion, the extended permit will comply with the standards and conditions required by applicable regulation. For all other permits, an extension shall be granted if the applicant can demonstrate reasonable assurances that the extended permit will comply with the standards and conditions applicable to the original permit. A permit for which the permit application fee was prorated in accordance with Rule 62-4.050(4)(1), F.A.C., shall not be extended. In no event shall a permit be extended or remain in effect longer than the time limits established by statute or rule.

[Rule 62-4.080, F.A.C.]

5. Renewals. Prior to one hundred eighty (180) days before the expiration of a permit issued pursuant to Chapter 62-213, F.A.C., the permittee shall apply for a renewal of a permit using forms incorporated by reference in the specific rule chapter for that kind of permit. A renewal application shall be timely and sufficient. If the application is submitted prior to 180 days before expiration of the permit, it will be considered timely and sufficient. If the renewal application is submitted at a later date, it will not be considered timely and sufficient unless it is submitted and made complete prior to the expiration of the operation permit. When the application for renewal is timely and sufficient, the existing permit shall remain in effect until the renewal application has been finally acted upon by the Department or, if there is court review of the Department's final agency action, until a later date is required by Section 120.60, F.S., provided that, for renewal of a permit issued pursuant to Chapter 62-213, F.A.C., the applicant complies with the requirements of Rules 62-213.420(1)(b)3. and 4., F.A.C.

[Rule 62-4.090(1), F.A.C.]

6. Suspension and Revocation.

(1) Permits shall be effective until suspended, revoked, surrendered, or expired and shall be subject to the provisions of Chapter 403, F.S., and rules of the Department.

(2) Failure to comply with pollution control laws and rules shall be grounds for suspension or revocation.

(3) A permit issued pursuant to Chapter 62-4, F.A.C., shall not become a vested property right in the permittee. The Department may revoke any permit issued by it if it finds that the permit holder or the permit holder's agent:

- (a) Submitted false or inaccurate information in application or operational reports.
- (b) Has violated law, Department orders, rules or permit conditions.
- (c) Has failed to submit operational reports or other information required by Department rules.
- (d) Has refused lawful inspection under Section 403.091, F.S.

[Rule 62-4.100, F.A.C.]

7. Not federally enforceable. Financial Responsibility. The Department may require an applicant to submit proof of financial responsibility and may require the applicant to post an appropriate bond to guarantee compliance with the law and Department rules.

[Rule 62-4.110, F.A.C.]

APPENDIX TV-1, TITLE V CONDITIONS (version dated 12/02/97) (continued)

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8. Transfer of Permits.

- (1) Within 30 days after the sale or legal transfer of a permitted facility, an "Application for Transfer of Permit" (DEP Form 62-1.201(1)) must be submitted to the Department. This form must be completed with the notarized signatures of both the permittee and the proposed new permittee.
- (2) The Department shall approve the transfer of a permit unless it determines that the proposed new permittee cannot provide reasonable assurances that conditions of the permit will be met. The determination shall be limited solely to the ability of the new permittee to comply with the conditions of the existing permit, and it shall not concern the adequacy of these permit conditions. If the Department proposes to deny the transfer, it shall provide both the permittee and the proposed new permittee a written objection to such transfer together with notice of a right to request a Chapter 120, F.S., proceeding on such determination.
- (3) Within 30 days of receiving a properly completed Application for Transfer of Permit form, the Department shall issue a final determination. The Department may toll the time for making a determination on the transfer by notifying both the permittee and the proposed new permittee that additional information is required to adequately review the transfer request. Such notification shall be served within 30 days of receipt of an Application for Transfer of Permit form, completed pursuant to Rule 62-4.120(1), F.A.C. If the Department fails to take action to approve or deny the transfer within 30 days of receipt of the completed Application for Transfer of Permit form, or within 30 days of receipt of the last item of timely requested additional information, the transfer shall be deemed approved.
- (4) The permittee is encouraged to apply for a permit transfer prior to the sale or legal transfer of a permitted facility. However, the transfer shall not be effective prior to the sale or legal transfer.
- (5) Until this transfer is approved by the Department, the permittee and any other person constructing, operating, or maintaining the permitted facility shall be liable for compliance with the terms of the permit. The permittee transferring the permit shall remain liable for corrective actions that may be required as a result of any violations occurring prior to the sale or legal transfer of the facility.

[Rule 62-4.120, F.A.C.]

9. Plant Operation-Problems. If the permittee is temporarily unable to comply with any of the conditions of the permit due to breakdown of equipment or destruction by hazard of fire, wind or by other cause, the permittee shall immediately notify the Department. Notification shall include pertinent information as to the cause of the problem, and what steps are being taken to correct the problem and to prevent its 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 Department rules.

[Rule 62-4.130, F.A.C.]

10. For purposes of notification to the Department pursuant to Rule 62-4.130, F.A.C., Plant Operation-Problems, "immediately" shall mean the same day, if during a workday (i.e., 8:00 a.m. - 5:00 p.m.), or the first business day after the incident, excluding weekends and holidays.

[40 CFR 70.6(a)(3)(iii)(B)]

11. Not federally enforceable. Review. Failure to request a hearing within 14 days of receipt of notice of proposed or final agency action on a permit application or as otherwise required in Chapter 62-103, F.A.C., shall be deemed a waiver of the right to an administrative hearing.

[Rule 62-4.150, F.A.C.]

12. Permit Conditions. All permits issued by the Department shall include the following general conditions:

- (1) The terms, conditions, requirements, limitations and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, F.S. 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.
- (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, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
- (3) As provided in subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any 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 of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in this permit.

APPENDIX TV-1, TITLE V CONDITIONS (version dated 12/02/97) (continued)

- (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.
- (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 F.S. and Department rules, unless specifically authorized by an order from the Department.
- (6) The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and 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.
- (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 reasonable times, access to the premises where the permitted activity is located or conducted to:
- (a) Have access to and copy any records that must be kept under 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 reasonable necessary to assure compliance with this permit or Department rules. Reasonable time may depend on the nature of the concern being investigated.
- (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 noncompliance; and,
  - (b) The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. 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.
- (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 F.S. or Department rules, except where such use is prescribed by Sections 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.
- (10) The permittee agrees to comply with changes in Department rules and F.S. after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by F.S. or Department rules.
- (11) This permit is transferable only upon Department approval in accordance with Rule 62-4.120, 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.
- (12) This permit or a copy thereof shall be kept at the work site of the permitted activity.
- (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 for this permit. These materials shall be retained at least five (5) 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.
- (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 the 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.
- [Rules 62-4.160 and 62-213.440(1)(b), F.A.C.]

APPENDIX TV-1, TITLE V CONDITIONS (version dated 12/02/97) (continued)

13. Construction Permits.

(1) No person shall construct any installation or facility which will reasonably be expected to be a source of air or water pollution without first applying for and receiving a construction permit from the Department unless exempted by statute or Department rule. In addition to the requirements of Chapter 62-4, F.A.C., applicants for a Department Construction Permit shall submit the following as applicable:

- (a) A completed application on forms furnished by the Department.
- (b) An engineering report covering:
  - 1. plant description and operations.
  - 2. types and quantities of all waste material to be generated whether liquid, gaseous or solid.
  - 3. proposed waste control facilities.
  - 4. the treatment objectives.
  - 5. the design criteria on which the control facilities are based, and,
  - 6. other information deemed relevant.

Design criteria submitted pursuant to Rule 62-4.210(1)(b)5., F.A.C., shall be based on the results of laboratory and pilot-plant scale studies whenever such studies are warranted. The design efficiencies of the proposed waste treatment facilities and the quantities and types of pollutants in the treated effluents or emissions shall be indicated. Work of this nature shall be subject to the requirements of Chapter 471, F.S. Where confidential records are involved, certain information may be kept confidential pursuant to Section 403.111, F.S.

- (c) The owners' written guarantee to meet the design criteria as accepted by the Department and to abide by Chapter 403, F.S. and the rules of the Department as to the quantities and types of materials to be discharged from the installation. The owner may be required to post an appropriate bond or other equivalent evidence of financial responsibility to guarantee compliance with such conditions in instances where the owner's financial resources are inadequate or proposed control facilities are experimental in nature.

(2) The construction permit may contain conditions and an expiration date as determined by the Secretary or the Secretary's designee.

(3) When the Department issues a permit to construct, the permittee shall be allowed a period of time, specified in the permit, to construct, and to operate and test to determine compliance with Chapter 403, F.S., and the rules of the Department and, where applicable, to apply for and receive an operation permit. The Department may require tests and evaluations of the treatment facilities by the permittee at his/her expense.

[Rule 62-4.210, F.A.C.]

14. Not federally enforceable. Operation Permit for New Sources. To properly apply for an operation permit for new sources, the applicant shall submit certification that construction was completed noting any deviations from the conditions in the construction permit and test results where appropriate.

[Rule 62-4.220, F.A.C.]

Chapter 62-103, F.A.C.

15. Public Notice, Public Participation, and Proposed Agency Action. The permittee shall comply with all of the requirements for public notice, public participation, and proposed agency action pursuant to Rule 62-103.150 and Rule 62-210.350, F.A.C.

[Rules 62-103.150, 62-210.350 and 62-213.430(1)(b), F.A.C.]

16. Administrative Hearing. The permittee shall comply with all of the requirements for a petition for administrative hearing or waiver of right to administrative proceeding pursuant to Rule 61-103.155, F.A.C.

[Rule 62-103.155, F.A.C.]

Chapter 62-204, F.A.C.

17. Asbestos. This permit does not authorize any demolition or renovation of the facility or its parts or components which involves asbestos removal. This permit does not constitute a waiver of any of the requirements of Chapter 62-257, F.A.C., and 40 CFR Part 61, Subpart M, National Emission Standard for Asbestos, adopted and incorporated by reference in Rule 62-204.800, F.A.C. Compliance with Chapter 62-257, F.A.C., and 40 CFR 61, Subpart M, Section 61.145, is required for any asbestos demolition or renovation at the source.

[40 CFR 61; Rule 62-204.800, F.A.C.; and, Chapter 62-257, F.A.C.]

APPENDIX TV-1, TITLE V CONDITIONS (version dated 12/02/97) (continued)

Chapter 62-210, F.A.C.

18. Permits Required. The owner or operator of any emissions unit which emits or can reasonably be expected to emit any air pollutant shall obtain an appropriate permit from the Department prior to beginning construction, modification, or initial or continued operation of the emissions unit unless exempted pursuant to Department rule or statute. All emissions limitations, controls, and other requirements imposed by such permits shall be at least as stringent as any applicable limitations and requirements contained in or enforceable under the State Implementation Plan (SIP) or that are otherwise federally enforceable. Except as provided at Rule 62-213.460, F.A.C., issuance of a permit does not relieve the owner or operator of an emissions unit from complying with any applicable requirements, any emission limiting standards or other requirements of the air pollution rules of the Department or any other such requirements under federal, state, or local law.

(1) Air Construction Permits. An air construction permit shall be obtained by the owner or operator of any proposed new or modified facility or emissions unit prior to the beginning of construction or modification, in accordance with all applicable provisions of Chapters 62-210, 62-212 and 62-4, F.A.C. The construction permit shall be issued for a period of time sufficient to allow construction or modification of the facility or emissions unit and operation while the new or modified facility or emissions unit is conducting tests or otherwise demonstrating initial compliance with the conditions of the construction permit.

(2) Air Operation Permits. Upon expiration of the air operation permit for any existing facility or emissions unit, subsequent to construction or modification and demonstration of initial compliance with the conditions of the construction permit for any new or modified facility or emissions unit, or as otherwise provided in Chapter 62-210 or Chapter 62-213, the owner or operator of such facility or emissions unit shall obtain a renewal air operation permit, an initial air operation permit, or an administrative correction or revision of an existing air operation permit, whichever is appropriate, in accordance with all applicable provisions of Chapter 62-210, Chapter 62-213, and Chapter 62-4, F.A.C.

(a) Minimum Requirements for All Air Operation Permits. At a minimum, a permit issued pursuant to this subsection shall:

1. Specify the manner, nature, volume and frequency of the emissions permitted, and the applicable emission limiting standards or performance standards, if any;
2. Require proper operation and maintenance of any pollution control equipment by qualified personnel, where applicable in accordance with the provisions of any operation and maintenance plan required by the air pollution rules of the Department.
3. Contain an effective date stated in the permit which shall not be earlier than the date final action is taken on the application and be issued for a period, beginning on the effective date, as provided below.

a. The operation permit for an emissions unit which is in compliance with all applicable rules and in operational condition, and which the owner or operator intends to continue operating, shall be issued or renewed for a five-year period, except that, for Title V sources subject to Rule 62-213.420(1)(a)1., F.A.C., operation permits shall be extended until 60 days after the due date for submittal of the facility's Title V permit application as specified in Rule 62-213.420(1)(a)1., F.A.C.

b. Except as provided in Rule 62-210.300(2)(a)3.d., F.A.C., the operation permit for an emissions unit which has been shut down for six months or more prior to the expiration date of the current operation permit, shall be renewed for a period not to exceed five years from the date of shutdown, even if the emissions unit is not maintained in operational condition, provided:

- (i) the owner or operator of the emissions unit demonstrates to the Department that the emissions unit may need to be reactivated and used, or that it is the owner's or operator's intent to apply to the Department for a permit to construct a new emissions unit at the facility before the end of the extension period; and,
- (ii) the owner or operator of the emissions unit agrees to and is legally prohibited from providing the allowable emission permitted by the renewed permit as an emissions offset to any other person under Rule 62-212.500, F.A.C.; and,
- (iii) the emissions unit was operating in compliance with all applicable rules as of the time the source was shut down.

c. Except as provided in Rule 62-210.300(2)(a)3.d., F.A.C., the operation permit for an emissions unit which has been shut down for five years or more prior to the expiration date of the current operation permit shall be renewed for a maximum period not to exceed ten years from the date of shutdown, even if the emissions unit is not maintained in operational condition, provided the conditions given in Rule 62-210.300(2)(a)3.b., F.A.C., are met and the owner or operator demonstrates to the Department that failure to renew the permit would constitute a hardship, which may include economic hardship.

APPENDIX TV-1, TITLE V CONDITIONS (version dated 12/02/97) (continued)

d. The operation permit for an electric utility generating unit on cold standby or long-term reserve shutdown shall be renewed for a five-year period, and additional five-year periods, even if the unit is not maintained in operational condition, provided the conditions given in Rules 62-210.300(2)(a)3.b.(i) through (iii), F.A.C., are met.

4. In the case of an emissions unit permitted pursuant to Rules 62-210.300(2)(a)3.b., c., and d., F.A.C., include reasonable notification and compliance testing requirements for reactivation of such emissions unit and provide that the owner or operator demonstrate to the Department prior to reactivation that such reactivation would not constitute reconstruction pursuant to Rule 62-204.800(7), F.A.C.

[Rules 62-210.300(1) & (2), F.A.C.]

19. **Not federally enforceable. Notification of Startup.** The owner or operator of any emissions unit or facility which has a valid air operation permit and which has been shut down more than one (1) year, shall notify the Department in writing of the intent to start up such emissions unit or facility, a minimum of sixty (60) days prior to the intended startup date.

(a) The notification shall include the planned startup date, anticipated emission rates or pollutants released, changes to processes or control devices which will result in changes to emission rates, and any other conditions which may differ from the valid outstanding operation permit.

(b) If, due to an emergency, a startup date is not known 60 days prior thereto, the owner shall notify the Department as soon as possible after the date of such startup is ascertained.

[Rule 62-210.300(5), F.A.C.]

20. **Emissions Unit Reclassification.**

(a) Any emissions unit whose operation permit has been revoked as provided for in Chapter 62-4, F.A.C., shall be deemed permanently shut down for purposes of Rule 62-212.500, F.A.C. Any emissions unit whose permit to operate has expired without timely renewal or transfer may be deemed permanently shut down, provided, however, that no such emissions unit shall be deemed permanently shut down if, within 20 days after receipt of written notice from the Department, the emissions unit owner or operator demonstrates that the permit expiration resulted from inadvertent failure to comply with the requirements of Rule 62-4.090, F.A.C., and that the owner or operator intends to continue the emissions unit in operation, and either submits an application for an air operation permit or complies with permit transfer requirements, if applicable.

(b) If the owner or operator of an emissions unit which is so permanently shut down, applies to the Department for a permit to reactivate or operate such emissions unit, the emissions unit will be reviewed and permitted as a new emissions unit.

[Rule 62-210.300(6), F.A.C.]

21. **Public Notice and Comment.**

(1) **Public Notice of Proposed Agency Action.**

(a) Notwithstanding any discretionary public notice requirements contained in Rule 62-103.150(2)(a), F.A.C., a notice of proposed agency action on permit application, where the proposed agency action is to issue the permit, shall be published by any applicant for:

1. An air construction permit;

2. An air operation permit, permit renewal or permit revision subject to Rule 62-210.300(2)(b), F.A.C., (i.e., a FESOP), except as provided in Rule 62-210.300(2)(b)1.b., F.A.C.; or

3. An air operation permit, permit renewal, or permit revision subject to Chapter 62-213, F.A.C., except those permit revisions meeting the requirements of Rule 62-213.412(1), F.A.C.

(b) The notice required by Rule 62-210.350(1)(a), F.A.C., shall be published in accordance with all otherwise applicable provisions of Rule 62-103.150, F.A.C.

(2) **Additional Public Notice Requirements for Emissions Units Subject to Prevention of Significant Deterioration or Nonattainment-Area Preconstruction Review.**

(a) Before taking final agency action on a construction permit application for any proposed new or modified facility or emissions unit subject to the preconstruction review requirements of Rule 62-212.400 or 62-212.500, F.A.C., the Department shall comply with all applicable provisions of Rule 62-103.150, F.A.C., and provide an opportunity for public comment which shall include as a minimum the following:

1. A complete file available for public inspection in at least one location in the district affected which includes the information submitted by the owner or operator, exclusive of confidential records under Section 403.111, F.S., and the Department's analysis of the effect of the proposed construction or modification on ambient air quality, including the Department's preliminary determination of whether the permit should be approved or disapproved;

2. A 30-day period for submittal of public comments; and,

3. A notice, by advertisement in a newspaper of general circulation in the county affected, specifying the nature and location of the proposed facility or emissions unit, whether BACT or LAER has been determined, the degree of PSD increment consumption expected, if applicable, and the location of the information specified in paragraph 1. above; and notifying the public of the opportunity for submitting comments and requesting a public hearing.
- (b) The notice provided for in Rule 62-210.350(2)(a)3., F.A.C., shall be prepared by the Department and published by the applicant in accordance with all applicable provisions of Rule 62-103.150, F.A.C., except that the applicant shall cause the notice to be published no later than thirty (30) days prior to final agency action.
- (c) A copy of the notice provided for in Rule 62-210.350(2)(a)3., F.A.C., shall also be sent by the Department to the Regional Office of the U. S. Environmental Protection Agency and to all other state and local officials or agencies having cognizance over the location of such new or modified facility or emissions unit, including local air pollution control agencies, chief executives of city or county government, regional land use planning agencies, and any other state, Federal Land Manager, or Indian Governing Body whose lands may be affected by emissions from the new or modified facility or emissions unit.
- (d) A copy of the notice provided for in Rule 62-210.350(2)(a)3., F.A.C., shall be displayed in the appropriate district, branch and local program offices.
- (e) An opportunity for public hearing shall be provided in accordance with Chapter 120, F.S., and Rule 62-103.150, F.A.C.
- (f) Any public comments received shall be made available for public inspection in the location where the information specified in Rule 62-210.350(2)(a)1., F.A.C., is available and shall be considered by the Department in making a final determination to approve or deny the permit.
- (g) The final determination shall be made available for public inspection at the same location where the information specified in Rule 62-210.350(2)(a)1., F.A.C., was made available.
- (h) For a proposed new or modified emissions unit which would be located within 100 kilometers of any Federal Class I area or whose emissions may affect any Federal Class I area, and which would be subject to the preconstruction review requirements of Rule 62-212.400, F.A.C., or Rule 62-212.500, F.A.C.:
1. The Department shall mail or transmit to the Administrator a copy of the initial application for an air construction permit and notice of every action related to the consideration of the permit application.
  2. The Department shall mail or transmit to the Federal Land Manager of each affected Class I area a copy of any written notice of intent to apply for an air construction permit; the initial application for an air construction permit, including all required analyses and demonstrations; any subsequently submitted information related to the application; the preliminary determination and notice of proposed agency action on the permit application; and any petition for an administrative hearing regarding the application or the Department's proposed action. Each such document shall be mailed or transmitted to the Federal Land Manager within fourteen (14) days after its receipt by the Department.
- (3) Additional Public Notice Requirements for Facilities Subject to Operation Permits for Title V Sources.
- (a) Before taking final agency action to issue a new, renewed, or revised air operation permit subject to Chapter 62-213, F.A.C., the Department shall comply with all applicable provisions of Rule 62-103.150, F.A.C., and provide an opportunity for public comment which shall include as a minimum the following:
1. A complete file available for public inspection in at least one location in the district affected which includes the information submitted by the owner or operator, exclusive of confidential records under Section 403.111, F.S.; and
  2. A 30-day period for submittal of public comments.
- (b) The notice provided for in Rule 62-210.350(3)(a), F.A.C., shall be prepared by the Department and published by the applicant in accordance with all applicable provisions of Rule 62-103.150, F.A.C., except that the applicant shall cause the notice to be published no later than thirty (30) days prior to final agency action.
- (c) The notice shall identify:
1. The facility;
  2. The name and address of the office at which processing of the permit occurs;
  3. The activity or activities involved in the permit action;
  4. The emissions change involved in any permit revision;
  5. The name, address, and telephone number of a Department representative from whom interested persons may obtain additional information, including copies of the permit draft, the application, and all relevant supporting materials, including any permit application, compliance plan, permit, monitoring report, and compliance statement required pursuant to Chapter 62-213, F.A.C. (except for information entitled to confidential treatment pursuant to Section 403.111, F.S.) and all other materials available to the Department that are relevant to the permit decision;
  6. A brief description of the comment procedures required by Rules 62-103.150 and 62-210.350(3), F.A.C.;
  7. The time and place of any hearing that may be held, including a statement of procedure to request a hearing (unless a hearing has already been scheduled); and



APPENDIX TV-1, TITLE V CONDITIONS (version dated 12/02/97) (continued)

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8. The procedures by which persons may petition the Administrator to object to the issuance of the proposed permit after expiration of the Administrator's 45-day review period.

[Rule 62-210.350, F.A.C.]

22. Administrative Permit Corrections.

(1) A facility owner shall notify the Department by letter of minor corrections to information contained in a permit. Such notifications shall include:

- (a) Typographical errors noted in the permit;
- (b) Name, address or phone number change from that in the permit;
- (c) Any other similar minor administrative change at the source; and,
- (d) A change requiring more frequent monitoring or reporting by the permittee.
- (e) Changes listed at 40 CFR 72.83(a)(1), (2), (6), (9) and (10), hereby adopted and incorporated by reference, to Title V sources subject to emissions limitations or reductions pursuant to 42 USC ss. 7651-7651o;
- (f) Changes listed at 40 CFR 72.83(a)(11), hereby adopted and incorporated by reference, to Title V sources subject to emissions limitations or reductions pursuant to 42 USC ss. 7651-7651o, provided the notification is accompanied by a copy of any EPA determination concerning the similarity of the change to those listed at Rule 17-210.360(1)(c).

(2) Upon receipt of such notifications the Department shall within 60 days correct the permit and provide a corrected copy to the owner.

(3) For facilities subject to Chapter 62-213, F.A.C., a copy shall be provided to EPA and any approved local air program in the county where the facility or any part of the facility is located.

(4) The Department shall incorporate requirements resulting from issuance of new or revised construction permits into existing operation permits issued pursuant to Chapter 62-213, F.A.C., if the construction permit revisions incorporate requirements of federally enforceable preconstruction review and if the applicant requests at the time of application that all of the requirements of Rule 62-213.430(1), F.A.C., be complied with in conjunction with the processing of the construction permit application.

[Rule 62-210.360, F.A.C.]

23. Reports.

(3) Annual Operating Report for Air Pollutant Emitting Facility:

- (a) The Annual Operating Report for Air Pollutant Emitting Facility (DEP Form No. 62-210.900(5)) shall be completed each year.
- (c) The annual operating report shall be submitted to the appropriate Department District or Department approved local air pollution control program office by March 1 of the following year unless otherwise indicated by permit condition or Department request.

[Rule 62-210.370(3), F.A.C.]

24. Circumvention. No person shall circumvent any air pollution control device, or allow the emission of air pollutants without the applicable air pollution control device operating properly.

[Rule 62-210.650, F.A.C.]

25. Forms and Instructions. The forms used by the Department in the stationary source control program are adopted and incorporated by reference in this section. The forms are listed by rule number, which is also the form number, with the subject, title and effective date. Copies of forms may be obtained by writing to the Department of Environmental Protection, Division of Air Resources Management, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

(1) Application for Air Permit - Long Form, Form and Instructions.

- (a) Acid Rain Part (Phase II), Form and Instructions.
  - 1. Repowering Extension Plan, Form and Instructions.
  - 2. New Unit Exemption, Form and Instructions.
  - 3. Retired Unit Exemption, Form and Instructions.

(b) Reserved.

(5) Annual Operating Report (AOR) for Air Pollutant Emitting Facility, Form and Instructions.

[Rule 62-210.900, F.A.C.]

APPENDIX TV-1, TITLE V CONDITIONS (version dated 12/02/97) (continued)

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Chapter 62-213, F.A.C.

26. Annual Emissions Fee. Each Title V source permitted to operate in Florida must pay between January 15 and March 1 of each year, upon written notice from the Department, an annual emissions fee in accordance with Rule 62-213.205, F.A.C., and the appropriate form and associated instructions.

[Rules 62-213.205 and 62-213.900(1), F.A.C.]

27. Annual Emissions Fee. Failure to pay timely any required annual emissions fee, penalty, or interest constitutes grounds for permit revocation pursuant to Rule 62-4.100, F.A.C.

[Rule 62-213.205(1)(g), F.A.C.]

28. Annual Emissions Fee. Any documentation of actual hours of operation, actual material or heat input, actual production amount, or actual emissions used to calculate the annual emissions fee shall be retained by the owner for a minimum of five (5) years and shall be made available to the Department upon request.

[Rule 62-213.205(1)(j), F.A.C.]

29. Annual Emissions Fee. DEP Form 62-213.900(1), F.A.C., "Major Air Pollution Source Annual Emissions Fee Form", must be completed by the permittee and submitted with the annual emissions fee.

[Rule 62-213.205(4), F.A.C.]

30. Air Operation Permit Fees. After December 31, 1992, no permit application processing fee, renewal fee, modification fee or amendment fee is required for an operation permit for a Title V source.

[Rule 62-213.205(5), F.A.C.]

31. Permits and Permit Revisions Required. All Title V sources are subject to the permit requirements of Chapter 62-213, F.A.C.

[Rule 62-213.400, F.A.C.]

32. No Title V source may operate except in compliance with Chapter 62-213, F.A.C.

[Rule 62-213.400(1), F.A.C.]

33. Changes Without Permit Revision. Title V sources having a valid permit issued pursuant to Chapter 62-213, F.A.C., may make the following changes without permit revision, provided that sources shall maintain source logs or records to verify periods of operation in each alternative method of operation:

(1) Permitted sources may change among those alternative methods of operation allowed by the source's permit as provided by the terms of the permit;

(2) Permitted sources may implement the terms or conditions of a new or revised construction permit if:

(a) The application for construction permit complied with the requirements of Rule 62-213.420(3) and (4), F.A.C.;

(b) The terms or conditions were subject to federally enforceable preconstruction review pursuant to Chapter 62-212, F.A.C.; and

(c) The new or revised construction permit was issued after the Department and the applicant complied with all the requirements of Rule 62-213.430(f), F.A.C.;

(3) A permitted source may implement operating changes after the source submits any forms required by any applicable requirement and provides the Department and EPA with at least 7 days written notice prior to implementation. The source and the Department shall attach each notice to the relevant permit;

(a) The written notice shall include the date on which the change will occur, and a description of the change within the permitted source, the pollutants emitted and any change in emissions, and any term or condition becoming applicable or no longer applicable as a result of the change;

(b) The permit shield described in Rule 62-213.460, F.A.C., shall not apply to such changes;

(4) Permitted sources may implement changes involving modes of operation only in accordance with Rule 62-213.415, F.A.C.

[Rule 62-213.410, F.A.C.]

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34. Immediate Implementation Pending Revision Process.

(1) Those permitted Title V sources making any change that constitutes a modification pursuant to paragraph (a) of the definition of modification at Rule 62-210.200, F.A.C., but which would not constitute a modification pursuant to paragraph (b) of the same definition, may implement such change prior to final issuance of a permit revision in accordance with Rule 62-213.412, F.A.C., provided the change:

- (a) Does not violate any applicable requirement;
- (b) Does not contravene any permit term or condition for monitoring, testing, recordkeeping or reporting, or any compliance certification requirement;
- (c) Does not require or change a case-by-case determination of an emission limitation or other standard, or a source-specific determination of ambient impacts, or a visibility or increment analysis under the provisions of Chapter 62-212 or 62-296, F.A.C.;
- (d) Does not seek to establish or change a permit term or condition for which there is no corresponding underlying applicable requirement and that the source has assumed to avoid an applicable requirement to which the source would otherwise be subject including any federally enforceable emissions cap or federally enforceable alternative emissions limit.

(2) A Title V source may immediately implement such changes after they have been incorporated into the terms and conditions of a new or revised construction permit issued pursuant to Chapter 62-212, F.A.C., and after the source provides to EPA, the Department, each affected state and any approved local air program having geographic jurisdiction over the source, a copy of the source's application for operation permit revision. The Title V source may conform its application for construction permit to include all information required by Rule 62-213.420, F.A.C., in lieu of submitting separate application forms.

(3) The Department shall process the application for operation permit revision in accordance with the provisions of Chapter 62-213, F.A.C., except that the Department shall issue a draft permit revision or a determination to deny the revision within 60 days of receipt of a complete application for operation permit revision or, if the Title V source has submitted a construction permit application conforming to the requirements of Rule 62-213.420, F.A.C., the Department shall issue a draft permit or a determination to deny the revision at the same time the Department issues its determination on issuance or denial of the construction permit application. The Department shall not take final action until all the requirements of Rule 62-213.430(1)(a), (c), (d), and (e), F.A.C., have been complied with.

(4) Pending final action on the operation permit revision application, the source shall implement the changes in accordance with the terms and conditions of the source's new or revised construction permit.

(5) The permit shield described in Rule 62-213.460, F.A.C., shall not apply to such changes until after the Department takes final action to issue the operation permit revision.

(6) If the Department denies the source's application for operation permit revision, the source shall cease implementation of the proposed changes.

[Rule 62-213.412, F.A.C.]

35. Permit Applications.

(1) Duty to Apply. For each Title V source, the owner or operator shall submit a timely and complete permit application in compliance with the requirements of Rules 62-213.420, 62-4.050(1) & (2), and 62-210.900, F.A.C.

(a) Timely Application.

3. For purposes of permit renewal, a timely application is one that is submitted in accordance with Rule 62-4.090, F.A.C.

(b) Complete Application.

1. Any applicant for a Title V permit, permit revision or permit renewal must submit an application on DEP Form No. 62-210.900(1), which must include all the information specified by Rule 62-213.420(3), F.A.C., except that an application for permit revision must contain only that information related to the proposed change. The applicant shall include information concerning fugitive emissions and stack emissions in the application. Each application for permit, permit revision or permit renewal shall be certified by a responsible official in accordance with Rule 62-213.420(4), F.A.C.

2. For those applicants submitting initial permit applications pursuant to Rule 62-213.420(1)(a)1., F.A.C., a complete application shall be an application that substantially addresses all the information required by the application form number 62-210.900(1), and such applications shall be deemed complete within sixty days of receipt of a signed and certified application unless the Department notifies the applicant of incompleteness within that time. For all other applicants, the applications shall be deemed complete sixty days after receipt, unless the Department, within sixty days after receipt of a signed application for permit, permit revision or permit renewal, requests additional documentation or information needed to process the application. An applicant making timely and complete application for permit, or timely application for permit renewal as described by Rule 62-4.090(1), F.A.C., shall continue to operate the source

APPENDIX TV-1, TITLE V CONDITIONS (version dated 12/02/97) (continued)

under the authority and provisions of any existing valid permit or Florida Electrical Power Plant Siting Certification, provided the applicant complies with all the provisions of Rules 62-213.420(1)(b)3. and 4. F.A.C. Failure of the Department to request additional information within sixty days of receipt of a properly signed application shall not impair the Department's ability to request additional information pursuant to Rules 62-213.420(1)(b)3. and 4. F.A.C.

3. For those permit applications submitted pursuant to the provisions of Rule 62-213.420(1)(a)1., F.A.C., the Department shall notify the applicant if the Department becomes aware at any time during processing of the application that the application contains incorrect or incomplete information. The applicant shall submit the corrected or supplementary information to the Department within ninety days unless the applicant has requested and been granted additional time to submit the information. Failure of an applicant to submit corrected or supplementary information requested by the Department within ninety days or such additional time as requested and granted shall render the application incomplete.

4. For all applications other than those addressed at Rule 62-213.420(1)(b)3., F.A.C., should the Department become aware, during processing of any application that the application contains incorrect information, or should the Department become aware, as a result of comment from an affected State, an approved local air program, EPA, or the public that additional information is needed to evaluate the application, the Department shall notify the applicant within 30 days. When an applicant becomes aware that an application contains incorrect or incomplete information, the applicant shall submit the corrected or supplementary information to the Department. If the Department notifies an applicant that corrected or supplementary information is necessary to process the permit, and requests a response, the applicant shall provide the information to the Department within ninety days of the Department request unless the applicant has requested and been granted additional time to submit the information or, the applicant shall, within ninety days, submit a written request that the Department process the application without the information. Failure of an applicant to submit corrected or supplementary information requested by the Department within ninety days, or such additional time as requested and granted, or to demand in writing within ninety days that the application be processed without the information shall render the application incomplete. Nothing in this section shall limit any other remedies available to the Department.

[Rules 62-213.420(1)(a)3. and 62-213.420(1)(b)1., 2., 3. & 4., F.A.C.]

36. Confidential Information. Whenever an applicant submits information under a claim of confidentiality pursuant to Section 403.111, F.S., the applicant shall also submit a copy of all such information and claim directly to EPA.

[Rule 62-213.420(2), F.A.C.]

37. Standard Application Form and Required Information. Applications shall be submitted under Chapter 62-213, F.A.C., on forms provided by the Department and adopted by reference in Rule 62-210.900(1), F.A.C. The information as described in Rule 62-210.900(1), F.A.C., shall be included for the Title V source and each emissions unit. An application must include information sufficient to determine all applicable requirements for the Title V source and each emissions unit and to evaluate a fee amount pursuant to Rule 62-213.205, F.A.C.

[Rule 62-213.420(3), F.A.C.]

38. Certification by Responsible Official (RO). In addition to the professional engineering certification required for applications by Rule 62-4.050(3), F.A.C., any application form, report, compliance statement, compliance plan and compliance schedule submitted pursuant to Chapter 62-213, F.A.C., shall contain a certification signed by a responsible official that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

[Rule 62-213.420(4), F.A.C.]

39. a. Permit Renewal and Expiration. Permits being renewed are subject to the same requirements that apply to permit issuance at the time of application for renewal. Permit renewal applications shall contain that information identified in Rules 62-210.900(1) and 62-213.420(3), F.A.C. Unless a Title V source submits a timely application for permit renewal in accordance with the requirements of Rule 62-4.090(1), F.A.C., the existing permit shall expire and the source's right to operate shall terminate.

b. Permit Revision Procedures. Permit revisions shall meet all requirements of Chapter 62-213, F.A.C., including those for content of applications, public participation, review by approved local programs and affected states, and review by EPA, as they apply to permit issuance and renewal, except that permit revisions for those activities implemented pursuant to Rule 62-213.412, F.A.C., need not meet the requirements of Rule 62-213.430(1)(b), F.A.C. The Department shall require permit revision in accordance with the provisions of Rule 62-4.080, F.A.C., and 40 CFR 70.7(f), whenever any source becomes

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subject to any condition listed at 40 CFR 70.7(f)(1), hereby adopted and incorporated by reference. The below requirements from 40 CFR 70.7(f) are adopted and incorporated by reference in Rule 62-213.430(4), F.A.C.:

o 40 CFR 70.7(f): Reopening for Cause.

(1) This section contains provisions from 40 CFR 70.7(f) that specify the conditions under which a Title V permit shall be reopened prior to the expiration of the permit. A Title V permit shall be reopened and revised under any of the following circumstances:

- (i) Additional applicable requirements under the Act become applicable to a major Part 70 source with a remaining permit term of 3 or more years. Such a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 40 CFR 70.4(b)(10)(i) or (ii).
  - (ii) Additional requirements (including excess emissions requirements) become applicable to an affected source under the acid rain program. Upon approved by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit.
  - (iii) The permitting authority or EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
  - (iv) The Administrator or the permitting authority determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
- (2) Proceedings to reopen and issue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Such reopening shall be made as expeditiously as practicable.
- (3) Reopenings under 40 CFR 70.7(f)(1) shall not be initiated before a notice of such intent is provided to the Part 70 source by the permitting authority at least 30 days in advance of the date that the permit is to be reopened, except that the permitting authority may provide a shorter time period in the case of an emergency.

[Rules 62-213.430(3) & (4), F.A.C.; and, 40 CFR 70.7(f)]

40. Insignificant Emissions Units or Pollutant-Emitting Activities.

(a) All requests for determination of insignificant emissions units or activities made pursuant to Rule 62-213.420(3)(m), F.A.C., shall be processed in conjunction with the permit, permit renewal or permit revision application submitted pursuant to Chapter 62-213, F.A.C. Insignificant emissions units or activities shall be approved by the Department consistent with the provisions of Rule 62-4.040(1)(b), F.A.C. Emissions units or activities which are added to a Title V source after issuance of a permit under Chapter 62-213, F.A.C., shall be incorporated into the permit at its next renewal, provided such emissions units or activities have been exempted from the requirement to obtain an air construction permit and also qualify as insignificant pursuant to Rule 62-213.430(6), F.A.C.

(b) An emissions unit or activity shall be considered insignificant if:

- 1. Such unit or activity would be subject to no unit-specific applicable requirement;
- 2. Such unit or activity, in combination with other units or activities proposed as insignificant, would not cause the facility to exceed any major source threshold(s) as defined in Rule 62-213.420(3)(c)1., F.A.C., unless it is acknowledged in the permit application that such units or activities would cause the facility to exceed such threshold(s); and
- 3. Such unit or activity would not emit or have the potential to emit:
  - a. 500 pounds per year or more of lead and lead compounds expressed as lead;
  - b. 1,000 pounds per year or more of any hazardous air pollutant;
  - c. 2,500 pounds per year or more of total hazardous air pollutants; or
  - d. 5.0 tons per year or more of any other regulated pollutant.

[Rule 62-213.430(6), F.A.C.]

41. Permit Duration. Operation permits for Title V sources may not be extended as provided in Rule 62-4.080(3), F.A.C., if such extension will result in a permit term greater than five (5) years.

[Rule 62-213.440(1)(a), F.A.C.]

42. Monitoring Information. All records of monitoring information shall specify the date, place, and time of sampling or measurement and the operating conditions at the time of sampling or measurement, the date(s) analyses were performed, the company or entity that performed the analyses, the analytical techniques or methods used, and the results of such analyses.

[Rule 62-213.440(1)(b)2.a., F.A.C.]

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43. Retention of Records. Retention of records of all monitoring data and support information shall be for a period of at least 5 years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

[Rule 62-213.440(1)(b)2.b., F.A.C.]

44. Monitoring Reports. The permittee shall submit reports of any required monitoring at least every six (6) months. All instances of deviations from permit requirements must be clearly identified in such reports.

[Rule 62-213.440(1)(b)3.a., F.A.C.]

45. Deviation from Permit Requirements Reports. The permittee shall report in accordance with the requirements of Rules 62-210.700(6) and 62-4.130, F.A.C., any deviations from permit requirements, including those attributable to upset conditions as defined in the permit. Reports shall include the probable cause of such deviations, and any corrective actions or preventive measures taken.

[Rule 62-213.440(1)(b)3.b., F.A.C.]

46. Reports. All reports shall be accompanied by a certification by a responsible official, pursuant to Rule 62-213.420(4), F.A.C.

[Rule 62-213.440(1)(b)3.c., F.A.C.]

47. If any portion of the final permit is invalidated, the remainder of the permit shall remain in effect.

[Rule 62-213.440(1)(d)1., F.A.C.]

48. It shall not be a defense for a permittee in an enforcement action that maintaining compliance with any permit condition would necessitate halting of or reduction of the source activity.

[Rule 62-213.440(1)(d)3., F.A.C.]

49. A Title V source shall comply with all the terms and conditions of the existing permit until the Department has taken final action on any permit renewal or any requested permit revision, except as provided at Rule 62-213.412(2), F.A.C.

[Rule 62-213.440(1)(d)4., F.A.C.]

50. A situation arising from sudden and unforeseeable events beyond the control of the source which causes an exceedance of a technology-based emissions limitation because of unavoidable increases in emissions attributable to the situation and which requires immediate corrective action to restore normal operation, shall be an affirmative defense to an enforcement action in accordance with the provisions and requirements of 40 CFR 70.6(g)(2) and (3), hereby adopted and incorporated by reference.

[Rule 62-213.440(1)(d)5., F.A.C.]

51. Confidentiality Claims. Any permittee may claim confidentiality of any data or other information by complying with Rule 62-213.420(2), F.A.C.

[Rule 62-213.440(1)(d)6., F.A.C.]

52. Statement of Compliance. The permittee shall submit a statement of compliance with all terms and conditions of the permit. Such statement shall be submitted to the Department and EPA annually, or more frequently if specified by Rule 62-213.440(2), F.A.C., or by any other applicable requirement. The statement of compliance shall include the identity of each term or condition of the permit for which each unit has remained in compliance during the period covered by the statement. The statement shall include identification of all methods used to demonstrate compliance and identification of each term or condition of the permit for which any unit has not remained in compliance during the period covered by the statement. For each term or condition for which the source has not remained in compliance during the period covered by the statement, the statement shall also identify each unit not in compliance and each term and condition with which the unit was not in compliance and state the inclusive dates that the source was not in compliance, the actions taken to achieve compliance and the method used to demonstrate compliance. Such statement shall be accompanied by a certification by a responsible official, in accordance with Rule 62-213.420(4), F.A.C.

[Rule 62-213.440(3), F.A.C.]

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53. Permit Shield. Except as provided in Chapter 62-213, F.A.C., compliance with the terms and conditions of a permit issued pursuant to Chapter 62-213, F.A.C., shall be deemed compliance with any applicable requirements in effect as of the date of permit issuance, provided that the source included such applicable requirements in the permit application. Nothing in Rule 62-213.460, F.A.C., or in any permit shall alter or affect the ability of EPA or the Department to deal with an emergency, the liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance, or the requirements of the Federal Acid Rain Program.

[Rule 62-213.460, F.A.C.]

54. Forms and Instructions. The forms used by the Department in the Title V source operation program are adopted and incorporated by reference in Rule 62-213.900, F.A.C. The form is listed by rule number, which is also the form number, and with the subject, title, and effective date. Copies of forms may be obtained by writing to the Department of Environmental Protection, Division of Air Resources Management, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, or by contacting the appropriate permitting authority.

(1) Major Air Pollution Source Annual Emissions Fee (AEF) Form.

[Rule 62-213.900(1), F.A.C.]

Chapter 62-256, F.A.C.

55. Not federally enforceable. Open Burning. This permit does not authorize any open burning nor does it constitute any waiver of the requirements of Chapter 62-256, F.A.C. Source shall comply with Chapter 62-256, F.A.C., for any open burning at the source.

[Chapter 62-256, F.A.C.]

Chapter 62-281, F.A.C.

56. Refrigerant Requirements. Any facility having refrigeration equipment, including air conditioning equipment, which uses a Class I or II substance (listed at 40 CFR 82, Subpart A, Appendices A and B), and any facility which maintains, services, or repairs motor vehicles using a Class I or Class II substance as refrigerant must comply with all requirements of 40 CFR 82, Subparts B and F, and with Rule 62-281.100, F.A.C. Those requirements include the following restrictions:

- (1) Any facility having any refrigeration equipment normally containing 50 (fifty) pounds of refrigerant, or more, must keep servicing records documenting the date and type of all service and the quantity of any refrigerant added pursuant to 40 CFR 82.166;
- (2) No person repairing or servicing a motor vehicle may perform any service on a motor vehicle air conditioner (MVAC) involving the refrigerant for such air conditioner unless the person has been properly trained and certified as provided at 40 CFR 82.34 and 40 CFR 82.40, and properly uses equipment approved pursuant to 40 CFR 82.36 and 40 CFR 82.38, and complies with 40 CFR 82.42;
- (3) No person may sell or distribute, or offer for sale or distribution, any substance listed as a Class I or Class II substance at 40 CFR 82, Subpart A, Appendices A and B, except in compliance with Rule 62-281.100, F.A.C., and 40 CFR 82.34(b), 40 CFR 82.42, and/or 40 CFR 82.166;
- (4) No person maintaining, servicing, repairing, or disposing of appliances may knowingly vent or otherwise release into the atmosphere any Class I or Class II substance used as a refrigerant in such equipment and no other person may open appliances (except MVACs as defined at 40 CFR 82.152) for service, maintenance or repair unless the person has been properly trained and certified pursuant to 40 CFR 82.161 and unless the person uses equipment certified for that type of appliance pursuant to 40 CFR 82.158 and unless the person observes the practices set forth at 40 CFR 82.156 and 40 CFR 82.166;
- (5) No person may dispose of appliances (except small appliances, as defined at 40 CFR 82.152) without using equipment certified for that type of appliance pursuant to 40 CFR 82.158 and without observing the practices set forth at 40 CFR 82.156 and 40 CFR 82.166;
- (6) No person may recover refrigerant from small appliances, MVACs and MVAC-like appliances (as defined at 40 CFR 82.152), except in compliance with the requirements of 40 CFR 82, Subpart F.

[40 CFR 82: and, Chapter 62-281, F.A.C. (Chapter 62-281, F.A.C., is not federally enforceable)]

APPENDIX TV-1, TITLE V CONDITIONS (version dated 12/02/97) (continued)

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Chapter 62-296, F.A.C.

57. Not federally enforceable until SIP approved. Industrial, Commercial, and Municipal Open Burning Prohibited. Open burning in connection with industrial, commercial, or municipal operations is prohibited, except when:

- (a) Open burning is determined by the Department to be the only feasible method of operation and is authorized by an air permit issued pursuant to Chapter 62-210 or 62-213, F.A.C.; or
- (b) An emergency exists which requires immediate action to protect human health and safety; or
- (c) A county or municipality would use a portable air curtain incinerator to burn yard trash generated by a hurricane, tornado, fire or other disaster and the air curtain incinerator would otherwise be operated in accordance with the permitting exemption criteria of Rule 62-210.300(3), F.A.C.

[Rule 62-296.320(3), F.A.C.]

58. Unconfined Emissions of Particulate Matter.

(4)(c)1. No person shall cause, let, permit, suffer or allow the emissions of unconfined particulate matter from any emissions unit whatsoever, including, but not limited to, vehicular movement, transportation of materials, construction, alteration, demolition or wrecking, or industrially related activities such as loading, unloading, storing or handling, without taking reasonable precautions to prevent such emission.

3. Reasonable precautions may include, but shall not be limited to the following:

- a. Paving and maintenance of roads, parking areas and yards.
- b. Application of water or chemicals to control emissions from such activities as demolition of buildings, grading roads, construction, and land clearing.
- c. Application of asphalt, water, oil, chemicals or other dust suppressants to unpaved roads, yards, open stock piles and similar emissions units.
- d. Removal of particulate matter from roads and other paved areas under the control of the owner or operator of the emissions unit to prevent reentrainment, and from buildings or work areas to prevent particulate from becoming airborne.
- e. Landscaping or planting of vegetation.
- f. Use of hoods, fans, filters, and similar equipment to contain, capture and/or vent particulate matter.
- g. Confining abrasive blasting where possible.
- h. Enclosure or covering of conveyor systems.

4. In determining what constitutes reasonable precautions for a particular facility, the Department shall consider the cost of the control technique or work practice, the environmental impacts of the technique or practice, and the degree of reduction of emissions expected from a particular technique or practice.

[Rules 62-296.320(4)(c)1., 3., & 4, F.A.C.]

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**Appendix U-1, List of Unregulated Emissions Units and/or Activities.**

LFC No. 47 Corporation  
Madison Facility

**DRAFT Permit No.:** 0790011-001-AV  
**Facility ID No.:** 0790011

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Unregulated Emissions Units and/or Activities: An emissions unit which emits no “emissions-limited pollutant” and which is subject to no unit-specific work practice standard, though it may be subject to regulations applied on a facility-wide basis (e.g., unconfined emissions, odor, general opacity) or to regulations that require only that it be able to prove exemption from unit-specific emissions or work practice standards.

The below listed emissions units and/or activities are neither ‘regulated emissions units’ nor ‘insignificant emissions units’.

**E.U. ID**

<b><u>No.</u></b>	<b><u>Brief Description of Emissions Units and/or Activity</u></b>
-xxx	Fugitive dust sources heavy construction activities
-xxx	Fugitive dust associated with Fuel Handling Operations: Feed Bin, Conveyor Belts, Fuel Reclaim, Feed Serve Conveyor)

electronic file name: 0790011u.doc]

## Appendix I-1, List of Insignificant Emissions Units and/or Activities.

LFC No. 47 Corporation  
Madison Facility

Permit No.: 0790011-001-AV  
Facility ID No.: 0790011

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The facilities, emissions units, or pollutant-emitting activities listed in Rule 62-210.300(3)(a), F.A.C., Categorical Exemptions, are exempt from the permitting requirements of Chapters 62-210 and 62-4, F.A.C.; provided, however, that exempt emissions units shall be subject to any applicable emission limiting standards and the emissions from exempt emissions units or activities shall be considered in determining the potential emissions of the facility containing such emissions units. Emissions units and pollutant-emitting activities exempt from permitting under Rule 62-210.300(3)(a), F.A.C., shall not be exempt from the permitting requirements of Chapter 62-213, F.A.C., if they are contained within a Title V source; however, such emissions units and activities shall be considered insignificant for Title V purposes provided they also meet the criteria of Rule 62-213.430(6)(b), F.A.C. No emissions unit shall be entitled to an exemption from permitting under Rule 62.210.300(3)(a), F.A.C., if its emissions, in combination with the emissions of other units and activities at the facility, would 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.

The below listed emissions units and/or activities are considered insignificant pursuant to Rule 62-213.430(6), F.A.C.

### Brief Description of Emissions Units and/or Activities

1. Lube Oil Tank Storage including Lube/Fuel Oil Drip pans.
2. #2 Diesel Storage Tank including dispensing operations.
3. Fresh Water Cooling Tower and Water Treatment System ( Water Chlorinations with Sodium Hypochlorite, and pH Control with Sulfuric Acid).
4. Chlorine Storage.
5. Oil/Water Separator
6. Surface Coating/Solvent Usage Maintenance Activities pursuant to 62-210.300(3)(a)(22):
7. Brazing/Soldering/Welding Maintenance Activities pursuant to 62-210.300(3)(a)(16).
8. Small Parts Washer.
9. Wood/Metal Working Activities: Sawing and Grinding.
9. Laboratory equipment, chemical storage and usage, and vacuum pumps pursuant to 62-210.300(3)(a)(9).

[electronic file name: 0790011g.doc]



# Department of Environmental Protection

Lawton Chiles  
Governor

Northeast District  
7825 Baymeadows Way, Suite B200  
Jacksonville, Florida 32256-7590

Virginia B. Wetherell  
Secretary

## Memorandum

**TO:** Barbara Boutwell, Title V Section, Tallahassee  
**THRU:** Christopher L. Kirts, P.E., Northeast District Air Program Administrator  
**FROM:** Rita Felton-Smith, Permit Engineer  
**DATE:** 06/10/98  
**RE:** draft of DRAFT Title V Permit

The below Title V permit and associated documents are made available for your review/comment prior to issuance.

<u>Applicant Name</u>	<u>County</u>	<u>Method of Transmittal</u>	<u>Electronic File</u>
LFC Corporation Madison Facility	Madison	posted onto DARM_COMMON \t5permit\northe\	0790011i.doc 0790011d.doc 07900111.xls 07900112.xls 0790011h.doc 0790011.sob 0790011u.doc 0790011g.doc tv-1.doc a-1.doc

## STATEMENT OF BASIS

LFC Corporation  
Madison Facility  
**Facility ID No.:** 0790011  
Madison County

Initial Title V Air Operation Permit  
**DRAFT Permit No.:** 0790011-001-AV

This Title V air operation permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, and 62-213. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents, attached hereto or on file with the permitting authority, in accordance with the terms and conditions of this permit.

This facility consists of a carbonaceous fuel boiler (Emissions Unit 001) which provides steam to a turbine generator and switch gear designed to deliver electrical power to the regional power grid. The maximum heat capacity of the boiler is 185 MMBtu per hour. Particulate emissions are controlled by a multicyclone and wet venturi scrubber.

This facility has been shut down for the previous two years and is currently not in operation.

The applicant has requested a 249.9 ton per year emissions cap on carbon monoxide emissions and therefore has agreed to determine compliance by conducting an EPA Method 10 compliance test.

Sources of unconfined emissions include the operations associated with the fuel handling, truck unloading operations, and vehicular traffic associated with plant operations.

Also included in this permit are miscellaneous unregulated/insignificant emissions units and/or activities.

Based on the initial Title V permit application received **June 17, 1996** this facility is a major source of hazardous air pollutants (HAPs).

0790011.sob  
last update 8/12/97

LFC No. 47 Corporation  
Madison Facility

**Facility ID No.:** 0790011  
Madison County

Initial Title V Air Operation Permit  
**DRAFT Permit No.:** 0790011-001-AV

Permitting Authority:

Department of Environmental Protection  
Northeast District Air Program  
7825 Baymeadows Way, Suite B-200  
Jacksonville, Florida 32256-7590  
Telephone: 904/448-4320  
Fax: 904/448-4363

Compliance Authority:

Department of Environmental Protection  
Northeast District Branch Office  
101 NW 75 Street, Suite 3  
Jacksonville, Florida 32607-1609  
Telephone: 352/333-2850  
Fax: 352/333-2856

Drafted in June 1998

[electronic file name: 0790011d.doc]

Initial Title V Air Operation Permit  
**DRAFT Permit No.:** 0790011-001-AV

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# Department of Environmental Protection

Lawton Chiles  
Governor

Northeast District  
7825 Baymeadows Way, Suite B200  
Jacksonville, Florida 32256-7590

Virginia B. Wetherell  
Secretary

**Permittee:**  
LFC No. 47 Corporation  
Madison Facility

**DRAFT Permit No.:** 0790011-001-AV  
**Facility ID No.:** 0790011  
**SIC No.:** 49  
**Project:** Initial Title V Air Operation Permit

This permit is for the operation of the air sources at LFC No. 47 Corporation. This facility is located at on Route 3, 1.5 miles N. of Madison Madison County, Florida; UTM Coordinates: Zone 17, 270.1 km East and 3376.5 km North; Latitude: 30° 30' 00" North and Longitude: 83° 23' 45" West.

**STATEMENT OF BASIS:** This Title V air operation permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-204, 62-210, 62-212, 62-296 and 62-297. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents, attached hereto or on file with the permitting authority, in accordance with the terms and conditions of this permit.

**Referenced attachments made a part of this permit:**

APPENDIX TV-1, TITLE V CONDITIONS (version dated 12/2/97)

APPENDIX I-1, List of Insignificant Emissions Units and/or Activities

**Effective Date:**  
**Renewal Application Due Date:**  
**Expiration Date:**

---

**Christopher L. Kirts, P.E.**  
**District Air Program Administrator**

CLK:RFS

**Section I. Facility Information**

**Subsection A. Facility Description.**

LFC No. 47 Corporation consists of a carbonaceous fuel boiler which provides steam to a turbine generator and switchgear designed to deliver electrical power to the regional power grid.

This facility has been shut down for the previous two years and is currently not in operation.

The applicant has requested an a 249.9 ton per year emissions cap on carbon monoxide emissions and therefore has agreed to determine compliance by conducting an EPA Method 10 compliance test.

Sources of unconfined emissions include the operations associated with the fuel handling, truck unloading operations, and vehicular traffic associated with plant operations.

Based on the initial Title V permit application received **June 17, 1996** this facility is a major source (based on potential emissions of 100 tons or more) of lead, CO, Nox, Particulate Matter, and Sulfur Dioxide. The facility is also a major source of HAPs.

**Subsection B. Summary of Emissions Unit ID No(s). and Brief Description(s).**

<u>E.U.</u>	
<u>ID No.</u>	<u>Brief Description</u>
001	A carbonaceous fuel-fired boiler

**Subsection C. Relevant Documents**

The documents listed below are not a part of this permit; however, they are specifically related to this permitting action.

These documents are provided to the permittee for information purposes only:

Table 1-1, Summary of Air Pollutant Standards and Terms

Table 2-1, Summary of Compliance Requirements

Appendix A-1, Abbreviations, Acronyms, Citations, and Identification Numbers

Appendix H-1, Permit History/ID Number Changes

These documents are on file with permitting authority:

Initial Title V Permit Application received June 17, 1996.

Additional Information request dated October 29, 1997.

Additional Information Response received April 17, 1998.



**Section II. Facility-wide Conditions.**

The following conditions apply facility-wide:

1. APPENDIX TV-1, TITLE V CONDITIONS is a part of this permit.  
*APPENDIX TV-1, TITLE V CONDITIONS, is distributed to the permittee only. Other persons requesting copies of these conditions shall be provided one copy when requested or otherwise appropriate.*
2. [Not federally enforceable.] General Pollutant Emission Limiting Standards. Objectionable Odor Prohibited. The permittee shall not cause, suffer, allow, or permit the discharge of air pollutants which cause or contribute to an objectionable odor.  
[Rule 62-296.320(2), F.A.C.]
3. General Particulate Emission Limiting Standards. General Visible Emissions Standard.  
Except for emissions units that are subject to a particulate matter or opacity limit set forth or established by rule and reflected by conditions in this permit, no person shall cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity, the density of which is equal to or greater than that designated as Number 1 on the Ringelmann Chart (20 percent opacity). EPA Method 9 is the method of compliance pursuant to Chapter 62-297, F.A.C.  
[Rules 62-296.320(4)(b)1. & 4., F.A.C.]
4. Prevention of Accidental Releases (Section 112(r) of CAA). If required by 40 CFR 68, the permittee shall submit to the implementing agency:
  - a. a risk management plan (RMP) when, and if, such requirement becomes applicable; and
  - b. certification forms and/or RMPs according to the promulgated rule schedule.[40 CFR 68]
5. [Not federally enforceable.] Reasonable precautions to prevent emissions of unconfined particulate matter at this facility include:

Potential Sources	Reasonable Precautions
Fuel unloading and transfer operations	Water will be kept available during fuel unloading and transfer operations in order to suppress any fugitive emissions generated by these operations. Application of the water will be on an as need basis (manual operation)
Ash transfer points/storage	Ash transfer points will be protected from the wind. Ash storage containers will be kept closed when not in use.
Other Sources	Application of dust suppressants, unless an alternative method is requested and approved, to all areas necessary to reasonably control such emissions.

[Rule 62-296.320(4)(c)2., F.A.C.; Requested by applicant in the initial Title V permit application received June 17, 1996; Air Construction Permit AC40-248258]

**Please reference the Permit No., Facility ID No., and appropriate Emissions Unit(s) ID No(s). on all correspondence, test report submittals, applications, etc.**

5. Insignificant Emissions Units and/or Activities. Appendix I-1, List of Insignificant Emissions Units and/or Activities, is a part of this permit.  
[Rules 62-213.440(1), 62-213.430(6), and 62-4.040(1)(b), F.A.C.]

9. The permittee shall submit all compliance related notifications and reports required of this permit to the Department's Northeast District Branch Office, Air Section:

Department of Environmental Protection  
Northeast District Branch Office  
101 NW 75 Street, Suite 3  
Gainesville, Florida 32607-1609  
Telephone: 352/333-2850  
Fax: 352/333-2856

7. When appropriate, any recording, monitoring, or reporting requirements that are time-specific shall be in accordance with the effective date of the permit, which defines day one.  
[Rule 62-213.440(1),F.A.C.]

8. Any reports, data, notifications, certification, and requests required to be sent to the United States environmental protection Agency, Region 4, should be sent to the following address:

United States Environmental Protection Agency, Region 4  
Air, Pesticides and Toxics Management Division  
Operating Permits Section  
61 Forsyth Street  
Atlanta, Georgia 30303  
Telephone No.: 404/562-9099  
Fax No.: 404/562-9095

**Please reference the Permit No., Facility ID No., and appropriate Emissions Unit(s) ID No(s). on all correspondence, test report submittals, applications, etc.**

### Section III. Emission Unit(s) and Conditions

#### Subsection A. Common Conditions

##### E.U. ID

<u>No.</u>	<u>Brief Description</u>
001	A carbonaceous fuel-fired boiler

Emission Unit 001 identifies a carbonaceous fuel-fired boiler with a maximum heat input capacity of 185 MMBtu per hour. Particulate emissions are controlled by a multicyclone and wet venturi scrubber in series.

The following specific conditions apply to the emissions unit(s) listed above:

##### Essential Potential to Emit (PTE) Parameters

**A.1. Permitted Capacity.** The maximum operation heat input rate is 185 mmBtu per hour. [Rules 62-4.160(2) and 62-210.200(PTE), F.A.C., Title V permit application received June 17, 1996]

**A.2. Methods of Operation. Fuel(s).** Only carbonaceous fuels defined as wood, bark, paper, and waste wood shall be fired in this emissions unit. [Rule 62-213.410, F.A.C.; Air Construction Permit AC40-248258]

**A.3. Hours of Operation.** The hours of operation for these emissions units shall not exceed 24 H/D, 7 D/W, 50 W/Y and 8,400 hours per year. [Rule 62-210.200(223) (PTE), F.A.C.; Construction Permit AC40-248258; requested by applicant in the initial Title V permit application received June 17, 1996.]

##### Emission Limitations and Standards

{Permitting Note: Table 1-1, Summary of Air Pollutant Standards and Terms, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

**A.4. Fuel Usage.** The maximum carbonaceous fuel usage shall not exceed 41,111 pounds per hour assuming heat content is 4500 BTU/ pound of fuel. [Air Construction Permit AC40-248258]

**A.5. Particulate Matter.** Particulate matter emissions shall not exceed 0.2 pounds per MMBtu. Equivalent emissions are 37 pounds per hour and 155.4 tons per year. [Rule 62-296.410(2)(b)2.; Air Construction Permit AC40-248258]

**A.6. Visible Emissions.** Visible emissions shall not exceed 30 percent opacity except 40 percent opacity is permissible for no more than (2) two minutes in any one hour. [Rule 62-296.410(2)(b)1.; Air Construction Permit AC40-248258]

Please reference the Permit No., Facility ID No., and appropriate Emissions Unit(s) ID No(s). on all correspondence, test report submittals, applications, etc.

**A.7. Carbon Monoxide.** Carbon Monoxide emissions shall not exceed 59.4 pounds per hour nor 249.4 tons per year.

[Requested by applicant in Title V application received June 17, 1996]

**Excess Emissions**

**A.8.** Excess emissions resulting from malfunction shall be permitted provided that best operational practices to minimize emissions are adhered to and the duration of excess emissions shall be minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration.

[Rule 62-210.700(1), F.A.C.]

**A.9.** Excess emissions resulting from startup or shutdown shall be permitted provided that best operational practices to minimize emissions are adhered to and the duration of excess emissions shall be minimized.

[Rule 62-210.700(2), F.A.C.]

**A.10.** Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown or malfunction shall be prohibited.

[Rule 62-210.700(4), F.A.C.]

**Test Methods and Procedures**

{Permitting Note: Table 2-1, Summary of Compliance Requirements, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

**A.11. Reactivation.** 60 days prior to reactivation of this unit, the Permittee shall demonstrate to the Department whether the reactivation would constitute reconstruction. Reconstruction is defined as the replacement of components of an existing emissions unit to the extent that the fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable entirely new emissions unit.

[Rule 62-210.300(2)(a)4., Rule 62-204.800(7)(d), 40 CFR 60.15(b) and 40 CFR 60.15(b)(1)]

**A.12.** An existing facility or emissions unit, upon a Department determination of reconstruction, shall become an affected facility and subject to the applicable standards of 40 CFR Subpart 60.

[40 CFR 60.15(a)]

**A.13.** A compliance test for each of the pollutants stated in Specific Conditions A.5., A.6., and A.7. shall be conducted within 45 days after startup.

[Rule 62-297.310(7)(a)1.]

**A.14. Visible Emissions.** The test method for visible emissions shall be DEP Method 9, incorporated in Chapter 62-297, F.A.C.

[Air Construction Permit AC40-248258]

**Please reference the Permit No., Facility ID No., and appropriate Emissions Unit(s) ID No(s). on all correspondence, test report submittals, applications, etc.**

**A.15. Particulate Emissions.** The test method for particulate emissions shall be DEP Method 5, incorporated in Chapter 62-297, F.A.C. Compliance and heat input rate calculations shall be based on the test data and 9280 DSCF/MMBTU( $F_d$  from Table 19-1, 40 CFR 60, Appendix A, Method 19) or the actual  $F_d$  shall be determined from acceptable data collected during the test period.

[Air Construction Permit AC-248258 ]

**A.16. Carbon Monoxide.** The test method for carbon monoxide emissions shall be EPA Method 10, incorporated in Chapter 62-297, F.A.C.

[Agreed by applicant in Title V additional information submittal dated April 20, 1998]

**A.17. DEP Method 9.** The provisions of EPA Method 9 (40 CFR 60, Appendix A) are adopted by reference with the following exceptions:

1. EPA Method 9, Section 2.4, Recording Observations. Opacity observations shall be made and recorded by a certified observer at sequential fifteen second intervals during the required period of observation.

2. EPA Method 9, Section 2.5, Data Reduction. For a set of observations to be acceptable, the observer shall have made and recorded, or verified the recording of, at least 90 percent of the possible individual observations during the required observation period. For single-valued opacity standards (e.g., 20 percent opacity), the test result shall be the highest valid six-minute average for the set of observations taken. For multiple-valued opacity standards (e.g., 20 percent opacity, except that an opacity of 40 percent is permissible for not more than two minutes per hour) opacity shall be computed as follows:

a. For the basic part of the standard (i.e., 20 percent opacity) the opacity shall be determined as specified above for a single-valued opacity standard.

b. For the short-term average part of the standard, opacity shall be the highest valid short-term average (i.e., two-minute, three-minute average) for the set of observations taken. In order to be valid, any required average (i.e., a six-minute or two-minute average) shall be based on all of the valid observations in the sequential subset of observations selected, and the selected subset shall contain at least 90 percent of the observations possible for the required averaging time. Each required average shall be calculated by summing the opacity value of each of the valid observations in the appropriate subset, dividing this sum by the number of valid observations in the subset, and rounding the result to the nearest whole number. The number of missing observations in the subset shall be indicated in parenthesis after the subset average value.

[Rules 62-297.310, and 62-297.401, F.A.C.]

**A.18. Required Number of Test Runs.** For mass emission limitations, a compliance test shall consist of three complete and separate determinations of the total air pollutant emission rate through the test section of the stack or duct and three complete and separate determinations of any applicable process variables corresponding to the three distinct time periods during which the stack emission rate was measured provided, however, that three complete and separate determinations shall not be required if the process variables are not subject to variation during a compliance test, or if three determinations are not necessary in order to calculate the unit's emission rate. The three required test runs shall be completed within one consecutive five day period. In the event that a sample is lost or one of the three runs must be discontinued because of circumstances beyond the control of the owner or operator, and a valid third run cannot be obtained within the five day period allowed for the test, the Secretary or his or her designee may

**Please reference the Permit No., Facility ID No., and appropriate Emissions Unit(s) ID No(s). on all correspondence, test report submittals, applications, etc.**

accept the results of the two complete runs as proof of compliance, provided that the arithmetic mean of the results of the two complete runs is at least 20 percent below the allowable emission limiting standards.

[Rule 62-297.310(1), F.A.C.]

**A.19. Operating Rate During Testing.** Testing of emissions shall be conducted with each emissions unit operation at permitted capacity, which is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. If it is impracticable to test at permitted capacity, an emissions unit may be tested at less than the minimum permitted capacity; in this case, subsequent emissions unit operation is limited to 110 percent of the test load until a new test is conducted. Once the emissions unit is so limited, operation at higher capacities is allowed for no more than 15 consecutive days for the purpose of additional compliance testing to regain the authority to operate at the permitted capacity.

[Rules 62-297.310(2) & (2)(b), F.A.C.]

**A.20. Calculation of Emission Rate.** The indicated emission rate or concentration shall be the arithmetic average of the emission rate or concentration determined by each of the separate test runs unless otherwise specified in a particular test method or applicable rule.

[Rule 62-297.310(3), F.A.C.]

**A.21. Frequency of Compliance Tests.** The following provisions apply only to those emissions units that are subject to an emissions limiting standard for which compliance testing is required.  
(a) General Compliance Testing.

3. The owner or operator of an emissions unit that is subject to any emission limiting standard shall conduct a compliance test that demonstrates compliance with the applicable emission limiting standard prior to obtaining a renewed operation permit. Emissions units that are required to conduct an annual compliance test may submit the most recent annual compliance test to satisfy the requirements of this provision. In renewing an air operation permit pursuant to Rule 62-210.300(2)(a)3.b., c., or d., F.A.C., the Department shall not require submission of emission compliance test results for any emissions unit that, during the year prior to renewal:

a. Did not operate; or

b. In the case of a fuel burning emissions unit, burned liquid and/or solid fuel for a total of no more than 400 hours.

4. During each federal fiscal year (October 1 -- September 30), unless otherwise specified by rule, order, or permit, the owner or operator of each emissions unit shall have a formal compliance test conducted for:

a. Visible emissions, if there is an applicable standard;

9. The owner or operator shall notify the Department, at least 15 days prior to the date on which each formal compliance test is to begin, of the date, time, and place of each such test, and the test contact person who will be responsible for coordinating and having such test conducted for the owner or operator.

10. An annual compliance test conducted for visible emissions shall not be required for units exempted from permitting at Rule 62-210.300(3)(a), F.A.C., or units permitted under the General Permit provisions at Rule 62-210.300(4), F.A.C.

(b) 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

**Please reference the Permit No., Facility ID No., and appropriate Emissions Unit(s) ID No(s). on all correspondence, test report submittals, applications, etc.**

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.

(c) Waiver of Compliance Test Requirements. If the owner or operator of an emissions unit that is subject to a compliance test requirement demonstrates to the Department, pursuant to the procedure established in Rule 62-297.620, F.A.C., that the compliance of the emissions unit with an applicable weight emission limiting standard can be adequately determined by means other than the designated test procedure, such as specifying a surrogate standard of no visible emissions for particulate matter sources equipped with a bag house or specifying a fuel analysis for sulfur dioxide emissions, the Department shall waive the compliance test requirements for such emissions units and order that the alternate means of determining compliance be used, provided, however, the provisions of Rule 62-297.310(7)(b), F.A.C., shall apply.  
[Rule 62-297.310(7), F.A.C.]

**A.22. Applicable Test Procedures.**

(a) Required Sampling Time.

1. 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 port shall be of equal intervals of at least two minutes.

2. Opacity Compliance Tests. When either EPA Method 9 or DEP Method 9 is specified as the applicable opacity test method, the required minimum period of observation for a compliance test shall be sixty (60) minutes for emissions units which emit or have the potential to emit 100 tons per year or more of particulate matter, and thirty (30) minutes for emissions units which have potential emissions less than 100 tons per year of particulate matter and are not subject to a multiple-valued opacity standard. The opacity test observation period shall include the period during which the highest opacity emissions can reasonably be expected to occur.

Exceptions to these requirements are as follows:

a. For batch, cyclical processes, or other operations which are normally completed within less than the minimum observation period and do not recur within that time, the period of observation shall be equal to the duration of the batch cycle or operation completion time.

b. The observation period for special opacity tests that are conducted to provide data to establish a surrogate standard pursuant to Rule 62-297.310(5)(k), F.A.C., Waiver of Compliance Test Requirements, shall be established as necessary to properly establish the relationship between a proposed surrogate standard and an existing mass emission limiting standard.

c. The minimum observation period for opacity tests conducted by employees or agents of the Department to verify the day-to-day continuing compliance of a unit or activity with an applicable opacity standard shall be twelve minutes.

[Rule 62-297.310(4)(a)2., F.A.C.]

**A.23. 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.

(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,

**Please reference the Permit No., Facility ID No., and appropriate Emissions Unit(s) ID No(s). on all correspondence, test report submittals, applications, etc.**

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.]

### **Record keeping and Reporting Requirements**

**A.24. Reconstruction.** If it is proposed to replace components of an existing emissions unit to the extent that the fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable entirely new emissions unit, the Permittee shall notify the Department's Tallahassee Office, New Source Review Section, at least 60 days prior to commencement of construction of the replacements. The following information shall be included in the notification:

- (1) Name and address of the owner or operator.
- (2) The location of the existing facility.
- (3) A brief description of the existing facility, emissions unit, and the components which are to be replaced.
- (4) A description of the existing air pollution control equipment and the proposed air pollution control equipment.
- (5) An estimate of the fixed capital cost of the replacements and of constructing a comparable entirely new emissions unit.
- (6) The estimated life of the existing emissions unit after the replacements.
- (7) A discussion of any economic or technical limitations of the facility may have in complying with the applicable standards of performance after the proposed replacements.

[40 CFR 60.15(d)(1)-(7)]

**A.25. Startup.** 30 days prior to anticipated startup of this emissions unit, the Permittee shall notify the Northeast District Office in writing.

[Rule 62-210.300(2)(a)4., 40 CFR 60.7(a)(2)]

### **Excess Emissions**

**A.26.** In the case of excess emissions resulting from malfunctions, each owner or operator shall notify the Department in accordance with Rule 62-4.130, F.A.C. A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Department.

[Rule 62-210.700(6), F.A.C.]

**A.27.** Submit to the Department a written report of emissions in excess of emission limiting standards as set forth in Rule 62-296.405(1), F.A.C., for each calendar quarter. The nature and cause of the excess emissions shall be explained. This report does not relieve the owner or operator of the legal liability for violations. All recorded data shall be maintained on file by the Source for a period of five years.

[Rules 62-213.440 and 62-296.405(1)(g), F.A.C.]

### **A.28. Test Reports.**

(a) The owner or operator of an emissions unit for which a compliance test is required shall file a report with the Department on the results of each such test.

**Please reference the Permit No., Facility ID No., and appropriate Emissions Unit(s) ID No(s). on all correspondence, test report submittals, applications, etc.**



- (b) The required test report shall be filed with the Department as soon as practical but no later than 45 days after the last sampling run of each test is completed.
- (c) The test report shall provide sufficient detail on the emissions unit tested and the test procedures used to allow the Department to determine if the test was properly conducted and the test results properly computed. As a minimum, the test report, other than for an EPA or DEP Method 9 test, shall provide the following information:
1. The type, location, and designation of the emissions unit tested.
  2. The facility at which the emissions unit is located.
  3. The owner or operator of the emissions unit.
  4. The normal type and amount of fuels used and materials processed, and the types and amounts of fuels used and material processed during each test run.
  5. The means, raw data and computations used to determine the amount of fuels used and materials processed, if necessary to determine compliance with an applicable emission limiting standard.
  6. The type of air pollution control devices installed on the emissions unit, their general condition, their normal operating parameters (pressure drops, total operating current and GPM scrubber water), and their operating parameters during each test run.
  7. A sketch of the duct within 8 stack diameters upstream and 2 stack diameters downstream of the sampling ports, including the distance to any upstream and downstream bends or other flow disturbances.
  8. The date, starting time and duration of each sampling run.
  9. The test procedures used, including any alternative procedures authorized pursuant to Rule 62-297.620, F.A.C. Where optional procedures are authorized in this chapter, indicate which option was used.
  10. The number of points sampled and configuration and location of the sampling plane.
  11. For each sampling point for each run, the dry gas meter reading, velocity head, pressure drop across the stack, temperatures, average meter temperatures and sample time per point.
  12. The type, manufacturer and configuration of the sampling equipment used.
  13. Data related to the required calibration of the test equipment.
  14. Data on the identification, processing and weights of all filters used.
  15. Data on the types and amounts of any chemical solutions used.
  16. Data on the amount of pollutant collected from each sampling probe, the filters, and the impingers, are reported separately for the compliance test.
  17. The names of individuals who furnished the process variable data, conducted the test, analyzed the samples and prepared the report.
  18. All measured and calculated data required to be determined by each applicable test procedure for each run.
  19. The detailed calculations for one run that relate the collected data to the calculated emission rate.
  20. The applicable emission standard, and the resulting maximum allowable emission rate for the emissions unit, plus the test result in the same form and unit of measure.
  21. A certification that, to the knowledge of the owner or his authorized agent, all data submitted are true and correct. When a compliance test is conducted for the Department or its agent, the person who conducts the test shall provide the certification with respect to the test procedures used. The owner or his authorized agent shall certify that all data required and provided to the person conducting the test are true and correct to his knowledge.

**Please reference the Permit No., Facility ID No., and appropriate Emissions Unit(s) ID No(s). on all correspondence, test report submittals, applications, etc.**

[Rules 62-213.440 and 62-297.310(8), F.A.C]

**A.29.** In each compliance test report, provide the maximum operation heat input rate at which the emissions unit was operated since the most recent compliance test.

[Rules 62-213.440 and 62-297.310(2), F.A.C.; and, Air Construction Permit AC40-248258]

**Please reference the Permit No., Facility ID No., and appropriate Emissions Unit(s) ID No(s). on all correspondence, test report submittals, applications, etc.**

**Table 1-1, Summary of Air Pollutant Standards and Terms**

LFC No. 47 Corporation  
Madison Facility

DRAFT Permit No.: 0790011-001-AV  
Facility ID No.: 0790011

This table summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.

**E.U. ID No.**      **Brief Description**  
001 Carbonaceous Fuel-Fired Boiler

Pollutant Name	Fuel(s)	Hours/Year	Allowable Emissions			Equivalent Emissions*		Regulatory Citation(s)	See permit condition(s)
			Standard(s)	lbs./hour	TPY	lbs./hour	TPY		
Particulate matter		8400	0.2 lb/MMBtu			37.0	155.4	62-296.410(2)(b)2, AC Permit	III.A.5.
Visible Emissions		8400	30% Opacity, except 40% no more than (2) min/hr					62-296.410(2)(b)1.	III.A.6.
Carbon Monoxide		8400		59.4	249.4			Requested CAP in T5	III.A.7.

Notes:  
\* The "Equivalent Emissions" listed are for informational purposes only.

**Table 2-1, Summary of Compliance Requirements**

LFC No. 47 Corporation

DRAFT Permit No.: 0790011-001-AV

Facility ID No.: 0790011

This table summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.

**E.U. ID No.**      **Brief Description**  
 001 Carbonaceous Fuel-Fired Boiler

Pollutant Name or Parameter	Fuel(s)	Compliance Method	Testing Time Frequency	Frequency Base Date *	Min. Compliance Test Duration	See permit condition(s)	
						CMS **	
Particulate Matter		EPA Method 5	Annual	Within 45 days of Startup & Annually thereafter		N/A	III.A.13, A.15.
Visible Emissions		DEP Method 9	Annual	Within 45 days of Startup & Annually thereafter	60 Minutes	N/A	III.A.13., A.14.
Carbon Dioxide		EPA Method 10	Annual	Within 45 days of Startup & Annually thereafter			III.A.13, A.16.

Notes:  
 \* The frequency base date is established for planning purposes only; see Rule 62-297.310, F.A.C.  
 \*\* CMS [=] continuous monitoring system

## Appendix A-1, Abbreviations, Acronyms, Citations, and Identification Numbers (version dated 02/05/97)

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### Abbreviations and Acronyms:

°F: Degrees Fahrenheit  
BACT: Best Available Control Technology  
CFR: Code of Federal Regulations  
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  
ISO: International Standards Organization  
LAT: Latitude  
LONG: Longitude  
MMBtu: million British thermal units  
MW: Megawatt  
ORIS: Office of Regulatory Information Systems  
SOA: Specific Operating Agreement  
UTM: Universal Transverse Mercator

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### Citations:

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

#### Code of Federal Regulations:

*Example:* [40 CFR 60.334]

Where:	40	reference to	Title 40
	CFR	reference to	Code of Federal Regulations
	60	reference to	Part 60
	60.334	reference to	Regulation 60.334

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

*Example:* [Rule 62-213, F.A.C.]

Where:	62	reference to	Title 62
	62-213	reference to	Chapter 62-213
	62-213.205	reference to	Rule 62-213.205, F.A.C.

**ISO:** International Standards Organization refers to those conditions at 288 degrees K, 60 percent relative humidity, and 101.3 kilopascals pressure.

**Appendix A-1, Abbreviations, Acronyms, Citations, and Identification Numbers  
(version dated 02/05/97) (continued)**

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**Identification Numbers:**

Facility Identification (ID) Number:

*Example:* Facility ID No.: 1050221

*Where:*

105 = 3-digit number code identifying the facility is located in Polk County  
0221 = 4-digit number assigned by state database.

Permit Numbers:

*Example:* 1050221-002-AV, or  
1050221-001-AC

*Where:*

AC = Air Construction Permit  
AV = Air Operation Permit (Title V Source)  
105 = 3-digit number code identifying the facility is located in Polk County  
0221 = 4-digit number assigned by permit tracking database  
001 or 002 = 3-digit sequential project number assigned by permit tracking database

*Example:* PSD-FL-185  
PA95-01  
AC53-208321

*Where:*

PSD = Prevention of Significant Deterioration Permit  
PA = Power Plant Siting Act Permit  
AC = old Air Construction Permit numbering

## Appendix H-1, Permit History/ID Number Changes

LFC No. 47 Corporation

Facility ID No.: 0790011

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### Permit History (for tracking purposes):

E.U.

<u>ID No.</u>	<u>Description</u>	<u>Permit No.</u>	<u>Issue Date</u>	<u>Expiration Date</u>	<u>Extended Date</u> <sup>1,2</sup>	<u>Revised Date(s)</u>
001	Carbonaceous Fuel-Fired Boiler	AC40-75860	12/1/83	6/30/85		
001	Carbonaceous Fuel-Fired Boiler	AC40-105817	7/24/85	7/24/90		
001	Carbonaceous Fuel-Fired Boiler	AC40-248258	6/10/94	12/31/94	7/31/95	
001	Carbonaceous Fuel-Fired Boiler	AO40-179441	7/9/90	7/24/95		

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### ID Number Changes (for tracking purposes):

From: Facility ID No.: 31GVL400011

To: Facility ID No.: 0790011

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#### Notes:

1 - AO permit(s) automatic extension(s) in Rule 62-210.300(2)(a)3.a., F.A.C., effective 03/21/96.

2 - AC permit(s) automatic extension(s) in Rule 62-213.420(1)(a)4., F.A.C., effective 03/20/96.

{Rule 62-213.420(1)(b)2., F.A.C., effective 03/20/96, allows Title V Sources to operate under existing valid permits}

**Appendix I-1, List of Insignificant Emissions Units and/or Activities.**

LFC No. 47 Corporation

**Permit No.:** 0790011-001-AV  
**Facility ID No.:** 0790011

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The facilities, emissions units, or pollutant-emitting activities listed in Rule 62-210.300(3)(a), F.A.C., Categorical Exemptions, are exempt from the permitting requirements of Chapters 62-210 and 62-4, F.A.C.; provided, however, that exempt emissions units shall be subject to any applicable emission limiting standards and the emissions from exempt emissions units or activities shall be considered in determining the potential emissions of the facility containing such emissions units. Emissions units and pollutant-emitting activities exempt from permitting under Rule 62-210.300(3)(a), F.A.C., shall not be exempt from the permitting requirements of Chapter 62-213, F.A.C., if they are contained within a Title V source; however, such emissions units and activities shall be considered insignificant for Title V purposes provided they also meet the criteria of Rule 62-213.430(6)(b), F.A.C. No emissions unit shall be entitled to an exemption from permitting under Rule 62.210.300(3)(a), F.A.C., if its emissions, in combination with the emissions of other units and activities at the facility, would 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.

The below listed emissions units and/or activities are considered insignificant pursuant to Rule 62-213.430(6), F.A.C.

Brief Description of Emissions Units and/or Activities

1. Lube Oil Tank Storage including Lube/Fuel Oil Drip pans.
2. #2 Diesel Storage Tank including dispensing operations.
3. Fresh Water Cooling Twoer and Water Treatment System ( Water Chlorinations with Sodium Hypochlorite, and pH Control with Sulfuric Acid).
4. Chlorine Storage.
5. Oil/Water Separator
6. Surface Coating/Solvent Usage Maintenacne Activities pursuant to 62-210.300(3)(a)(22).
7. Brazing/Soldering/Welding Maintenance Activities pursuant to 62-210.300(3)(a)(16).
8. Small Parts Washer.
9. Wood/Metal Working Activities: Sawing and Grinding.
9. Laboratory equipment, chemical storage and usage, and vacuum pumps pursuant to 62-210.300(3)(a)(9).

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## Appendix U-1, List of Unregulated Emissions Units and/or Activities.

LFC No. 47 Corporation  
Madison Facility

**DRAFT Permit No.:** 0790011-001-AV  
**Facility ID No.:** 0790011

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Unregulated Emissions Units and/or Activities. An emissions unit which emits no “emissions-limited pollutant” and which is subject to no unit-specific work practice standard, though it may be subject to regulations applied on a facility-wide basis (e.g., unconfined emissions, odor, general opacity) or to regulations that require only that it be able to prove exemption from unit-specific emissions or work practice standards.

The below listed emissions units and/or activities are neither ‘regulated emissions units’ nor ‘insignificant emissions units’.

### E.U. ID

<u>No.</u>	<u>Brief Description of Emissions Units and/or Activity</u>
-xxx	Fugitive dust sources heavy construction activities
-xxx	Fugitive dust associated with Fuel Handling Operations: Feed Bin, Conveyor Belts, Fuel Reclaim, Feed Scrwe Conveyor)

electronic file name: 0790011u.doc]

## APPENDIX SS-1, STACK SAMPLING FACILITIES (version dated 10/07/96)

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Stack Sampling Facilities Provided by the Owner of an Emissions Unit. This section describes the minimum requirements for stack sampling facilities that are necessary to sample point emissions units. Sampling facilities include sampling ports, work platforms, access to work platforms, electrical power, and sampling equipment support. Emissions units must provide these facilities at their expense. All stack sampling facilities must meet any Occupational Safety and Health Administration (OSHA) Safety and Health Standards described in 29 CFR Part 1910, Subparts D and E.

(a) Permanent Test Facilities. The owner or operator of an emissions unit for which a compliance test, other than a visible emissions test, is required on at least an annual basis, shall install and maintain permanent stack sampling facilities.

(b) Temporary Test Facilities. The owner or operator of an emissions unit that is not required to conduct a compliance test on at least an annual basis may use permanent or temporary stack sampling facilities. If the owner chooses to use temporary sampling facilities on an emissions unit, and the Department elects to test the unit, such temporary facilities shall be installed on the emissions unit within 5 days of a request by the Department and remain on the emissions unit until the test is completed.

(c) Sampling Ports.

1. All sampling ports shall have a minimum inside diameter of 3 inches.

2. The ports shall be capable of being sealed when not in use.

3. The sampling ports shall be located in the stack at least 2 stack diameters or equivalent diameters downstream and at least 0.5 stack diameter or equivalent diameter upstream from any fan, bend, constriction or other flow disturbance.

4. For emissions units for which a complete application to construct has been filed prior to December 1, 1980, at least two sampling ports, 90 degrees apart, shall be installed at each sampling location on all circular stacks that have an outside diameter of 15 feet or less. For stacks with a larger diameter, four sampling ports, each 90 degrees apart, shall be installed. For emissions units for which a complete application to construct is filed on or after December 1, 1980, at least two sampling ports, 90 degrees apart, shall be installed at each sampling location on all circular stacks that have an outside diameter of 10 feet or less. For stacks with larger diameters, four sampling ports, each 90 degrees apart, shall be installed. On horizontal circular ducts, the ports shall be located so that the probe can enter the stack vertically, horizontally or at a 45 degree angle.

5. On rectangular ducts, the cross sectional area shall be divided into the number of equal areas in accordance with EPA Method 1. Sampling ports shall be provided which allow access to each sampling point. The ports shall be located so that the probe can be inserted perpendicular to the gas flow.

(d) Work Platforms.

1. Minimum size of the working platform shall be 24 square feet in area. Platforms shall be at least 3 feet wide.

2. On circular stacks with 2 sampling ports, the platform shall extend at least 110 degrees around the stack.

3. On circular stacks with more than two sampling ports, the work platform shall extend 360 degrees around the stack.

4. All platforms shall be equipped with an adequate safety rail (ropes are not acceptable), toeboard, and hinged floor-opening cover if ladder access is used to reach the platform. The safety rail directly in line with the sampling ports shall be removable so that no obstruction exists in an area 14 inches below each sample port and 6 inches on either side of the sampling port.

(e) Access to Work Platform.

**APPENDIX SS-1, STACK SAMPLING FACILITIES (version dated 10/07/96)**  
**(continued)**

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1. Ladders to the work platform exceeding 15 feet in length shall have safety cages or fall arresters with a minimum of 3 compatible safety belts available for use by sampling personnel.

2. Walkways over free-fall areas shall be equipped with safety rails and toeboards.

**(f) Electrical Power.**

1. A minimum of two 120-volt AC, 20-amp outlets shall be provided at the sampling platform within 20 feet of each sampling port.

2. If extension cords are used to provide the electrical power, they shall be kept on the plant's property and be available immediately upon request by sampling personnel.

**(g) Sampling Equipment Support.**

1. A three-quarter inch eyebolt and an angle bracket shall be attached directly above each port on vertical stacks and above each row of sampling ports on the sides of horizontal ducts.

a. The bracket shall be a standard 3 inch x 3 inch x one-quarter inch equal-legs bracket which is 1 and one-half inches wide. A hole that is one-half inch in diameter shall be drilled through the exact center of the horizontal portion of the bracket. The horizontal portion of the bracket shall be located 14 inches above the centerline of the sampling port.

b. A three-eighth inch bolt which protrudes 2 inches from the stack may be substituted for the required bracket. The bolt shall be located 15 and one-half inches above the centerline of the sampling port.

c. The three-quarter inch eyebolt shall be capable of supporting a 500 pound working load. For stacks that are less than 12 feet in diameter, the eyebolt shall be located 48 inches above the horizontal portion of the angle bracket. For stacks that are greater than or equal to 12 feet in diameter, the eyebolt shall be located 60 inches above the horizontal portion of the angle bracket. If the eyebolt is more than 120 inches above the platform, a length of chain shall be attached to it to bring the free end of the chain to within safe reach from the platform.

2. A complete monorail or dualrail arrangement may be substituted for the eyebolt and bracket.

3. When the sample ports are located in the top of a horizontal duct, a frame shall be provided above the port to allow the sample probe to be secured during the test.

[Rule 62-297.310(6), F.A.C.]

**TABLE 297.310-1 CALIBRATION SCHEDULE**  
**(version dated 10/07/96)**

[Note: This table is referenced in Rule 62-297.310, F.A.C.]

ITEM	MINIMUM CALIBRATION FREQUENCY	REFERENCE INSTRUMENT	TOLERANCE
Liquid in glass thermometer	Annually	ASTM Hg in glass ref. thermometer or equivalent, or thermometric points	+/-2%
Bimetallic thermometer	Quarterly	Calib. liq. in glass thermometer	5 degrees F
Thermocouple	Annually	ASTM Hg in glass ref. thermometer, NBS calibrated reference and potentiometer	5 degrees F
Barometer	Monthly	Hg barometer or NOAA station	+/-1% scale
Pitot Tube	When required or when damaged	By construction or measurements in wind tunnel D greater than 16" and standard pitot tube	See EPA Method 2, Fig. 2-2 & 2-3
Probe Nozzles	Before each test or when nicked, dented, or corroded	Micrometer	+/-0.001" mean of at least three readings Max. deviation between readings .004"
Dry Gas Meter and Orifice Meter	1. Full Scale: When received, When 5% change observed, Annually 2. One Point: Semiannually 3. Check after each test series	Spirometer or calibrated wet test or dry gas test meter	2%
		Comparison check	5%

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## APPENDIX TV-1, TITLE V CONDITIONS (version dated 12/02/97)

[Note: This attachment includes "canned conditions" developed from the "Title V Core List."]

{Permitting note: APPENDIX TV-1, TITLE V CONDITIONS, is distributed to the permittee only. Other persons requesting copies of these conditions shall be provided one copy when requested or otherwise appropriate.}

### Chapter 62-4, F.A.C.

1. **Not federally enforceable. General Prohibition.** Any stationary installation which will reasonably be expected to be a source of pollution shall not be operated, maintained, or modified without the appropriate and valid permits issued by the Department, unless the source is exempted by Department rule. The Department may issue a permit only after it receives reasonable assurance that the installation will not cause pollution in violation of any of the provisions of Chapter 403, F.S., or the rules promulgated thereunder. A permitted installation may only be operated, maintained, constructed, expanded or modified in a manner that is consistent with the terms of the permit.

[Rule 62-4.030, Florida Administrative Code (F.A.C.); Section 403.087, Florida Statute (F.S.)]

2. **Not federally enforceable. Procedure to Obtain Permits; Application.**

(1) Any person desiring to obtain a permit from the Department shall apply on forms prescribed by the Department and shall submit such additional information as the Department by law may require.

(2) All applications and supporting documents shall be filed in quadruplicate with the Department.

(3) To ensure protection of public health, safety, and welfare, any construction, modification, or operation of an installation which may be a source of pollution shall be in accordance with sound professional engineering practices pursuant to Chapter 471, F.S. All applications for a Department permit shall be certified by a professional engineer registered in the State of Florida except when the application is for renewal of an air pollution operation permit at a minor facility as defined in Rule 62-210.200, F.A.C., or where professional engineering is not required by Chapter 471, F.S. Where required by Chapter 471 or 492, F.S., applicable portions of permit applications and supporting documents which are submitted to the Department for public record shall be signed and sealed by the professional(s) who prepared or approved them.

(4) Processing fees for air construction permits shall be in accordance with Rule 62-4.050(4), F.A.C.

(5)(a) To be considered by the Department, each application must be accompanied by the proper processing fee. The fee shall be paid by check, payable to the Department of Environmental Protection. The fee is non-refundable except as provided in Section 120.60, F.S., and in this section.

(c) Upon receipt of the proper application fee, the permit processing time requirements of Sections 120.60(2) and 403.0876, F.S., shall begin.

(d) If the applicant does not submit the required fee within ten days of receipt of written notification, the Department shall either return the unprocessed application or arrange with the applicant for the pick up of the application.

(e) If an applicant submits an application fee in excess of the required fee, the permit processing time requirements of Sections 120.60(2) and 403.0876, F.S., shall begin upon receipt, and the Department shall refund to the applicant the amount received in excess of the required fee.

(6) Any substantial modification to a complete application shall require an additional processing fee determined pursuant to the schedule set forth in Rule 62-4.050, F.A.C., and shall restart the time requirements of Sections 120.60 and 403.0876, F.S. For purposes of this Subsection, the term "substantial modification" shall mean a modification which is reasonably expected to lead to substantially different environmental impacts which require a detailed review.

(7) Modifications to existing permits proposed by the permittee which require substantial changes in the existing permit or require substantial evaluation by the Department of potential impacts of the proposed modifications shall require the same fee as a new application.

[Rule 62-4.050, F.A.C.]

3. **Standards for Issuing or Denying Permits.** Except as provided at Rule 62-213.460, F.A.C., the issuance of a permit does not relieve any person from complying with the requirements of Chapter 403, F.S., or Department rules.

[Rule 62-4.070(7), F.A.C.]

**APPENDIX TV-1, TITLE V CONDITIONS (version dated 12/02/97) (continued)**

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**4. Modification of Permit Conditions.**

(1) For good cause 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. For the purpose of this section, good cause shall include, but not be limited to, any of the following:

(a) A showing that an improvement in effluent or emission quality or quantity can be accomplished because of technological advances without unreasonable hardship.

(b) A showing that a higher degree of treatment is necessary to effect the intent and purpose of Chapter 403, F.S.

(c) A showing of any change in the environment or surrounding conditions that requires a modification to conform to applicable air or water quality standards.

(e) Adoption or revision of Florida Statutes, rules, or standards which require the modification of a permit condition for compliance.

(2) A permittee may request a modification of a permit by applying to the Department.

(3) A permittee may request that a permit be extended as a modification of the permit. Such a request must be submitted to the Department in writing before the expiration of the permit. Upon timely submittal of a request for extension, unless the permit automatically expires by statute or rule, the permit will remain in effect until final agency action is taken on the request. For construction permits, an extension shall be granted if the applicant can demonstrate reasonable assurances that, upon completion, the extended permit will comply with the standards and conditions required by applicable regulation. For all other permits, an extension shall be granted if the applicant can demonstrate reasonable assurances that the extended permit will comply with the standards and conditions applicable to the original permit. A permit for which the permit application fee was prorated in accordance with Rule 62-4.050(4)(1), F.A.C., shall not be extended. In no event shall a permit be extended or remain in effect longer than the time limits established by statute or rule.

[Rule 62-4.080, F.A.C.]

5. **Renewals.** Prior to one hundred eighty (180) days before the expiration of a permit issued pursuant to Chapter 62-213, F.A.C., the permittee shall apply for a renewal of a permit using forms incorporated by reference in the specific rule chapter for that kind of permit. A renewal application shall be timely and sufficient. If the application is submitted prior to 180 days before expiration of the permit, it will be considered timely and sufficient. If the renewal application is submitted at a later date, it will not be considered timely and sufficient unless it is submitted and made complete prior to the expiration of the operation permit. When the application for renewal is timely and sufficient, the existing permit shall remain in effect until the renewal application has been finally acted upon by the Department or, if there is court review of the Department's final agency action, until a later date is required by Section 120.60, F.S., provided that, for renewal of a permit issued pursuant to Chapter 62-213, F.A.C., the applicant complies with the requirements of Rules 62-213.420(1)(b)3. and 4., F.A.C.

[Rule 62-4.090(1), F.A.C.]

**6. Suspension and Revocation.**

(1) Permits shall be effective until suspended, revoked, surrendered, or expired and shall be subject to the provisions of Chapter 403, F.S., and rules of the Department.

(2) Failure to comply with pollution control laws and rules shall be grounds for suspension or revocation.

(3) A permit issued pursuant to Chapter 62-4, F.A.C., shall not become a vested property right in the permittee. The Department may revoke any permit issued by it if it finds that the permit holder or the permit holder's agent:

(a) Submitted false or inaccurate information in application or operational reports.

(b) Has violated law, Department orders, rules or permit conditions.

(c) Has failed to submit operational reports or other information required by Department rules.

(d) Has refused lawful inspection under Section 403.091, F.S.

[Rule 62-4.100, F.A.C.]

7. **Not federally enforceable. Financial Responsibility.** The Department may require an applicant to submit proof of financial responsibility and may require the applicant to post an appropriate bond to guarantee compliance with the law and Department rules.

[Rule 62-4.110, F.A.C.]

APPENDIX TV-1, TITLE V CONDITIONS (version dated 12/02/97) (continued)

8. Transfer of Permits.

(1) Within 30 days after the sale or legal transfer of a permitted facility, an "Application for Transfer of Permit" (DEP Form 62-1.201(1)) must be submitted to the Department. This form must be completed with the notarized signatures of both the permittee and the proposed new permittee.

(2) The Department shall approve the transfer of a permit unless it determines that the proposed new permittee cannot provide reasonable assurances that conditions of the permit will be met. The determination shall be limited solely to the ability of the new permittee to comply with the conditions of the existing permit, and it shall not concern the adequacy of these permit conditions. If the Department proposes to deny the transfer, it shall provide both the permittee and the proposed new permittee a written objection to such transfer together with notice of a right to request a Chapter 120, F.S., proceeding on such determination.

(3) Within 30 days of receiving a properly completed Application for Transfer of Permit form, the Department shall issue a final determination. The Department may toll the time for making a determination on the transfer by notifying both the permittee and the proposed new permittee that additional information is required to adequately review the transfer request. Such notification shall be served within 30 days of receipt of an Application for Transfer of Permit form, completed pursuant to Rule 62-4.120(1), F.A.C. If the Department fails to take action to approve or deny the transfer within 30 days of receipt of the completed Application for Transfer of Permit form, or within 30 days of receipt of the last item of timely requested additional information, the transfer shall be deemed approved.

(4) The permittee is encouraged to apply for a permit transfer prior to the sale or legal transfer of a permitted facility. However, the transfer shall not be effective prior to the sale or legal transfer.

(5) Until this transfer is approved by the Department, the permittee and any other person constructing, operating, or maintaining the permitted facility shall be liable for compliance with the terms of the permit. The permittee transferring the permit shall remain liable for corrective actions that may be required as a result of any violations occurring prior to the sale or legal transfer of the facility.

[Rule 62-4.120, F.A.C.]

9. Plant Operation-Problems. If the permittee is temporarily unable to comply with any of the conditions of the permit due to breakdown of equipment or destruction by hazard of fire, wind or by other cause, the permittee shall immediately notify the Department. Notification shall include pertinent information as to the cause of the problem, and what steps are being taken to correct the problem and to prevent its 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 Department rules.

[Rule 62-4.130, F.A.C.]

10. For purposes of notification to the Department pursuant to Rule 62-4.130, F.A.C., Plant Operation-Problems, "immediately" shall mean the same day, if during a workday (i.e., 8:00 a.m. - 5:00 p.m.), or the first business day after the incident, excluding weekends and holidays.

[40 CFR 70.6(a)(3)(iii)(B)]

11. Not federally enforceable. Review. Failure to request a hearing within 14 days of receipt of notice of proposed or final agency action on a permit application or as otherwise required in Chapter 62-103, F.A.C., shall be deemed a waiver of the right to an administrative hearing.

[Rule 62-4.150, F.A.C.]

12. Permit Conditions. All permits issued by the Department shall include the following general conditions:

(1) The terms, conditions, requirements, limitations and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, F.S. 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.

(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, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.

(3) As provided in subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any 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 of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in this permit.

APPENDIX TV-1, TITLE V CONDITIONS (version dated 12/02/97) (continued)

- (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.
- (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 F.S. and Department rules, unless specifically authorized by an order from the Department.
- (6) The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and 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.
- (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 reasonable times, access to the premises where the permitted activity is located or conducted to:
- (a) Have access to and copy any records that must be kept under 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 reasonable necessary to assure compliance with this permit or Department rules. Reasonable time may depend on the nature of the concern being investigated.
- (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 noncompliance; and,
  - (b) The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. 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.
- (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 F.S. or Department rules, except where such use is prescribed by Sections 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.
- (10) The permittee agrees to comply with changes in Department rules and F.S. after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by F.S. or Department rules.
- (11) This permit is transferable only upon Department approval in accordance with Rule 62-4.120, 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.
- (12) This permit or a copy thereof shall be kept at the work site of the permitted activity.
- (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 for this permit. These materials shall be retained at least five (5) 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.
- (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 the 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.

[Rules 62-4.160 and 62-213.440(1)(b), F.A.C.]



APPENDIX TV-1, TITLE V CONDITIONS (version dated 12/02/97) (continued)

13. Construction Permits.

(1) No person shall construct any installation or facility which will reasonably be expected to be a source of air or water pollution without first applying for and receiving a construction permit from the Department unless exempted by statute or Department rule. In addition to the requirements of Chapter 62-4, F.A.C., applicants for a Department Construction Permit shall submit the following as applicable:

- (a) A completed application on forms furnished by the Department.
- (b) An engineering report covering:
  - 1. plant description and operations,
  - 2. types and quantities of all waste material to be generated whether liquid, gaseous or solid,
  - 3. proposed waste control facilities,
  - 4. the treatment objectives,
  - 5. the design criteria on which the control facilities are based, and,
  - 6. other information deemed relevant.

Design criteria submitted pursuant to Rule 62-4.210(1)(b)5., F.A.C., shall be based on the results of laboratory and pilot-plant scale studies whenever such studies are warranted. The design efficiencies of the proposed waste treatment facilities and the quantities and types of pollutants in the treated effluents or emissions shall be indicated. Work of this nature shall be subject to the requirements of Chapter 471, F.S. Where confidential records are involved, certain information may be kept confidential pursuant to Section 403.111, F.S.

(c) The owners' written guarantee to meet the design criteria as accepted by the Department and to abide by Chapter 403, F.S. and the rules of the Department as to the quantities and types of materials to be discharged from the installation. The owner may be required to post an appropriate bond or other equivalent evidence of financial responsibility to guarantee compliance with such conditions in instances where the owner's financial resources are inadequate or proposed control facilities are experimental in nature.

(2) The construction permit may contain conditions and an expiration date as determined by the Secretary or the Secretary's designee.

(3) When the Department issues a permit to construct, the permittee shall be allowed a period of time, specified in the permit, to construct, and to operate and test to determine compliance with Chapter 403, F.S., and the rules of the Department and, where applicable, to apply for and receive an operation permit. The Department may require tests and evaluations of the treatment facilities by the permittee at his/her expense.

[Rule 62-4.210, F.A.C.]

14. Not federally enforceable. Operation Permit for New Sources. To properly apply for an operation permit for new sources, the applicant shall submit certification that construction was completed noting any deviations from the conditions in the construction permit and test results where appropriate.

[Rule 62-4.220, F.A.C.]

Chapter 62-103, F.A.C.

15. Public Notice, Public Participation, and Proposed Agency Action. The permittee shall comply with all of the requirements for public notice, public participation, and proposed agency action pursuant to Rule 62-103.150 and Rule 62-210.350, F.A.C.

[Rules 62-103.150, 62-210.350 and 62-213.430(1)(b), F.A.C.]

16. Administrative Hearing. The permittee shall comply with all of the requirements for a petition for administrative hearing or waiver of right to administrative proceeding pursuant to Rule 61-103.155, F.A.C.

[Rule 62-103.155, F.A.C.]

Chapter 62-204, F.A.C.

17. Asbestos. This permit does not authorize any demolition or renovation of the facility or its parts or components which involves asbestos removal. This permit does not constitute a waiver of any of the requirements of Chapter 62-257, F.A.C., and 40 CFR Part 61, Subpart M, National Emission Standard for Asbestos, adopted and incorporated by reference in Rule 62-204.800, F.A.C. Compliance with Chapter 62-257, F.A.C., and 40 CFR 61, Subpart M, Section 61.145, is required for any asbestos demolition or renovation at the source.

[40 CFR 61; Rule 62-204.800, F.A.C.; and, Chapter 62-257, F.A.C.]

**APPENDIX TV-1, TITLE V CONDITIONS (version dated 12/02/97) (continued)**

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Chapter 62-210, F.A.C.

18. Permits Required. The owner or operator of any emissions unit which emits or can reasonably be expected to emit any air pollutant shall obtain an appropriate permit from the Department prior to beginning construction, modification, or initial or continued operation of the emissions unit unless exempted pursuant to Department rule or statute. All emissions limitations, controls, and other requirements imposed by such permits shall be at least as stringent as any applicable limitations and requirements contained in or enforceable under the State Implementation Plan (SIP) or that are otherwise federally enforceable. Except as provided at Rule 62-213.460, F.A.C., issuance of a permit does not relieve the owner or operator of an emissions unit from complying with any applicable requirements, any emission limiting standards or other requirements of the air pollution rules of the Department or any other such requirements under federal, state, or local law.

(1) Air Construction Permits. An air construction permit shall be obtained by the owner or operator of any proposed new or modified facility or emissions unit prior to the beginning of construction or modification, in accordance with all applicable provisions of Chapters 62-210, 62-212 and 62-4, F.A.C. The construction permit shall be issued for a period of time sufficient to allow construction or modification of the facility or emissions unit and operation while the new or modified facility or emissions unit is conducting tests or otherwise demonstrating initial compliance with the conditions of the construction permit.

(2) Air Operation Permits. Upon expiration of the air operation permit for any existing facility or emissions unit, subsequent to construction or modification and demonstration of initial compliance with the conditions of the construction permit for any new or modified facility or emissions unit, or as otherwise provided in Chapter 62-210 or Chapter 62-213, the owner or operator of such facility or emissions unit shall obtain a renewal air operation permit, an initial air operation permit, or an administrative correction or revision of an existing air operation permit, whichever is appropriate, in accordance with all applicable provisions of Chapter 62-210, Chapter 62-213, and Chapter 62-4, F.A.C.

(a) Minimum Requirements for All Air Operation Permits. At a minimum, a permit issued pursuant to this subsection shall:

1. Specify the manner, nature, volume and frequency of the emissions permitted, and the applicable emission limiting standards or performance standards, if any;

2. Require proper operation and maintenance of any pollution control equipment by qualified personnel, where applicable in accordance with the provisions of any operation and maintenance plan required by the air pollution rules of the Department.

3. Contain an effective date stated in the permit which shall not be earlier than the date final action is taken on the application and be issued for a period, beginning on the effective date, as provided below.

a. The operation permit for an emissions unit which is in compliance with all applicable rules and in operational condition, and which the owner or operator intends to continue operating, shall be issued or renewed for a five-year period, except that, for Title V sources subject to Rule 62-213.420(1)(a)1., F.A.C., operation permits shall be extended until 60 days after the due date for submittal of the facility's Title V permit application as specified in Rule 62-213.420(1)(a)1., F.A.C.

b. Except as provided in Rule 62-210.300(2)(a)3.d., F.A.C., the operation permit for an emissions unit which has been shut down for six months or more prior to the expiration date of the current operation permit, shall be renewed for a period not to exceed five years from the date of shutdown, even if the emissions unit is not maintained in operational condition, provided:

(i) the owner or operator of the emissions unit demonstrates to the Department that the emissions unit may need to be reactivated and used, or that it is the owner's or operator's intent to apply to the Department for a permit to construct a new emissions unit at the facility before the end of the extension period; and,

(ii) the owner or operator of the emissions unit agrees to and is legally prohibited from providing the allowable emission permitted by the renewed permit as an emissions offset to any other person under Rule 62-212.500, F.A.C.; and,

(iii) the emissions unit was operating in compliance with all applicable rules as of the time the source was shut down.

c. Except as provided in Rule 62-210.300(2)(a)3.d., F.A.C., the operation permit for an emissions unit which has been shut down for five years or more prior to the expiration date of the current operation permit shall be renewed for a maximum period not to exceed ten years from the date of shutdown, even if the emissions unit is not maintained in operational condition, provided the conditions given in Rule 62-210.300(2)(a)3.b., F.A.C., are met and the owner or operator demonstrates to the Department that failure to renew the permit would constitute a hardship, which may include economic hardship.

**APPENDIX TV-1, TITLE V CONDITIONS (version dated 12/02/97) (continued)**

d. The operation permit for an electric utility generating unit on cold standby or long-term reserve shutdown shall be renewed for a five-year period, and additional five-year periods, even if the unit is not maintained in operational condition, provided the conditions given in Rules 62-210.300(2)(a)3.b.(i) through (iii), F.A.C., are met.

4. In the case of an emissions unit permitted pursuant to Rules 62-210.300(2)(a)3.b., c., and d., F.A.C., include reasonable notification and compliance testing requirements for reactivation of such emissions unit and provide that the owner or operator demonstrate to the Department prior to reactivation that such reactivation would not constitute reconstruction pursuant to Rule 62-204.800(7), F.A.C.

[Rules 62-210.300(1) & (2), F.A.C.]

19. **Not federally enforceable. Notification of Startup.** The owner or operator of any emissions unit or facility which has a valid air operation permit and which has been shut down more than one (1) year, shall notify the Department in writing of the intent to start up such emissions unit or facility, a minimum of sixty (60) days prior to the intended startup date.

(a) The notification shall include the planned startup date, anticipated emission rates or pollutants released, changes to processes or control devices which will result in changes to emission rates, and any other conditions which may differ from the valid outstanding operation permit.

(b) If, due to an emergency, a startup date is not known 60 days prior thereto, the owner shall notify the Department as soon as possible after the date of such startup is ascertained.

[Rule 62-210.300(5), F.A.C.]

20. **Emissions Unit Reclassification.**

(a) Any emissions unit whose operation permit has been revoked as provided for in Chapter 62-4, F.A.C., shall be deemed permanently shut down for purposes of Rule 62-212.500, F.A.C. Any emissions unit whose permit to operate has expired without timely renewal or transfer may be deemed permanently shut down, provided, however, that no such emissions unit shall be deemed permanently shut down if, within 20 days after receipt of written notice from the Department, the emissions unit owner or operator demonstrates that the permit expiration resulted from inadvertent failure to comply with the requirements of Rule 62-4.090, F.A.C., and that the owner or operator intends to continue the emissions unit in operation, and either submits an application for an air operation permit or complies with permit transfer requirements, if applicable.

(b) If the owner or operator of an emissions unit which is so permanently shut down, applies to the Department for a permit to reactivate or operate such emissions unit, the emissions unit will be reviewed and permitted as a new emissions unit.

[Rule 62-210.300(6), F.A.C.]

21. **Public Notice and Comment.**

(1) **Public Notice of Proposed Agency Action.**

(a) Notwithstanding any discretionary public notice requirements contained in Rule 62-103.150(2)(a), F.A.C., a notice of proposed agency action on permit application, where the proposed agency action is to issue the permit, shall be published by any applicant for:

1. An air construction permit;
2. An air operation permit, permit renewal or permit revision subject to Rule 62-210.300(2)(b), F.A.C., (i.e., a FESOP), except as provided in Rule 62-210.300(2)(b)1.b., F.A.C.; or
3. An air operation permit, permit renewal, or permit revision subject to Chapter 62-213, F.A.C., except those permit revisions meeting the requirements of Rule 62-213.412(1), F.A.C.

(b) The notice required by Rule 62-210.350(1)(a), F.A.C., shall be published in accordance with all otherwise applicable provisions of Rule 62-103.150, F.A.C.

(2) **Additional Public Notice Requirements for Emissions Units Subject to Prevention of Significant Deterioration or Nonattainment-Area Preconstruction Review.**

(a) Before taking final agency action on a construction permit application for any proposed new or modified facility or emissions unit subject to the preconstruction review requirements of Rule 62-212.400 or 62-212.500, F.A.C., the Department shall comply with all applicable provisions of Rule 62-103.150, F.A.C., and provide an opportunity for public comment which shall include as a minimum the following:

1. A complete file available for public inspection in at least one location in the district affected which includes the information submitted by the owner or operator, exclusive of confidential records under Section 403.111, F.S., and the Department's analysis of the effect of the proposed construction or modification on ambient air quality, including the Department's preliminary determination of whether the permit should be approved or disapproved;
2. A 30-day period for submittal of public comments; and,

**APPENDIX TV-1, TITLE V CONDITIONS (version dated 12/02/97) (continued)**

3. A notice, by advertisement in a newspaper of general circulation in the county affected, specifying the nature and location of the proposed facility or emissions unit, whether BACT or LAER has been determined, the degree of PSD increment consumption expected, if applicable, and the location of the information specified in paragraph 1. above; and notifying the public of the opportunity for submitting comments and requesting a public hearing.
- (b) The notice provided for in Rule 62-210.350(2)(a)3., F.A.C., shall be prepared by the Department and published by the applicant in accordance with all applicable provisions of Rule 62-103.150, F.A.C., except that the applicant shall cause the notice to be published no later than thirty (30) days prior to final agency action.
- (c) A copy of the notice provided for in Rule 62-210.350(2)(a)3., F.A.C., shall also be sent by the Department to the Regional Office of the U. S. Environmental Protection Agency and to all other state and local officials or agencies having cognizance over the location of such new or modified facility or emissions unit, including local air pollution control agencies, chief executives of city or county government, regional land use planning agencies, and any other state, Federal Land Manager, or Indian Governing Body whose lands may be affected by emissions from the new or modified facility or emissions unit.
- (d) A copy of the notice provided for in Rule 62-210.350(2)(a)3., F.A.C., shall be displayed in the appropriate district, branch and local program offices.
- (e) An opportunity for public hearing shall be provided in accordance with Chapter 120, F.S., and Rule 62-103.150, F.A.C.
- (f) Any public comments received shall be made available for public inspection in the location where the information specified in Rule 62-210.350(2)(a)1., F.A.C., is available and shall be considered by the Department in making a final determination to approve or deny the permit.
- (g) The final determination shall be made available for public inspection at the same location where the information specified in Rule 62-210.350(2)(a)1., F.A.C., was made available.
- (h) For a proposed new or modified emissions unit which would be located within 100 kilometers of any Federal Class I area or whose emissions may affect any Federal Class I area, and which would be subject to the preconstruction review requirements of Rule 62-212.400, F.A.C., or Rule 62-212.500, F.A.C.:
1. The Department shall mail or transmit to the Administrator a copy of the initial application for an air construction permit and notice of every action related to the consideration of the permit application.
  2. The Department shall mail or transmit to the Federal Land Manager of each affected Class I area a copy of any written notice of intent to apply for an air construction permit; the initial application for an air construction permit, including all required analyses and demonstrations; any subsequently submitted information related to the application; the preliminary determination and notice of proposed agency action on the permit application; and any petition for an administrative hearing regarding the application or the Department's proposed action. Each such document shall be mailed or transmitted to the Federal Land Manager within fourteen (14) days after its receipt by the Department.
- (3) Additional Public Notice Requirements for Facilities Subject to Operation Permits for Title V Sources.
- (a) Before taking final agency action to issue a new, renewed, or revised air operation permit subject to Chapter 62-213, F.A.C., the Department shall comply with all applicable provisions of Rule 62-103.150, F.A.C., and provide an opportunity for public comment which shall include as a minimum the following:
1. A complete file available for public inspection in at least one location in the district affected which includes the information submitted by the owner or operator, exclusive of confidential records under Section 403.111, F.S.; and
  2. A 30-day period for submittal of public comments.
- (b) The notice provided for in Rule 62-210.350(3)(a), F.A.C., shall be prepared by the Department and published by the applicant in accordance with all applicable provisions of Rule 62-103.150, F.A.C., except that the applicant shall cause the notice to be published no later than thirty (30) days prior to final agency action.
- (c) The notice shall identify:
1. The facility;
  2. The name and address of the office at which processing of the permit occurs;
  3. The activity or activities involved in the permit action;
  4. The emissions change involved in any permit revision;
  5. The name, address, and telephone number of a Department representative from whom interested persons may obtain additional information, including copies of the permit draft, the application, and all relevant supporting materials, including any permit application, compliance plan, permit, monitoring report, and compliance statement required pursuant to Chapter 62-213, F.A.C. (except for information entitled to confidential treatment pursuant to Section 403.111, F.S.), and all other materials available to the Department that are relevant to the permit decision;
  6. A brief description of the comment procedures required by Rules 62-103.150 and 62-210.350(3), F.A.C.;
  7. The time and place of any hearing that may be held, including a statement of procedure to request a hearing (unless a hearing has already been scheduled); and,

## APPENDIX TV-1, TITLE V CONDITIONS (version dated 12/02/97) (continued)

8. The procedures by which persons may petition the Administrator to object to the issuance of the proposed permit after expiration of the Administrator's 45-day review period.

[Rule 62-210.350, F.A.C.]

### 22. Administrative Permit Corrections.

(1) A facility owner shall notify the Department by letter of minor corrections to information contained in a permit. Such notifications shall include:

- (a) Typographical errors noted in the permit;
- (b) Name, address or phone number change from that in the permit;
- (c) Any other similar minor administrative change at the source; and,
- (d) A change requiring more frequent monitoring or reporting by the permittee.
- (e) Changes listed at 40 CFR 72.83(a)(1), (2), (6), (9) and (10), hereby adopted and incorporated by reference, to Title V sources subject to emissions limitations or reductions pursuant to 42 USC ss. 7651-7651o;
- (f) Changes listed at 40 CFR 72.83(a)(11), hereby adopted and incorporated by reference, to Title V sources subject to emissions

limitations or reductions pursuant to 42 USC ss. 7651-7651o, provided the notification is accompanied by a copy of any EPA determination concerning the similarity of the change to those listed at Rule 17-210.360(1)(e).

(2) Upon receipt of such notifications the Department shall within 60 days correct the permit and provide a corrected copy to the owner.

(3) For facilities subject to Chapter 62-213, F.A.C., a copy shall be provided to EPA and any approved local air program in the county where the facility or any part of the facility is located.

(4) The Department shall incorporate requirements resulting from issuance of new or revised construction permits into existing operation permits issued pursuant to Chapter 62-213, F.A.C., if the construction permit revisions incorporate requirements of federally enforceable preconstruction review and if the applicant requests at the time of application that all of the requirements of Rule 62-213.430(1), F.A.C., be complied with in conjunction with the processing of the construction permit application.

[Rule 62-210.360, F.A.C.]

### 23. Reports.

(3) Annual Operating Report for Air Pollutant Emitting Facility.

(a) The Annual Operating Report for Air Pollutant Emitting Facility (DEP Form No. 62-210.900(5)) shall be completed each year.

(c) The annual operating report shall be submitted to the appropriate Department District or Department approved local air pollution control program office by March 1 of the following year unless otherwise indicated by permit condition or Department request.

[Rule 62-210.370(3), F.A.C.]

24. Circumvention. No person shall circumvent any air pollution control device, or allow the emission of air pollutants without the applicable air pollution control device operating properly.

[Rule 62-210.650, F.A.C.]

25. Forms and Instructions. The forms used by the Department in the stationary source control program are adopted and incorporated by reference in this section. The forms are listed by rule number, which is also the form number, with the subject, title and effective date. Copies of forms may be obtained by writing to the Department of Environmental Protection, Division of Air Resources Management, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

(1) Application for Air Permit - Long Form, Form and Instructions.

(a) Acid Rain Part (Phase II), Form and Instructions.

1. Repowering Extension Plan, Form and Instructions.
2. New Unit Exemption, Form and Instructions.
3. Retired Unit Exemption, Form and Instructions.

(b) Reserved.

(5) Annual Operating Report (AOR) for Air Pollutant Emitting Facility, Form and Instructions.

[Rule 62-210.900, F.A.C.]

**APPENDIX TV-1, TITLE V CONDITIONS (version dated 12/02/97) (continued)**

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Chapter 62-213, F.A.C.

26. Annual Emissions Fee. Each Title V source permitted to operate in Florida must pay between January 15 and March 1 of each year, upon written notice from the Department, an annual emissions fee in accordance with Rule 62-213.205, F.A.C., and the appropriate form and associated instructions.  
[Rules 62-213.205 and 62-213.900(1), F.A.C.]
27. Annual Emissions Fee. Failure to pay timely any required annual emissions fee, penalty, or interest constitutes grounds for permit revocation pursuant to Rule 62-4.100, F.A.C.  
[Rule 62-213.205(1)(g), F.A.C.]
28. Annual Emissions Fee. Any documentation of actual hours of operation, actual material or heat input, actual production amount, or actual emissions used to calculate the annual emissions fee shall be retained by the owner for a minimum of five (5) years and shall be made available to the Department upon request.  
[Rule 62-213.205(1)(j), F.A.C.]
29. Annual Emissions Fee. DEP Form 62-213.900(1), F.A.C., "Major Air Pollution Source Annual Emissions Fee Form", must be completed by the permittee and submitted with the annual emissions fee.  
[Rule 62-213.205(4), F.A.C.]
30. Air Operation Permit Fees. After December 31, 1992, no permit application processing fee, renewal fee, modification fee or amendment fee is required for an operation permit for a Title V source.  
[Rule 62-213.205(5), F.A.C.]
31. Permits and Permit Revisions Required. All Title V sources are subject to the permit requirements of Chapter 62-213, F.A.C.  
[Rule 62-213.400, F.A.C.]
32. No Title V source may operate except in compliance with Chapter 62-213, F.A.C.  
[Rule 62-213.400(1), F.A.C.]
33. Changes Without Permit Revision. Title V sources having a valid permit issued pursuant to Chapter 62-213, F.A.C., may make the following changes without permit revision, provided that sources shall maintain source logs or records to verify periods of operation in each alternative method of operation:
- (1) Permitted sources may change among those alternative methods of operation allowed by the source's permit as provided by the terms of the permit;
  - (2) Permitted sources may implement the terms or conditions of a new or revised construction permit if;
    - (a) The application for construction permit complied with the requirements of Rule 62-213.420(3) and (4), F.A.C.;
    - (b) The terms or conditions were subject to federally enforceable preconstruction review pursuant to Chapter 62-212, F.A.C.; and
    - (c) The new or revised construction permit was issued after the Department and the applicant complied with all the requirements of Rule 62-213.430(1), F.A.C.;
  - (3) A permitted source may implement operating changes after the source submits any forms required by any applicable requirement and provides the Department and EPA with at least 7 days written notice prior to implementation. The source and the Department shall attach each notice to the relevant permit;
    - (a) The written notice shall include the date on which the change will occur, and a description of the change within the permitted source, the pollutants emitted and any change in emissions, and any term or condition becoming applicable or no longer applicable as a result of the change;
    - (b) The permit shield described in Rule 62-213.460, F.A.C., shall not apply to such changes;
  - (4) Permitted sources may implement changes involving modes of operation only in accordance with Rule 62-213.415, F.A.C.  
[Rule 62-213.410, F.A.C.]

**APPENDIX TV-1, TITLE V CONDITIONS (version dated 12/02/97) (continued)**

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**34. Immediate Implementation Pending Revision Process.**

(1) Those permitted Title V sources making any change that constitutes a modification pursuant to paragraph (a) of the definition of modification at Rule 62-210.200, F.A.C., but which would not constitute a modification pursuant to paragraph (b) of the same definition, may implement such change prior to final issuance of a permit revision in accordance with Rule 62-213.412, F.A.C., provided the change:

- (a) Does not violate any applicable requirement;
- (b) Does not contravene any permit term or condition for monitoring, testing, recordkeeping or reporting, or any compliance certification requirement;
- (c) Does not require or change a case-by-case determination of an emission limitation or other standard, or a source-specific determination of ambient impacts, or a visibility or increment analysis under the provisions of Chapter 62-212 or 62-296, F.A.C.;
- (d) Does not seek to establish or change a permit term or condition for which there is no corresponding underlying applicable requirement and that the source has assumed to avoid an applicable requirement to which the source would otherwise be subject

including any federally enforceable emissions cap or federally enforceable alternative emissions limit.

(2) A Title V source may immediately implement such changes after they have been incorporated into the terms and conditions of a new or revised construction permit issued pursuant to Chapter 62-212, F.A.C., and after the source provides to EPA, the Department, each affected state and any approved local air program having geographic jurisdiction over the source, a copy of the source's application for operation permit revision. The Title V source may conform its application for construction permit to include all information required by Rule 62-213.420, F.A.C., in lieu of submitting separate application forms.

(3) The Department shall process the application for operation permit revision in accordance with the provisions of Chapter 62-213, F.A.C., except that the Department shall issue a draft permit revision or a determination to deny the revision within 60 days of receipt of a complete application for operation permit revision or, if the Title V source has submitted a construction permit application conforming to the requirements of Rule 62-213.420, F.A.C., the Department shall issue a draft permit or a determination to deny the revision at the same time the Department issues its determination on issuance or denial of the construction permit application. The Department shall not take final action until all the requirements of Rule 62-213.430(1)(a), (c), (d), and (e), F.A.C., have been complied with.

(4) Pending final action on the operation permit revision application, the source shall implement the changes in accordance with the terms and conditions of the source's new or revised construction permit.

(5) The permit shield described in Rule 62-213.460, F.A.C., shall not apply to such changes until after the Department takes final action to issue the operation permit revision.

(6) If the Department denies the source's application for operation permit revision, the source shall cease implementation of the proposed changes.

[Rule 62-213.412, F.A.C.]

**35. Permit Applications.**

(1) **Duty to Apply.** For each Title V source, the owner or operator shall submit a timely and complete permit application in compliance with the requirements of Rules 62-213.420, 62-4.050(1) & (2), and 62-210.900, F.A.C.

(a) **Timely Application.**

3. For purposes of permit renewal, a timely application is one that is submitted in accordance with Rule 62-4.090, F.A.C.

(b) **Complete Application.**

1. Any applicant for a Title V permit, permit revision or permit renewal must submit an application on DEP Form No. 62-210.900(1), which must include all the information specified by Rule 62-213.420(3), F.A.C., except that an application for permit revision must contain only that information related to the proposed change. The applicant shall include information concerning fugitive emissions and stack emissions in the application. Each application for permit, permit revision or permit renewal shall be certified by a responsible official in accordance with Rule 62-213.420(4), F.A.C.

2. For those applicants submitting initial permit applications pursuant to Rule 62-213.420(1)(a)1., F.A.C., a complete application shall be an application that substantially addresses all the information required by the application form number 62-210.900(1), and such applications shall be deemed complete within sixty days of receipt of a signed and certified application unless the Department notifies the applicant of incompleteness within that time. For all other applicants, the applications shall be deemed complete sixty days after receipt, unless the Department, within sixty days after receipt of a signed application for permit, permit revision or permit renewal, requests additional documentation or information needed to process the application. An applicant making timely and complete application for permit, or timely application for permit renewal as described by Rule 62-4.090(1), F.A.C., shall continue to operate the source

**APPENDIX TV-1, TITLE V CONDITIONS (version dated 12/02/97) (continued)**

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under the authority and provisions of any existing valid permit or Florida Electrical Power Plant Siting Certification, provided the applicant complies with all the provisions of Rules 62-213.420(1)(b)3. and 4. F.A.C. Failure of the Department to request additional information within sixty days of receipt of a properly signed application shall not impair the Department's ability to request additional information pursuant to Rules 62-213.420(1)(b)3. and 4., F.A.C.

3. For those permit applications submitted pursuant to the provisions of Rule 62-213.420(1)(a)1., F.A.C., the Department shall notify the applicant if the Department becomes aware at any time during processing of the application that the application contains incorrect or incomplete information. The applicant shall submit the corrected or supplementary information to the Department within ninety days unless the applicant has requested and been granted additional time to submit the information. Failure of an applicant to submit corrected or supplementary information requested by the Department within ninety days or such additional time as requested and granted shall render the application incomplete.

4. For all applications other than those addressed at Rule 62-213.420(1)(b)3., F.A.C., should the Department become aware, during processing of any application that the application contains incorrect information, or should the Department become aware, as a result of comment from an affected State, an approved local air program, EPA, or the public that additional information is needed to evaluate the application, the Department shall notify the applicant within 30 days. When an applicant becomes aware that an application contains incorrect or incomplete information, the applicant shall submit the corrected or supplementary information to the Department. If the Department notifies an applicant that corrected or supplementary information is necessary to process the permit, and requests a response, the applicant shall provide the information to the Department within ninety days of the Department request unless the applicant has requested and been granted additional time to submit the information or, the applicant shall, within ninety days, submit a written request that the Department process the application without the information. Failure of an applicant to submit corrected or supplementary information requested by the Department within ninety days, or such additional time as requested and granted, or to demand in writing within ninety days that the application be processed without the information shall render the application incomplete. Nothing in this section shall limit any other remedies available to the Department.

[Rules 62-213.420(1)(a)3. and 62-213.420(1)(b)1., 2., 3. & 4., F.A.C.]

36. Confidential Information. Whenever an applicant submits information under a claim of confidentiality pursuant to Section 403.111, F.S., the applicant shall also submit a copy of all such information and claim directly to EPA.

[Rule 62-213.420(2), F.A.C.]

37. Standard Application Form and Required Information. Applications shall be submitted under Chapter 62-213, F.A.C., on forms provided by the Department and adopted by reference in Rule 62-210.900(1), F.A.C. The information as described in Rule 62-210.900(1), F.A.C., shall be included for the Title V source and each emissions unit. An application must include information sufficient to determine all applicable requirements for the Title V source and each emissions unit and to evaluate a fee amount pursuant to Rule 62-213.205, F.A.C.

[Rule 62-213.420(3), F.A.C.]

38. Certification by Responsible Official (RO). In addition to the professional engineering certification required for applications by Rule 62-4.050(3), F.A.C., any application form, report, compliance statement, compliance plan and compliance schedule submitted pursuant to Chapter 62-213, F.A.C., shall contain a certification signed by a responsible official that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

[Rule 62-213.420(4), F.A.C.]

39. a. Permit Renewal and Expiration. Permits being renewed are subject to the same requirements that apply to permit issuance at the time of application for renewal. Permit renewal applications shall contain that information identified in Rules 62-210.900(1) and 62-213.420(3), F.A.C. Unless a Title V source submits a timely application for permit renewal in accordance with the requirements of Rule 62-4.090(1), F.A.C., the existing permit shall expire and the source's right to operate shall terminate.

b. Permit Revision Procedures. Permit revisions shall meet all requirements of Chapter 62-213, F.A.C., including those for content of applications, public participation, review by approved local programs and affected states, and review by EPA, as they apply to permit issuance and renewal, except that permit revisions for those activities implemented pursuant to Rule 62-213.412, F.A.C., need not meet the requirements of Rule 62-213.430(1)(b), F.A.C. The Department shall require permit revision in accordance with the provisions of Rule 62-4.080, F.A.C., and 40 CFR 70.7(f), whenever any source becomes



**APPENDIX TV-1, TITLE V CONDITIONS (version dated 12/02/97) (continued)**

subject to any condition listed at 40 CFR 70.7(f)(1), hereby adopted and incorporated by reference. The below requirements from 40 CFR 70.7(f) are adopted and incorporated by reference in Rule 62-213.430(4), F.A.C.:

o 40 CFR 70.7(f): Reopening for Cause.

(1) This section contains provisions from 40 CFR 70.7(f) that specify the conditions under which a Title V permit shall be reopened prior to the expiration of the permit. A Title V permit shall be reopened and revised under any of the following circumstances:

(i) Additional applicable requirements under the Act become applicable to a major Part 70 source with a remaining permit term of 3 or more years. Such a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 40 CFR 70.4(b)(10)(i) or (ii).

(ii) Additional requirements (including excess emissions requirements) become applicable to an affected source under the acid rain program. Upon approved by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit.

(iii) The permitting authority or EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

(iv) The Administrator or the permitting authority determines that the permit must be revised or revoked to assure compliance with the applicable requirements.

(2) Proceedings to reopen and issue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Such reopening shall be made as expeditiously as practicable.

(3) Reopenings under 40 CFR 70.7(f)(1) shall not be initiated before a notice of such intent is provided to the Part 70 source by the permitting authority at least 30 days in advance of the date that the permit is to be reopened, except that the permitting authority may provide a shorter time period in the case of an emergency.

[Rules 62-213.430(3) & (4), F.A.C.; and, 40 CFR 70.7(f)]

40. Insignificant Emissions Units or Pollutant-Emitting Activities.

(a) All requests for determination of insignificant emissions units or activities made pursuant to Rule 62-213.420(3)(m), F.A.C., shall be processed in conjunction with the permit, permit renewal or permit revision application submitted pursuant to Chapter 62-213, F.A.C. Insignificant emissions units or activities shall be approved by the Department consistent with the provisions of Rule 62-4.040(1)(b), F.A.C. Emissions units or activities which are added to a Title V source after issuance of a permit under Chapter 62-213, F.A.C., shall be incorporated into the permit at its next renewal, provided such emissions units or activities have been exempted from the requirement to obtain an air construction permit and also qualify as insignificant pursuant to Rule 62-213.430(6), F.A.C.

(b) An emissions unit or activity shall be considered insignificant if:

1. Such unit or activity would be subject to no unit-specific applicable requirement;
2. Such unit or activity, in combination with other units or activities proposed as insignificant, would not cause the facility to exceed any major source threshold(s) as defined in Rule 62-213.420(3)(c)1., F.A.C., unless it is acknowledged in the permit application that such units or activities would cause the facility to exceed such threshold(s); and
3. Such unit or activity would not emit or have the potential to emit:
  - a. 500 pounds per year or more of lead and lead compounds expressed as lead;
  - b. 1,000 pounds per year or more of any hazardous air pollutant;
  - c. 2,500 pounds per year or more of total hazardous air pollutants; or
  - d. 5.0 tons per year or more of any other regulated pollutant.

[Rule 62-213.430(6), F.A.C.]

41. Permit Duration. Operation permits for Title V sources may not be extended as provided in Rule 62-4.080(3), F.A.C., if such extension will result in a permit term greater than five (5) years.

[Rule 62-213.440(1)(a), F.A.C.]

42. Monitoring Information. All records of monitoring information shall specify the date, place, and time of sampling or measurement and the operating conditions at the time of sampling or measurement, the date(s) analyses were performed, the company or entity that performed the analyses, the analytical techniques or methods used, and the results of such analyses.

[Rule 62-213.440(1)(b)2.a., F.A.C.]

**APPENDIX TV-1, TITLE V CONDITIONS (version dated 12/02/97) (continued)**

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43. Retention of Records. Retention of records of all monitoring data and support information shall be for a period of at least 5 years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit. [Rule 62-213.440(1)(b)2.b., F.A.C.]
44. Monitoring Reports. The permittee shall submit reports of any required monitoring at least every six (6) months. All instances of deviations from permit requirements must be clearly identified in such reports. [Rule 62-213.440(1)(b)3.a., F.A.C.]
45. Deviation from Permit Requirements Reports. The permittee shall report in accordance with the requirements of Rules 62-210.700(6) and 62-4.130, F.A.C., any deviations from permit requirements, including those attributable to upset conditions as defined in the permit. Reports shall include the probable cause of such deviations, and any corrective actions or preventive measures taken. [Rule 62-213.440(1)(b)3.b., F.A.C.]
46. Reports. All reports shall be accompanied by a certification by a responsible official, pursuant to Rule 62-213.420(4), F.A.C. [Rule 62-213.440(1)(b)3.c., F.A.C.]
47. If any portion of the final permit is invalidated, the remainder of the permit shall remain in effect. [Rule 62-213.440(1)(d)1., F.A.C.]
48. It shall not be a defense for a permittee in an enforcement action that maintaining compliance with any permit condition would necessitate halting of or reduction of the source activity. [Rule 62-213.440(1)(d)3., F.A.C.]
49. A Title V source shall comply with all the terms and conditions of the existing permit until the Department has taken final action on any permit renewal or any requested permit revision, except as provided at Rule 62-213.412(2), F.A.C. [Rule 62-213.440(1)(d)4., F.A.C.]
50. A situation arising from sudden and unforeseeable events beyond the control of the source which causes an exceedance of a technology-based emissions limitation because of unavoidable increases in emissions attributable to the situation and which requires immediate corrective action to restore normal operation, shall be an affirmative defense to an enforcement action in accordance with the provisions and requirements of 40 CFR 70.6(g)(2) and (3), hereby adopted and incorporated by reference. [Rule 62-213.440(1)(d)5., F.A.C.]
51. Confidentiality Claims. Any permittee may claim confidentiality of any data or other information by complying with Rule 62-213.420(2), F.A.C. [Rule 62-213.440(1)(d)6., F.A.C.]
52. Statement of Compliance. The permittee shall submit a statement of compliance with all terms and conditions of the permit. Such statement shall be submitted to the Department and EPA annually, or more frequently if specified by Rule 62-213.440(2), F.A.C., or by any other applicable requirement. The statement of compliance shall include the identity of each term or condition of the permit for which each unit has remained in compliance during the period covered by the statement. The statement shall include identification of all methods used to demonstrate compliance and identification of each term or condition of the permit for which any unit has not remained in compliance during the period covered by the statement. For each term or condition for which the source has not remained in compliance during the period covered by the statement, the statement shall also identify each unit not in compliance and each term and condition with which the unit was not in compliance and state the inclusive dates that the source was not in compliance, the actions taken to achieve compliance and the method used to demonstrate compliance. Such statement shall be accompanied by a certification by a responsible official, in accordance with Rule 62-213.420(4), F.A.C. [Rule 62-213.440(3), F.A.C.]

**APPENDIX TV-1, TITLE V CONDITIONS (version dated 12/02/97) (continued)**

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53. Permit Shield. Except as provided in Chapter 62-213, F.A.C., compliance with the terms and conditions of a permit issued pursuant to Chapter 62-213, F.A.C., shall be deemed compliance with any applicable requirements in effect as of the date of permit issuance, provided that the source included such applicable requirements in the permit application. Nothing in Rule 62-213.460, F.A.C., or in any permit shall alter or affect the ability of EPA or the Department to deal with an emergency, the liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance, or the requirements of the Federal Acid Rain Program.

[Rule 62-213.460, F.A.C.]

54. Forms and Instructions. The forms used by the Department in the Title V source operation program are adopted and incorporated by reference in Rule 62-213.900, F.A.C. The form is listed by rule number, which is also the form number, and with the subject, title, and effective date. Copies of forms may be obtained by writing to the Department of Environmental Protection, Division of Air Resources Management, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, or by contacting the appropriate permitting authority.

(1) Major Air Pollution Source Annual Emissions Fee (AEF) Form.

[Rule 62-213.900(1), F.A.C.]

Chapter 62-256, F.A.C.

55. Not federally enforceable. Open Burning. This permit does not authorize any open burning nor does it constitute any waiver of the requirements of Chapter 62-256, F.A.C.. Source shall comply with Chapter 62-256, F.A.C., for any open burning at the source.

[Chapter 62-256, F.A.C.]

Chapter 62-281, F.A.C.

56. Refrigerant Requirements. Any facility having refrigeration equipment, including air conditioning equipment, which uses a Class I or II substance (listed at 40 CFR 82, Subpart A, Appendices A and B), and any facility which maintains, services, or repairs motor vehicles using a Class I or Class II substance as refrigerant must comply with all requirements of 40 CFR 82, Subparts B and F, and with Rule 62-281.100, F.A.C. Those requirements include the following restrictions:

- (1) Any facility having any refrigeration equipment normally containing 50 (fifty) pounds of refrigerant, or more, must keep servicing records documenting the date and type of all service and the quantity of any refrigerant added pursuant to 40 CFR 82.166;
- (2) No person repairing or servicing a motor vehicle may perform any service on a motor vehicle air conditioner (MVAC) involving the refrigerant for such air conditioner unless the person has been properly trained and certified as provided at 40 CFR 82.34 and 40 CFR 82.40, and properly uses equipment approved pursuant to 40 CFR 82.36 and 40 CFR 82.38, and complies with 40 CFR 82.42;
- (3) No person may sell or distribute, or offer for sale or distribution, any substance listed as a Class I or Class II substance at 40 CFR 82, Subpart A, Appendices A and B, except in compliance with Rule 62-281.100, F.A.C., and 40 CFR 82.34(b), 40 CFR 82.42, and/or 40 CFR 82.166;
- (4) No person maintaining, servicing, repairing, or disposing of appliances may knowingly vent or otherwise release into the atmosphere any Class I or Class II substance used as a refrigerant in such equipment and no other person may open appliances (except MVACs as defined at 40 CFR 82.152) for service, maintenance or repair unless the person has been properly trained and certified pursuant to 40 CFR 82.161 and unless the person uses equipment certified for that type of appliance pursuant to 40 CFR 82.158 and unless the person observes the practices set forth at 40 CFR 82.156 and 40 CFR 82.166;
- (5) No person may dispose of appliances (except small appliances, as defined at 40 CFR 82.152) without using equipment certified for that type of appliance pursuant to 40 CFR 82.158 and without observing the practices set forth at 40 CFR 82.156 and 40 CFR 82.166;
- (6) No person may recover refrigerant from small appliances, MVACs and MVAC-like appliances (as defined at 40 CFR 82.152), except in compliance with the requirements of 40 CFR 82, Subpart F.

[40 CFR 82; and, Chapter 62-281, F.A.C. (Chapter 62-281, F.A.C., is not federally enforceable)]

APPENDIX TV-1, TITLE V CONDITIONS (version dated 12/02/97) (continued)

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Chapter 62-296, F.A.C.

57. **Not federally enforceable until SIP approved. Industrial, Commercial, and Municipal Open Burning Prohibited.** Open burning in connection with industrial, commercial, or municipal operations is prohibited, except when:

- (a) Open burning is determined by the Department to be the only feasible method of operation and is authorized by an air permit issued pursuant to Chapter 62-210 or 62-213, F.A.C.; or
- (b) An emergency exists which requires immediate action to protect human health and safety; or
- (c) A county or municipality would use a portable air curtain incinerator to burn yard trash generated by a hurricane, tornado, fire or other disaster and the air curtain incinerator would otherwise be operated in accordance with the permitting exemption criteria of Rule 62-210.300(3), F.A.C.

[Rule 62-296.320(3), F.A.C.]

58. Unconfined Emissions of Particulate Matter.

(4)(c)1. No person shall cause, let, permit, suffer or allow the emissions of unconfined particulate matter from any emissions unit whatsoever, including, but not limited to, vehicular movement, transportation of materials, construction, alteration, demolition or wrecking, or industrially related activities such as loading, unloading, storing or handling, without taking reasonable precautions to prevent such emission.

3. Reasonable precautions may include, but shall not be limited to the following:

- a. Paving and maintenance of roads, parking areas and yards.
- b. Application of water or chemicals to control emissions from such activities as demolition of buildings, grading roads, construction, and land clearing.
- c. Application of asphalt, water, oil, chemicals or other dust suppressants to unpaved roads, yards, open stock piles and similar emissions units.
- d. Removal of particulate matter from roads and other paved areas under the control of the owner or operator of the emissions unit to prevent reentrainment, and from buildings or work areas to prevent particulate from becoming airborne.
- e. Landscaping or planting of vegetation.
- f. Use of hoods, fans, filters, and similar equipment to contain, capture and/or vent particulate matter.
- g. Confining abrasive blasting where possible.
- h. Enclosure or covering of conveyor systems.

4. In determining what constitutes reasonable precautions for a particular facility, the Department shall consider the cost of the control technique or work practice, the environmental impacts of the technique or practice, and the degree of reduction of emissions expected from a particular technique or practice.

[Rules 62-296.320(4)(c)1., 3., & 4. F.A.C.]

[electronic file name: tv-1.doc]

**Best Available Copy**

**LFC NO. 47 CORP.**  
4000 Kruse Way Pl., Bldg. 1, Ste. 255  
Lake Oswego, OR 97035  
(503) 636-9620 – Fax: (503) 697-0288

November 18, 1997

**RECEIVED**

NOV 24 1997

Ms. Rita Smith  
Department of Environmental Protection  
Northeast District  
7825 Baymeadows Way, Suite B-200  
Jacksonville, Florida 32256-7590

DEPT. OF ENV. PROTECTION  
NORTHEAST DISTRICT - JAX

RE: File No. 0790011  
Madison County - AP  
Madison Facility

Dear Ms. Smith:

LFC No. 47 Corp. requests an extension of time to the "Request for Additional Information Regarding Initial Title V Permit Application" per your letter of October 29, 1997. An additional sixty (60) days are requested beyond the ninety (90) days allowed in your letter of October 29, 1997. The reason for the requested extension of time is the fact that the facility is in the final stages of closing a sale. The new owners will require a period of time to review and respond to the requirements of your October 29, 1997 letter.

Thank you for your consideration in this matter.

Sincerely,



David J. Brown  
Vice President, Operations

DJBLtr102.doc

cc: Doug Fulle, Foster Wheeler Corp. (Via fax: 770/825-7261)  
Bill Finger, Esq. (Via fax: 904/798-2698)  
Herb Brown, Radnor (Via fax: 610/527-0170)



File 10/31

# Department of Environmental Protection

Lawton Chiles  
Governor

Northeast District  
7825 Baymeadows Way, Suite B200  
Jacksonville, Florida 32256-7590

Virginia B. Wetherell  
Secretary

October 29, 1997

CERTIFIED - RETURN RECEIPT

Mr. Dave Brown,  
Vice President, Operations  
LFC No. 47 Corporation  
4000 Kruse Way Place, Building One, Suite 255  
Lake Oswego, Oregon 97035

Dear Mr. Brown:

Madison County - AP  
Madison Facility  
Request for Additional Information Regarding Initial Title V Permit Application  
File No. 0790011

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Your initial Title V permit application for the above referenced facility was "timely and complete" for purposes of the initial Title V application submission [see Rule 62-213.420(1)(a)1. and (b)2., F.A.C.]. However, in order to continue processing your application, the department will need the following additional information pursuant to Rules 62-213.420(1)(b)3. and 62-4.070(1), F.A.C.

Please provide an electronic submission of the application including any revisions that are made in response to this request for additional information. Should your response to any of the following items require new calculations, please submit the new calculations, assumptions, reference material and appropriate revised pages of the application form.

1. Please note, the department will maintain its present designation of the Carbonaceous Fuel Boiler as Emission Unit (EU) 001 instead of redesignating it as EU 003, as was done in the application.

III. Emissions Unit Information - F. Segment (Process/Fuel) Information

2. Please note that since neither tire nor refuse derived fuel is permitted to be burned in Permit No. AO40-179441 or Permit No. AC40-248258 they may not be permitted to be burned in the Title V Permit.

III. Emissions Unit Information - H. Emission Unit Pollutant Detail Information

3. Please note, due to the closeness with which this facility's potential CO emissions are to the PSD threshold, testing for CO emissions will be required prior to resuming operations and annually thereafter.

Attachments

4. MCF-06, EU03-03 & EU03-06: Please note, the department does not agree with your interpretation of the amount of heat input that a carbonaceous fuel burner must obtain from carbonaceous fuel. We view the definition as requiring the vast majority of the heat input to be obtained from carbonaceous fuel.

LFC No. 47 Corporation  
Madison Facility  
Title V Application  
October 29, 1997

5. EU03-01: Part B of page 3 uses the assumption that the burning of paper has the same CO emission factor as that for the burning of wood. Please note, while that assumption is being accepted at this time, the Permit may require that each method of operation be tested separately.

Responsible Official (R.O.) Certification Statement:

Rule 62-213, F.A.C., requires that all Title V permit applications must be certified by a responsible official. Due to the nature of the information requested above, your response should be certified by the responsible official. Please complete and submit a new R.O. certification statement page from the new long application form, DEP Form No. 62-210.900, effective March 21, 1996 (enclosed).

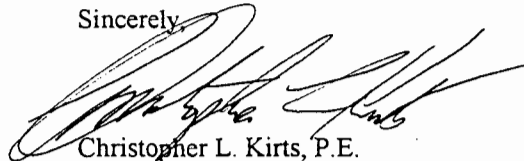
Professional Engineer (P.E.) Certification Statement:

Rule 62-4.050(3), F.A.C., requires that all applications for a department permit must be certified by a professional engineer registered in the State of Florida. This requirement also applies to responses to department requests for additional information of an engineering nature. As a result, your response should be certified by a professional engineer registered in the State of Florida. Please complete and submit a new P.E. certification statement page from the new long application form, DEP Form No. 62-210.900, effective March 21, 1996 (enclosed).

The department must receive a response from you within 90 (ninety) days of the date of this letter unless you (the applicant) request additional time under Rule 62-213.420(1)(b)6., F.A.C.

If you should have any questions, please call Emerson Raulerson at (904)448-4310, extension 238).

Sincerely,



Christopher L. Kirts, P.E.  
District Air Program Administrator

Enclosures

cc: Darrel J. Graziani, P.E. - Foster Wheeler Environmental Corp.

[electronic file name: 07900111.doc]

Owner/Authorized Representative or Responsible Official

1. Name and Title of Owner/Authorized Representative or Responsible Official:
2. Owner/Authorized Representative or Responsible Official Mailing Address:  Organization/Firm: Street Address: City: State: Zip Code:
3. Owner/Authorized Representative or Responsible Official Telephone Numbers: Telephone: ( ) - Fax: ( ) -
4. Owner/Authorized Representative or Responsible Official Statement:  <i>I, the undersigned, am the owner or authorized representative* of the non-Title V source addressed in this Application for Air Permit or the responsible official, as defined in Rule 62-210.200, F.A.C., of the Title V source addressed in this application, whichever is applicable. I hereby certify, based on information and belief formed after reasonable inquiry, that the statements made in this application are true, accurate and complete and that, to the best of my knowledge, any estimates of emissions reported in this application are based upon reasonable techniques for calculating emissions. The air pollutant emissions units and air pollution control equipment described in this application will be operated and maintained so as to comply with all applicable standards for control of air pollutant emissions found in the statutes of the State of Florida and rules of the Department of Environmental Protection and revisions thereof. I understand that a permit, if granted by the Department, cannot be transferred without authorization from the Department, and I will promptly notify the Department upon sale or legal transfer of any permitted emissions unit.</i>  _____ Signature Date

\* Attach letter of authorization if not currently on file.



4. Professional Engineer Statement:

*I, the undersigned, hereby certify, except as particularly noted herein\*, that:*

*(1) To the best of my knowledge, there is reasonable assurance that the air pollutant emissions unit(s) and the air pollution control equipment described in this Application for Air Permit, when properly operated and maintained, will comply with all applicable standards for control of air pollutant emissions found in the Florida Statutes and rules of the Department of Environmental Protection; and*

*(2) To the best of my knowledge, any emission estimates reported or relied on in this application are true, accurate, and complete and are either based upon reasonable techniques available for calculating emissions or, for emission estimates of hazardous air pollutants not regulated for an emissions unit addressed in this application, based solely upon the materials, information and calculations submitted with this application.*

*If the purpose of this application is to obtain a Title V source air operation permit (check here [ ] if so), I further certify that each emissions unit described in this Application for Air Permit, when properly operated and maintained, will comply with the applicable requirements identified in this application to which the unit is subject, except those emissions units for which a compliance schedule is submitted with this application.*

*If the purpose of this application is to obtain an air construction permit for one or more proposed new or modified emissions units (check here [ ] if so), I further certify that the engineering features of each such emissions unit described in this application have been designed or examined by me or individuals under my direct supervision and found to be in conformity with sound engineering principles applicable to the control of emissions of the air pollutants characterized in this application.*

*If the purpose of this application is to obtain an initial air operation permit or operation permit revision for one or more newly constructed or modified emissions units (check here [ ] if so), I further certify that, with the exception of any changes detailed as part of this application, each such emissions unit has been constructed or modified in substantial accordance with the information given in the corresponding application for air construction permit and with all provisions contained in such permit.*

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

(seal)

\* Attach any exception to certification statement.

08-05-97 ~ 2:33

Liberty Nat'l Bank

CK asked me to call Fred  
Bower at 737-1776 about co-gen  
plant near Madison.

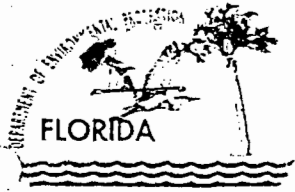
~ 2:35 busy.

~ 2:38 discussed permit issues.  
Will ask ACE to call about  
compliance issues.

BEST AVAILABLE COPY

Department of Environmental Protection

NORTHEAST DISTRICT RECEIVED JUN 9 1997 DEP-JACKSONVILLE



Lawton Chiles Governor

Northeast District 7825 Baymeadows Way, Suite B200 Jacksonville, Florida 32256-7590

Virginia B. Wetherell Secretary

PHOTOCOPY CHARGE COMPUTATION

Date 6/5/97

Photocopies made for Bill Finger

Address: Mahoney Adams + Crisler, P.A. 3300 Barnett Ct - 50 N. Laura St. Fax FL 32202

Phone No.: 354-1100 FAX No.: 798-2698

No. of Photocopies 44 @ \$.15 per copy \$ 6.60

No. of Photocopies @ \$.20 per double sided \$

Clerical or Supervisory Assistance by Deneen Benefield

Hourly Rate \$ 15.34 x 1 hours spent on photocopy assignment \$ 15.34

Shipping Charges or Pickup \$

TOTAL CHARGE FOR PHOTOCOPIES \$ 21.94

\*Employee's monthly gross salary divided by 174 hours, then multiplied by 1.406 equals total hourly salary cost, including fringe benefits.

FILE(S) TO BE COPIED or attach a list for individual documents

LEC 47 Corp. Madison County

Check stub from Linda D. or William L. Finger to FL Dept. of Envir. Protection for \$21.94, dated June 9, 1997, payable to Jacksonville Federal Credit Union.

CC

For Linda D. Finger

**BEST AVAILABLE COPY**

AD \_\_\_\_\_

Cash Receiving Application  
Collection Point Log Remittance

CRAFOOGA  
Tot: \_\_\_\_\_ \$21.94

SSREMT: 184915 Type: CP Recvd Date: 09-JUN-1997 Status: RECEIVED  
 SYSSRCPT: 148521 PNR: \_\_\_\_\_ Check #: 627 Amount: \_\_\_\_\_ 21.94  
 SSN/FEI#: \_\_\_\_\_ Name: LINDA D FINGER  
 First: \_\_\_\_\_ Middle: \_\_\_\_\_ Title: \_\_\_\_\_ Suf: \_\_\_\_\_  
 Address1: 4917 MARINERS POINT DRIVE Short Comments:  
 Address2: \_\_\_\_\_ EL/VB/COPIES AP  
 City: JACKSONVILLE ST: FL Zip: 32225- Country: \_\_\_\_\_

-----> P A Y M E N T ( S ) <-----

Distr	CL	Object	Payment	Reference#	Applic/	S
Area..	Code/Description.....	Amount.....	Reference#	Fund	A	
190142	NED	010401 NONSTATE-COPY_S	\$21.94	COPIES AP	ADM TF	CO

COMMIT FREQUENTLY \_\_\_\_\_ \$21.94 Payment total  
 Press <TAB> to accept Collection Point or enter F&A.  
 Count: \*1

<Replace>

TO \_\_\_\_\_

DATE 04-08 TIME ~ 9:55

**WHILE YOU WERE OUT**

M Daniel Nordholm

of \_\_\_\_\_

*FAX* PHONE 941-721-0403  
AREA CODE      NUMBER      EXTENSION

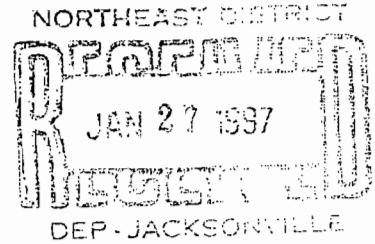
TELEPHONED	PLEASE CALL	WILL CALL AGAIN	
RETURNED YOUR CALL	CALL IMMEDIATELY		
CAME TO SEE YOU	WANTS TO SEE YOU		

MESSAGE Wants copy of OP  
FAXed.

*OB 4/8*

By [Signature] (over)

**Best Available Copy**



January 24, 1997

Department of Environmental Protection  
Northeast District - Air Program  
7825 Baymeadows Way, Suite 200B  
Jacksonville, Florida 32256-7590

**RE: Annual Operating Report**  
**Facility ID:0790011**  
**Permit No.: AO40179441**  
**LFC No. 47 Corp., Madison County, Florida**

Gentlemen:

Enclosed please find the Annual Operating Report for the Madison biomass facility submitted on behalf of LFC No. 47 Corp.

Should you have any questions regarding this report, please call me at (503) 697-0281.

Sincerely,

David J. Brown  
Vice President - Operations

DJB1412.Doc  
Enclosure

cc: Victor Alvarez (w/enc.)

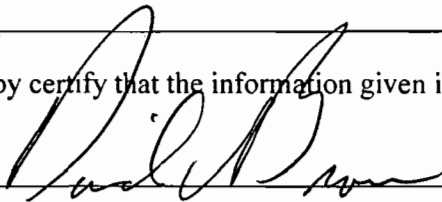


Facility ID : 0790011

D. OWNER/CONTACT INFORMATION

1. Owner or Authorized Representative	
Name and Title <b>DAVID J. BROWN</b> <b>DIR. BIOMASS OPER.</b>	
Mailing Address Organization/Firm : <b>LFC NO. 47 CORP; C/O LFC POWER</b> Street Address : <b>4000 KRUSE WAY PL, BLDG 1</b> City : <b>LAKE OSWEGO</b> State : <b>OR</b> Zip Code : <b>97035-2546</b> ✓	
Telephone : <b>(503)636-9620</b>	Fax : <b>(503) 697-0288</b> ✓
2. Facility Contact	
Name and Title <del>ROD MEDE</del> <b>VICTOR M. ALVAREZ</b> ✓	
Mailing Address Organization/Firm : <b>LFC NO. 47 CORP; C/O LFC POWER</b> Street Address : <b>ROUTE 3, BOX 40</b> City : <b>MADISON</b> State : <b>FL</b> Zip Code : <b>32340</b>	
Telephone : <b>(904)973-3180</b>	Fax : <b>(904) 997-2974</b> ✓

E. OWNER OR AUTHORIZED REPRESENTATIVE STATEMENT

I hereby certify that the information given in this report is correct to the best of my knowledge.	
 Signature	<u>1-24-97</u> Date





Facility ID : 0790011

Emissions Unit ID : 001

D. EMISSIONS UNIT COMMENT

[Empty comment box]

Facility ID : 0790011

Emissions Unit ID : 001

SCC : 1-01-009-02

E. EMISSIONS INFORMATION BY PROCESS/FUEL

(1) PROCESS/FUEL INFORMATION

1. SCC <b>1-01-009-02</b>	2. Description of Process or Type of Fuel <b>External Combustion Boilers</b> <b>Electric Generation</b>		<b>Wood/Bark Waste</b> <b>Wood/Bark Fired Boiler</b>
3. Annual Process or Fuel Usage Rate	4. Ozone Season Daily Process or Fuel Usage Rate N/A	5. SCC Unit <b>TONS BURNED</b>	
6. Fuel Average % Sulfur N/A	7. Fuel Average % Ash N/A	8. Fuel Heat Content (mmBtu/SCC Unit) 9	

(2) EMISSIONS INFORMATION

1. Pollutant <b>CO</b> <b>Carbon Monoxide</b>	CAS No. <b>630-08-0</b>	<input type="checkbox"/> Below Threshold <input checked="" type="checkbox"/> Not Emitted	
2. Annual Emissions (ton/year)	3. Ozone Season Daily Emissions (lb/day)	4. Emissions Method Code	
5. Emissions Calculation (Show separately both annual and daily emissions calculations)			

1. Pollutant <b>NOX</b> <b>Nitrogen Oxides</b>	CAS No. <b>10102-44-0</b>	<input type="checkbox"/> Below Threshold <input checked="" type="checkbox"/> Not Emitted	
2. Annual Emissions (ton/year)	3. Ozone Season Daily Emissions (lb/day)	4. Emissions Method Code	
5. Emissions Calculation (Show separately both annual and daily emissions calculations)			

1. Pollutant <b>PM</b> <b>Particulate Matter - Total</b>	CAS No.	<input type="checkbox"/> Below Threshold <input checked="" type="checkbox"/> Not Emitted	
2. Annual Emissions (ton/year)	3. Ozone Season Daily Emissions (lb/day)	4. Emissions Method Code	
5. Emissions Calculation (Show separately both annual and daily emissions calculations)			

1. Pollutant <b>PM10</b> <b>Particulate Matter - PM10</b>		CAS No.	[ ] Below Threshold [x] Not Emitted
2. Annual Emissions (ton/year)	3. Ozone Season Daily Emissions (lb/day)		4. Emissions Method Code
5. Emissions Calculation (Show separately both annual and daily emissions calculations)			

1. Pollutant <b>SO2</b> <b>Sulfur Dioxide</b>		CAS No. <b>7446-09-5</b>	[ ] Below Threshold [x] Not Emitted
2. Annual Emissions (ton/year)	3. Ozone Season Daily Emissions (lb/day)		4. Emissions Method Code
5. Emissions Calculation (Show separately both annual and daily emissions calculations)			

1. Pollutant <b>VOC</b> <b>Volatile Organic Compounds</b>		CAS No.	[ ] Below Threshold [x] Not Emitted
2. Annual Emissions (ton/year)	3. Ozone Season Daily Emissions (lb/day)		4. Emissions Method Code
5. Emissions Calculation (Show separately both annual and daily emissions calculations)			

BEST AVAILABLE COPY

LFC NO. 47 CORP.  
Route 1, Box 30  
Monticello, Florida 32344

SEARCHED  
SERIALIZED  
JUN 10 1996

June 4, 1996

Mr. Scott Trigg  
Northeast District - Air Section  
Florida Department of Environmental Protection  
7825 Baymeadows Way, Suite 200  
Jacksonville, FL 32256

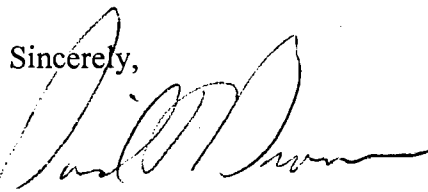
RE: Annual Operating Report  
Madison Biomas Plant  
Facility ID #0790011

Dear Mr. Trigg:

Enclosed please find a revised page 5 of the 1996 Annual Operating Report resubmitted with the additional information you requested (tons of fuel used and particulate matter total) entered.

Should you have any questions or need any additional information, please call me.

Sincerely,



David J. Brown  
Vice President, Operations

DJB1323.Ltr  
Enclosure

CC: Woody Cooper - Jefferson

Facility ID : 0790011

Emissions Unit ID : 001

SCC : 1-01-009-02

E. EMISSIONS INFORMATION BY PROCESS/FUEL

(1) PROCESS/FUEL INFORMATION

1. SCC 1-01-009-02	2. Description of Process or Type of Fuel External Combustion Boilers Electric Generation Wood/Bark Waste Wood/Bark Fired Boiler	
3. Annual Process or Fuel Usage Rate 1,771.24 tons	4. Ozone Season Daily Process or Fuel Usage Rate N/A	5. SCC Unit TONS BURNED
6. Fuel Average % Sulfur N/A	7. Fuel Average % Ash N/A	8. Fuel Heat Content (mmBtu/SCC Unit) 9

(2) EMISSIONS INFORMATION

1. Pollutant CO Carbon Monoxide	CAS No. 630-08-0	<input checked="" type="checkbox"/> Below Threshold <input type="checkbox"/> Not Emitted
2. Annual Emissions (ton/year)	3. Ozone Season Daily Emissions (lb/day)	4. Emissions Method Code
5. Emissions Calculation (Show separately both annual and daily emissions calculations)		

1. Pollutant NOX Nitrogen Oxides	CAS No. 10102-44-0	<input checked="" type="checkbox"/> Below Threshold <input type="checkbox"/> Not Emitted
2. Annual Emissions (ton/year)	3. Ozone Season Daily Emissions (lb/day)	4. Emissions Method Code
5. Emissions Calculation (Show separately both annual and daily emissions calculations)		

1. Pollutant PM Particulate Matter - Total	CAS No.	<input checked="" type="checkbox"/> Below Threshold <input type="checkbox"/> Not Emitted
2. Annual Emissions (ton/year) 2.67	3. Ozone Season Daily Emissions (lb/day) N/A	4. Emissions Method Code 1
5. Emissions Calculation (Show separately both annual and daily emissions calculations)		
$\frac{18.7 \text{ tons}}{\text{MR}} \times \frac{9 \text{ mmBtu}}{\text{a ton}} \times \frac{.185 \text{ PM}}{\text{mmBtu}} \times \frac{171.66 \text{ Hrs.}}{\text{year}} \cdot \frac{2,000 \text{ lbs.}}{2,000 \text{ lbs.}} = \frac{2.67 \text{ tons}}{\text{year}}$		

REVISED 6/4/96

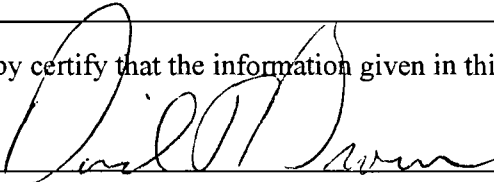


Facility ID : 0790011

D. OWNER/CONTACT INFORMATION

1. Owner or Authorized Representative	
Name and Title <b>DAVID J. BROWN</b> <b>DIR. BIOMASS OPER.</b>	
Mailing Address Organization/Firm : <b>LFC NO. 47 CORP; C/O LFC POWER</b> Street Address : <b>4000 KRUSE WAY PL, BLDG 1</b> City : <b>LAKE OSWEGO</b> State : <b>OR</b> Zip Code : <b>97035 -2546</b>	
Telephone : <b>(503)636-9620</b>	Fax : <b>503/697-0288</b>
2. Facility Contact	
Name and Title <del>ROD MIZE</del> Archie Cooper	
Mailing Address Organization/Firm : <b>LFC NO. 47 CORP; C/O LFC POWER</b> Street Address : <b>ROUTE 3, BOX 40</b> City : <b>MADISON</b> State : <b>FL</b> Zip Code : <b>32340</b>	
Telephone : <b>(904)973-3180</b>	Fax : <b>904/997-2974</b>

E. OWNER OR AUTHORIZED REPRESENTATIVE STATEMENT

I hereby certify that the information given in this report is correct to the best of my knowledge.	
 Signature	<u>4/16/96</u> Date



Facility ID : 0790011

Emissions Unit ID : 001

**II. EMISSIONS UNIT REPORT**

**A. EMISSIONS UNIT INFORMATION**

1. Emissions Unit Description <b>BOILER (CARBONACEOUS FUEL) W/MULTICLONE &amp; VENTURI SCRUBBER</b>		
2. Emissions Unit ID <b>001</b>	3. Emissions Unit Classification <b>R</b>	4. Operated During Year? <b>YES</b>
5. DEP Permit or PPS Number <b>AO40179441</b>	6. Emissions Unit Status <b>ACTIVE</b>	7. Ozone SIP Base Year Emissions Unit? <b>NO</b>
8. Emissions Unit Startup Date <b>N/A</b>	9. Long-term Reserve Shutdown Date <b>N/A</b>	10. Permanent Shutdown Date <b>N/A</b>

**B. EMISSION POINT/CONTROL INFORMATION**

1. Emissions Point Type <b>SINGLE POINT SERVING A SINGLE EMISSIONS UNIT</b>
2a. Description of Control Equipment 'a' <b>CENTRIFUGAL COLLECTOR HIGH-EFFICIENCY (95.0-99.9%)</b>
2b. Description of Control Equipment 'b' <b>WET SCRUBBER</b>

**C. EMISSIONS UNIT OPERATING SCHEDULE INFORMATION**

1. Average Annual Operation <b>24 hours/day (typical)      7 days/week</b>	2. Total Operation During Year (hours/year) <b>171.7 /</b>
3. Percent Hours of Operation by Season <b>DJF : 100%      MAM : 0%      JJA : 0%      SON : 0%</b>	
4. Average Ozone Season Operation (June 1 to August 31) <b>N/A hours/day      days/week</b>	5. Total Operation During Ozone Season (days/season) <b>N/A</b>

## D. EMISSIONS UNIT COMMENT

The combustion air system was adjusted to significantly reduce the tramp air and redistribute the air within the furnace to improve the overall combustion efficiency. This adjustment provided better control of over-fire, secondary, tertiary and under-grate air. This adjustment also resulted in an O<sub>2</sub> reduction of approximately 1.3% and, consequently, an increase in combustion efficiency. The increase in combustion efficiency leads to a net decrease in CO emissions. The CO emissions are calculated based on 2.5% of the reduced O<sub>2</sub> being consumed by the CO to form CO<sub>2</sub>.

**BEST AVAILABLE COPY**

Facility ID : 0790011

Emissions Unit ID : 001

SCC : 1-01-009-02

E. EMISSIONS INFORMATION BY PROCESS/FUEL

(1) PROCESS/FUEL INFORMATION

1. SCC <b>1-01-009-02</b>	2. Description of Process or Type of Fuel <b>External Combustion Boilers</b> <b>Electric Generation</b>		<b>Wood/Bark Waste</b> <b>Wood/Bark Fired Boiler</b>
3. Annual Process or Fuel Usage Rate	4. Ozone Season Daily Process or Fuel Usage Rate N/A	5. SCC Unit <b>TONS BURNED</b>	
6. Fuel Average % Sulfur N/A	7. Fuel Average % Ash N/A	8. Fuel Heat Content (mmBtu/SCC Unit) 9	

(2) EMISSIONS INFORMATION

1. Pollutant <b>CO</b> <b>Carbon Monoxide</b>	CAS No. <b>630-08-0</b>	<input checked="" type="checkbox"/> Below Threshold <input type="checkbox"/> Not Emitted
2. Annual Emissions (ton/year)	3. Ozone Season Daily Emissions (lb/day)	4. Emissions Method Code
5. Emissions Calculation (Show separately both annual and daily emissions calculations) <i>last yr. 4.52 lb/ton (6.6)</i> <i>based on test AP42</i>		

1. Pollutant <b>NOX</b> <b>Nitrogen Oxides</b>	CAS No. <b>10102-44-0</b>	<input type="checkbox"/> Below Threshold <input type="checkbox"/> Not Emitted
2. Annual Emissions (ton/year)	3. Ozone Season Daily Emissions (lb/day)	4. Emissions Method Code
5. Emissions Calculation (Show separately both annual and daily emissions calculations) <i>1.5</i> <i>(0.33)</i> <i>AP42 1-6-2</i>		

1. Pollutant <b>PM</b> <b>Particulate Matter - Total</b>	CAS No.	<input checked="" type="checkbox"/> Below Threshold <input type="checkbox"/> Not Emitted
2. Annual Emissions (ton/year)	3. Ozone Season Daily Emissions (lb/day)	4. Emissions Method Code
5. Emissions Calculation (Show separately both annual and daily emissions calculations) <i>(.48)</i> <i>AP42 1-6-1</i>		

Facility ID : 0790011

Emissions Unit ID : 001


SCC : 1-01-009-02

1. Pollutant <b>PM10</b> <b>Particulate Matter - PM10</b>		CAS No.	<input checked="" type="checkbox"/> ] Below Threshold <input type="checkbox"/> ] Not Emitted
2. Annual Emissions (ton/year)	3. Ozone Season Daily Emissions (lb/day)		4. Emissions Method Code
5. Emissions Calculation (Show separately both annual and daily emissions calculations)			
<p>(.47) AP421-b-1</p>			

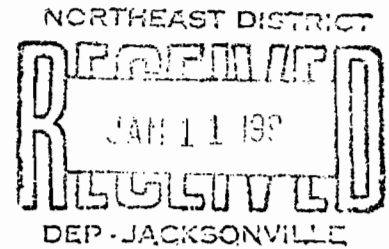
1. Pollutant <b>SO2</b> <b>Sulfur Dioxide</b>		CAS No. <b>7446-09-5</b>	<input checked="" type="checkbox"/> ] Below Threshold <input type="checkbox"/> ] Not Emitted
2. Annual Emissions (ton/year)	3. Ozone Season Daily Emissions (lb/day)		4. Emissions Method Code
5. Emissions Calculation (Show separately both annual and daily emissions calculations)			
<p>(.075)</p>			

1. Pollutant <b>VOC</b> <b>Volatile Organic Compounds</b>		CAS No.	<input checked="" type="checkbox"/> ] Below Threshold <input type="checkbox"/> ] Not Emitted
2. Annual Emissions (ton/year)	3. Ozone Season Daily Emissions (lb/day)		4. Emissions Method Code
5. Emissions Calculation (Show separately both annual and daily emissions calculations)			
<p>1.4 #/ton</p>			

02/02/96 ~ 8:40  
called JH.

hint chg to 0.2  
may be OK. 

Best Available Copy



**LFC No. 47 Corp.**

Route 3, Box 40

Madison, FL 32340

Telephone (904) 973-3180 ♦ Fax (904) 973-3182

January 4, 1996

Mr. Mort Benjamin  
FDEP  
Northeast District  
7825 Baymeadows Way, Suite B200  
Jacksonville, FL 32256-7590

Re: Madison Biomass Plant  
I.D. No. 31GVL40001101  
Permit # 40-179441

Dear Mr. Benjamin:

On behalf of LFC No. 47 Corp., this letter is to inform you that the subject plant has not operated since January 1995. In addition, we have no current plans to restart the plant in the near future. Therefore, we will perform the annual emissions test when the plant does become operational again.

Should you have any questions regarding this notice, please contact me as soon as possible at (503) 697-0281.

Sincerely,

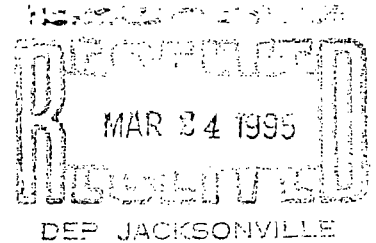
A handwritten signature in cursive script, appearing to read "David J. Brown".

David J. Brown  
Vice President, Operations

DJB1316.Ltr\jrm

cc: Herb Brown  
Woody Cooper

March 21, 1995



Mr. Mort Benjamin  
Florida Department of Environmental Protection  
Northeast District  
7825 Baymeadows Way, Suite 200B  
Jacksonville, Florida 32256-7577

**Re: Stack Test Issue**  
**LFC No. 47 Corp. Biomass Facility**  
**Madison County**  
**AC 40-248258**  
**I.D. No. 31GVL 40001101**  
**Warning Letter # WL 95-0003AP40NED**

Dear Mr. Benjamin:

We received the subject Warning Letter on March 20, 1995, and responded as instructed by contacting Ms. Judy Tatum of your office on March 21, 1995. Ms. Tatum advised that we contact you to discuss possible resolutions of this issue.

We called you later that day and provided the following background:

1. Last year we requested a permit modification to increase the heat input and number of hours of operation.
2. We believed that we could meet a lower particulate emission limit than allowed under Florida regulations [FAC Rule 62-296.410(2)(b)2; 0.2 lbs/mmBtu]. Therefore, we applied for a limit of 0.189 lbs/mmBtu.
3. During January 1995 we conducted a preliminary stack test and, based on the results of this test, believed that we were in compliance with the permit limits as we understood them.
4. We, therefore, proceeded to conduct a final stack test and again concluded that the results were in compliance with the permit. Had we concluded otherwise, we would not have gone to the unnecessary expense of completing the test, and then finalizing and submitting the report.

Mr. Mort Benjamin

March 21, 1995

Page 2

5. The Madison biomass facility did not operate for 11 months of 1994 and is currently shut down with no firm future plans for operation. Therefore, the plant is not a significant source of air emissions. Additionally, any attempt to re-start the plant for the purpose of conducting a stack test would create a severe hardship on this organization.

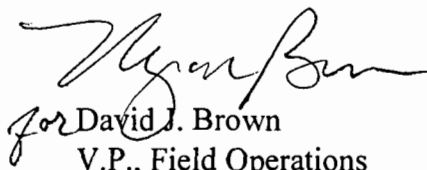
6. In order to explore other resolutions to this issue, we contacted the District permitting office to see if a procedural mechanism was an option. We discussed with Mr. Johnny Cole the idea of modifying the permit to use the allowed emissions margin that we had previously elected not to use. We could then demonstrate compliance with the permit using the previously submitted stack test. Mr. Cole indicated that the idea had merit and indicated that he would include this as an option in future correspondence to us. (We received a request for additional information from Mr. Robert Leetch shortly after my teleconference with you.)

You indicated during our teleconference that we had an unusual situation and FDEP would not require us to restart the plant in order to re-test. You suggested that we submit the above-described permit modification proposal to FDEP in response to the subject Warning Letter. Please consider this letter as: 1) our response to the Warning Letter and 2) the proposal that you requested.

In addition, we will respond to Mr. Leetch's letter and pay the fees as requested in order to resolve the stack test issue and to obtain a suitable operating permit.

We trust that these steps will satisfactorily address your concerns. Please advise me if there is any additional information that you may require.

Sincerely,

  
for David J. Brown  
V.P., Field Operations

DJB1066.Let:jsm

cc: Mr. Johnny Cole - FDEP, Northeast District  
Mr. Ernest Frey - FDEP, " "  
Mr. Robert Leetch - FDEP, " "  
Ms. Judy Tatum - FDEP, " "  
Mr. M. Burr - LFC  
Ms. Margie King - LFC  
Ms. Paula Lausa - LFC  
Mr. Pat McAllister - LFC  
Mr. G. Rollo - LFC



I N T E R O F F I C E   M E M O R A N D U M

Date: 04-Jan-1996 08:32am EST  
From: Johnny Cole JAX  
COLE\_J  
Dept: Northeast District Office  
Tel No: 904/448-4310 Ext. 236  
SUNCOM: 880-4310x236

TO: See Below

Subject: LFC in Madison Co.

This is response to the memo about Gretna Power Corp.

1. The file is still in the name of LFC.
2. This facility is a carbonaceous fuel fired unit -- not an incinerator and is not permitted to process MSW.
3. The permitted capacity is in ARMS and is 185 MMBTU/HR.

Distribution:

TO: Alvaro Linero TAL ( LINERO\_A @ A1 @ DER )  
CC: Kim Tober TAL ( TOBER\_K @ A1 @ DER )  
CC: Jan Rae Clark TAL ( CLARK\_JR @ A1 @ DER )  
CC: Ed Middleswart PEN ( MIDDLESWAR\_E @ A1 @ PNS1 )  
CC: Christopher Kirts JAX ( KIRTS\_C )  
CC: Bob Leetch JAX ( LEETCH\_B )

I N T E R O F F I C E   M E M O R A N D U M

**Date:** 04-Jan-1996 07:23am EST  
**From:** Bob Leetch JAX  
LEETCH\_B  
**Dept:** Northeast District Offi  
**Tel No:** 904/448-4310 Ext. 234  
**SUNCOM:** 880-4310 x 234

**TO:** Johnny Cole JAX

( COLE\_J )

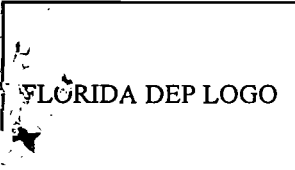
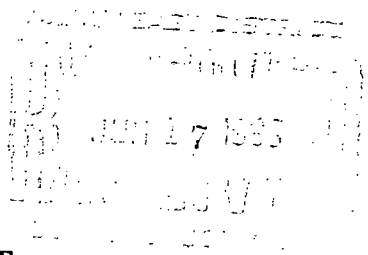
**Subject:** RE: LFC in Madison Co.

Johnny,

Please prepare a message to whoever sent us the message from Tallahassee and copy me, Chris and someone in Pen.

Thanks

Bob



# Department of Environmental Protection

## DIVISION OF AIR RESOURCES MANAGEMENT

### APPLICATION FOR AIR PERMIT - LONG FORM

See Instructions for Form No. 62-210.900(1)

#### I. APPLICATION INFORMATION

This section of the Application for Air Permit form identifies the facility and provides general information on the scope and purpose of this application. This section also includes information on the owner or authorized representative of the facility (or the responsible official in the case of a Title V source) and the necessary statements for the applicant and professional engineer, where required, to sign and date for formal submittal of the Application for Air Permit to the Department. If the application form is submitted to the Department using ELSA, this section of the Application for Air Permit must also be submitted in hard-copy.

#### Identification of Facility Addressed in This Application

Enter the name of the Corp., business, governmental entity, or individual that has ownership or control of the facility; the facility site name, if any; and the facility's physical location. If known, also enter the facility identification number.

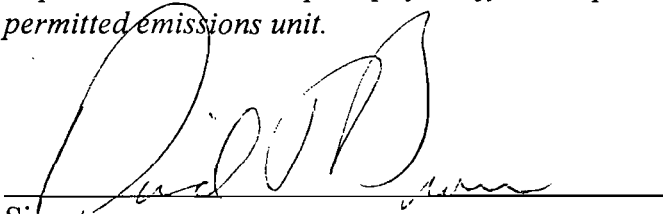
1. Facility Owner/Company Name: <b>LFC No. 47 Corp.</b>	
2. Site Name: <b>Madison Facility</b>	
3. Facility Identification Number: <b>0790011</b> [ ] Unknown	
4. Facility Location: <b>Located on Route 3</b> Street Address or Other Locator <b>1.5 miles N. of Madison</b> City: <b>Madison</b> County: <b>Madison</b> Zip Code: <b>32340</b>	
5. Relocatable Facility? [ ] Yes [x] No	6. Existing Permitted Facility? [x] Yes [ ] No

#### Application Processing Information (DEP Use)

1. Date of Receipt of Application:	
2. Permit Number:	
3. PSD Number (if applicable):	
4. Siting Number (if applicable):	

DEP Form No. 62-210.900(1) - Form Effective: 3/21/96

**Owner/Authorized Representative or Responsible Official**

1. Name and Title of Owner/Authorized Representative or Responsible Official:  <b>Mr. Dave Brown, Vice President, Operations</b>
2. Owner/Authorized Representative or Responsible Official Mailing Address:  Organization/Firm: <b>LFC No. 47 Corp.</b> Street Address: <b>Building One, Suite 255; 4000 Kruse Way Place</b> City: <b>Lake Oswego</b> State: <b>Oregon</b> Zip Code: <b>97035</b>
3. Owner/Authorized Representative or Responsible Official Telephone Numbers: Telephone: <b>(503) 636-9620</b> Fax: <b>(503) 697-0288</b>
4. Owner/Authorized Representative or Responsible Official Statement:  <i>I, the undersigned, am the owner or authorized representative* of the non-Title V source addressed in this Application for Air Permit or the responsible official, as defined in Rule 62-210.200, F.A.C., of the Title V source addressed in this application, whichever is applicable. I hereby certify, based on information and belief formed after reasonable inquiry, that the statements made in this application are true, accurate and complete and that, to the best of my knowledge, any estimates of emissions reported in this application are based upon reasonable techniques for calculating emissions. The air pollutant emissions units and air pollution control equipment described in this application will be operated and maintained so as to comply with all applicable standards for control of air pollutant emissions found in the statutes of the State of Florida and rules of the Department of Environmental Protection and revisions thereof. I understand that a permit, if granted by the Department, cannot be transferred without authorization from the Department, and I will promptly notify the Department upon sale or legal transfer of any permitted emissions unit.</i>   Signature _____ Date <u>6/6/96</u>

\* Attach letter of authorization if not currently on file.



**Purpose of Application and Category**

Check one (except as otherwise indicated):

**Category I: All Air Operation Permit Applications Subject to Processing Under Chapter 62-213, F.A.C.**

This Application for Air Permit is submitted to obtain:

- Initial air operation permit under Chapter 62-213, F.A.C., for an existing facility which is classified as a Title V source.
- Initial air operation permit under Chapter 62-213, F.A.C., for a facility which, upon start up of one or more newly constructed or modified emissions units addressed in this application, would become classified as a Title V source.

Current construction permit number: \_\_\_\_\_

- Air operation permit renewal under Chapter 62-213, F.A.C., for a Title V source.

Operation permit to be renewed: \_\_\_\_\_

- Air operation permit revision for a Title V source to address one or more newly constructed or modified emissions units addressed in this application.

Current construction permit number: \_\_\_\_\_

Operation permit to be revised: \_\_\_\_\_

- Air operation permit revision or administrative correction for a Title V source to address one or more proposed new or modified emissions units and to be processed concurrently with the air construction permit application. Also check Category III.

Operation permit to be revised/corrected: \_\_\_\_\_

- Air operation permit revision for a Title V source for reasons other than construction or modification of an emissions unit. Give reason for the revision; e.g., to comply with a new applicable requirement or to request approval of an "Early Reductions" proposal.

Operation permit to be revised: \_\_\_\_\_

Reason for revision: \_\_\_\_\_

**Category II: All Air Operation Permit Applications Subject to Processing Under Rule 62-210.300(2)(b), F.A.C.**

This Application for Air Permit is submitted to obtain:

- Initial air operation permit under Rule 62-210.300(2)(b), F.A.C., for an existing facility seeking classification as a synthetic non-Title V source.

Current operation/construction permit number(s): \_\_\_\_\_

- Renewal air operation permit under Rule 62-210.300(2)(b), F.A.C., for a synthetic non-Title V source.

Operation permit to be renewed: \_\_\_\_\_

- Air operation permit revision for a synthetic non-Title V source. Give reason for revision; e.g., to address one or more newly constructed or modified emissions units.

Operation permit to be revised: \_\_\_\_\_

Reason for revision: \_\_\_\_\_

**Category III: All Air Construction Permit Applications for All Facilities and Emissions Units**

This Application for Air Permit is submitted to obtain:

- Air construction permit to construct or modify one or more emissions units within a facility (including any facility classified as a Title V source).

Current operation permit number(s), if any: \_\_\_\_\_

- Air construction permit to make federally enforceable an assumed restriction on the potential emissions of one or more existing, permitted emissions units.

Current operation permit number(s): \_\_\_\_\_

- Air construction permit for one or more existing, but unpermitted, emissions units.





4. Professional Engineer Statement:

*I, the undersigned, hereby certify, except as particularly noted herein\*, that:*

*(1) To the best of my knowledge, there is reasonable assurance that the air pollutant emissions unit(s) and the air pollution control equipment described in this Application for Air Permit, when properly operated and maintained, will comply with all applicable standards for control of air pollutant emissions found in the Florida Statutes and rules of the Department of Environmental Protection; and*

*(2) To the best of my knowledge, any emission estimates reported or relied on in this application are true, accurate, and complete and are either based upon reasonable techniques available for calculating emissions or, for emission estimates of hazardous air pollutants not regulated for an emissions unit addressed in this application, based solely upon the materials, information and calculations submitted with this application.*

*If the purpose of this application is to obtain a Title V source air operation permit (check here [ X ] if so), I further certify that each emissions unit described in this Application for Air Permit, when properly operated and maintained, will comply with the applicable requirements identified in this application to which the unit is subject, except those emissions units for which a compliance schedule is submitted with this application.*

*If the purpose of this application is to obtain an air construction permit for one or more proposed new or modified emissions units (check here [ ] if so), I further certify that the engineering features of each such emissions unit described in this application have been designed or examined by me or individuals under my direct supervision and found to be in conformity with sound engineering principles applicable to the control of emissions of the air pollutants characterized in this application.*

*If the purpose of this application is to obtain an initial air operation permit or operation permit revision for one or more newly constructed or modified emissions units (check here [ ] if so), I further certify that, with the exception of any changes detailed as part of this application, each such emissions unit has been constructed or modified in substantial accordance with the information given in the corresponding application for air construction permit and with all provisions contained in such permit.*

*Danell Sig*  
Signature

Date

6-4-96

(seal)

\* Attach any exception to certification statement.

**Application Contact**

1. Name and Title of Application Contact: <b>Mr. Dave Brown</b> <b>Vice President, Operations</b>
2. Application Contact Mailing Address:  Organization/Firm: <b>LFC No. 47 Corp.</b> Street Address: <b>Building One, Suite 255; 4000 Kruse Way Place</b> City: <b>Lake Oswego</b> State: <b>Oregon</b> Zip Code: <b>97035</b>
3. Application Contact Telephone Numbers: Telephone: <b>(503) 636-9620</b> Fax: <b>(503) 697-0288</b>

**Application Comment**

## II. FACILITY INFORMATION

### A. GENERAL FACILITY INFORMATION

#### Facility Location and Type

1. Facility UTM Coordinates: Zone: <b>17</b> East (km): <b>270.059</b> North (km): <b>3376.421</b>			
2. Facility Latitude/Longitude: Latitude (DD/MM/SS): <b>30/30/00</b> Longitude (DD/MM/SS): <b>83/23/45</b>			
3. Governmental Facility Code:  <b>0</b>	4. Facility Status Code:  <b>A</b>	5. Facility Major Group SIC Code:  <b>49</b>	6. Facility SIC(s):  <b>4911</b>
7. Facility Comment (limit to 500 characters):  <b>This facility consists of a waste carbonaceous fuel fired boiler with a turbine generator set and switchgear designed to deliver electrical power to the regional power grid.</b>			

#### Facility Contact

1. Name and Title of Facility Contact: <b>Archie Cooper</b>			
2. Facility Contact Mailing Address: <b>Route 3, Box 38</b> Organization/Firm: <b>LFC No. 47 Corp.</b> Street Address: <b>Route 3</b> City: <b>Madison</b> State: <b>Florida</b> Zip Code: <b>32340</b>			
3. Facility Contact Telephone Numbers: Telephone: <b>(904) 973-3180</b> Fax: <b>(904) 973-9898</b>			

**Facility Regulatory Classifications**

1. Small Business Stationary Source? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown
2. Title V Source? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
3. Synthetic Non-Title V Source? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
4. Major Source of Pollutants Other than Hazardous Air Pollutants (HAPs)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
5. Synthetic Minor Source of Pollutants Other than HAPs? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
6. Major Source of Hazardous Air Pollutants (HAPs)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
7. Synthetic Minor Source of HAPs? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
8. One or More Emissions Units Subject to NSPS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> * No
9. One or More Emission Units Subject to NESHAP? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
10. Title V Source by EPA Designation? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
11. Facility Regulatory Classifications Comment (limit to 200 characters):  <p><b>The facility is currently permitted as a synthetic minor source under the PSD regulations. Potential emissions of several criteria pollutants exceed the 100 TPY threshold for Title V Major Source Classification.</b></p> <p><b>*Note: 40 CFR 60 Subpart Db establishes emissions standards for new or modified units. Based on current operating permits, this facility is not subject to the subpart's requirements since it is an existing facility.</b></p>

**B. FACILITY REGULATIONS**

**Rule Applicability Analysis** (Required for Category II applications and Category III applications involving non Title-V sources. See Instructions.)

A large, empty rectangular box with a thin black border, occupying the central portion of the page. It is intended for the user to provide a Rule Applicability Analysis for Category II and Category III applications involving non Title-V sources.

**List of Applicable Regulations** (Required for Category I applications and Category III applications involving Title-V sources. See Instructions.)

<b>Rule 62-4.020 FAC</b>	<b>Rule 62-103.050 FAC</b>
<b>Rule 62-4.030 FAC</b>	<b>Rule 62-103.150 FAC</b>
<b>Rule 62-4.040 FAC</b>	<b>Rule 62-103.155 FAC</b>
<b>Rule 62-4.055 FAC</b>	<b>Rule 62-103.200 FAC</b>
<b>Rule 62-4.060 FAC</b>	<b>Rule 62-103.206 FAC</b>
<b>Rule 62-4.070 FAC</b>	<b>Rule 62-103.510 FAC</b>
<b>Rule 62-4.080 FAC</b>	<b>Rule 62-150.200 FAC</b>
<b>Rule 62-4.090 FAC</b>	<b>Rule 62-150.300 FAC</b>
<b>Rule 62-4.100 FAC</b>	<b>Rule 62-204 FAC</b>
<b>Rule 62-4.110 FAC</b>	<b>Rule 62-210.100 FAC</b>
<b>Rule 62-4.120 FAC</b>	<b>Rule 62-210.200 FAC</b>
<b>Rule 62-4.130 FAC</b>	<b>Rule 62-210.300 FAC</b>
<b>Rule 62-4.150 FAC</b>	<b>Rule 62-210.350 FAC</b>
<b>Rule 62-4.160 FAC</b>	<b>Rule 62-210.360 FAC</b>
<b>Rule 62-4.210 FAC</b>	<b>Rule 62-210.370 FAC</b>
<b>Rule 62-4.220 FAC</b>	<b>Rule 62-210.550 FAC</b>
<b>Rule 62-102.050 FAC</b>	<b>Rule 62-210.650 FAC</b>
<b>Rule 62-102.130 FAC</b>	<b>Rule 62-210.700 FAC</b>
<b>Rule 62-102.140 FAC</b>	<b>Rule 62-210.900 FAC</b>

**List of Applicable Regulations** (Required for Category I applications and Category III applications involving Title-V sources. See Instructions.)

<b>Rule 62-212.100 FAC</b>	<b>Rule 62-297.310 FAC</b>
<b>Rule 62-212.300 FAC</b>	<b>Rule 62-297.401 FAC</b>
<b>Rule 62-212.400 FAC</b>	<b>Rule 62-297.440(1) FAC</b>
<b>Rule 62-213 FAC</b>	<b>Rule 62-297.620 FAC</b>
<b>Rule 62-252.100 FAC</b>	<b>40 CFR 60.2</b>
<b>Rule 62-252.200 FAC</b>	<b>40 CFR 60.5</b>
<b>Rule 62-256.100 FAC</b>	<b>40 CFR 60.6</b>
<b>Rule 62-256.200 FAC</b>	<b>40 CFR 60.7</b>
<b>Rule 62-256.300 FAC</b>	<b>40 CFR 60.8</b>
<b>Rule 62-256.450 FAC</b>	<b>40 CFR 60.11</b>
<b>Rule 62-256.600(1) FAC</b>	<b>40 CFR 60.12</b>
<b>Rule 62-256.700 FAC</b>	<b>40 CFR 60.15</b>
<b>Rule 62-257 FAC</b>	<b>FS 120.68</b>
<b>Rule 62-296.100 FAC</b>	<b>FS 403.031</b>
<b>Rule 62-296.320 FAC</b>	<b>FS 403.087</b>
<b>Rule 62-296.410(2)(b)(1) FAC</b>	<b>FS 403.0872</b>
<b>Rule 62-296.410(2)(b)(2) FAC</b>	<b>FS 403.0875</b>
<b>Rule 62-296.410(3) FAC</b>	<b>FS 403.0876</b>
<b>Rule 62-297.100 FAC</b>	<b>FS 403.0877</b>

**List of Applicable Regulations** (Required for Category I applications and Category III applications involving Title-V sources. See Instructions.)

<b>FS 403.091</b>	
<b>FS 403.111</b>	
<b>FS 403.141</b>	
<b>FS 403.151</b>	





**D. FACILITY POLLUTANT DETAIL INFORMATION**

**Facility Pollutant Detail Information:** Pollutant of

1. Pollutant Emitted		
2. Requested Emissions Cap	(lb/hour)	(tons/year)
3. Basis for Emissions Cap Code:		
4. Facility Pollutant Comment (limit to 400 characters):		

**Facility Pollutant Detail Information:** Pollutant of

1. Pollutant Emitted:		
2. Requested Emissions Cap:	(lb/hour)	(tons/year)
3. Basis for Emissions Cap Code:		
4. Facility Pollutant Comment (limit to 400 characters):		

## E. FACILITY SUPPLEMENTAL INFORMATION

### Supplemental Requirements for All Applications

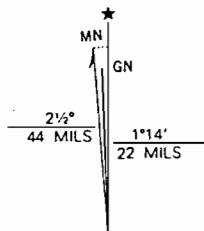
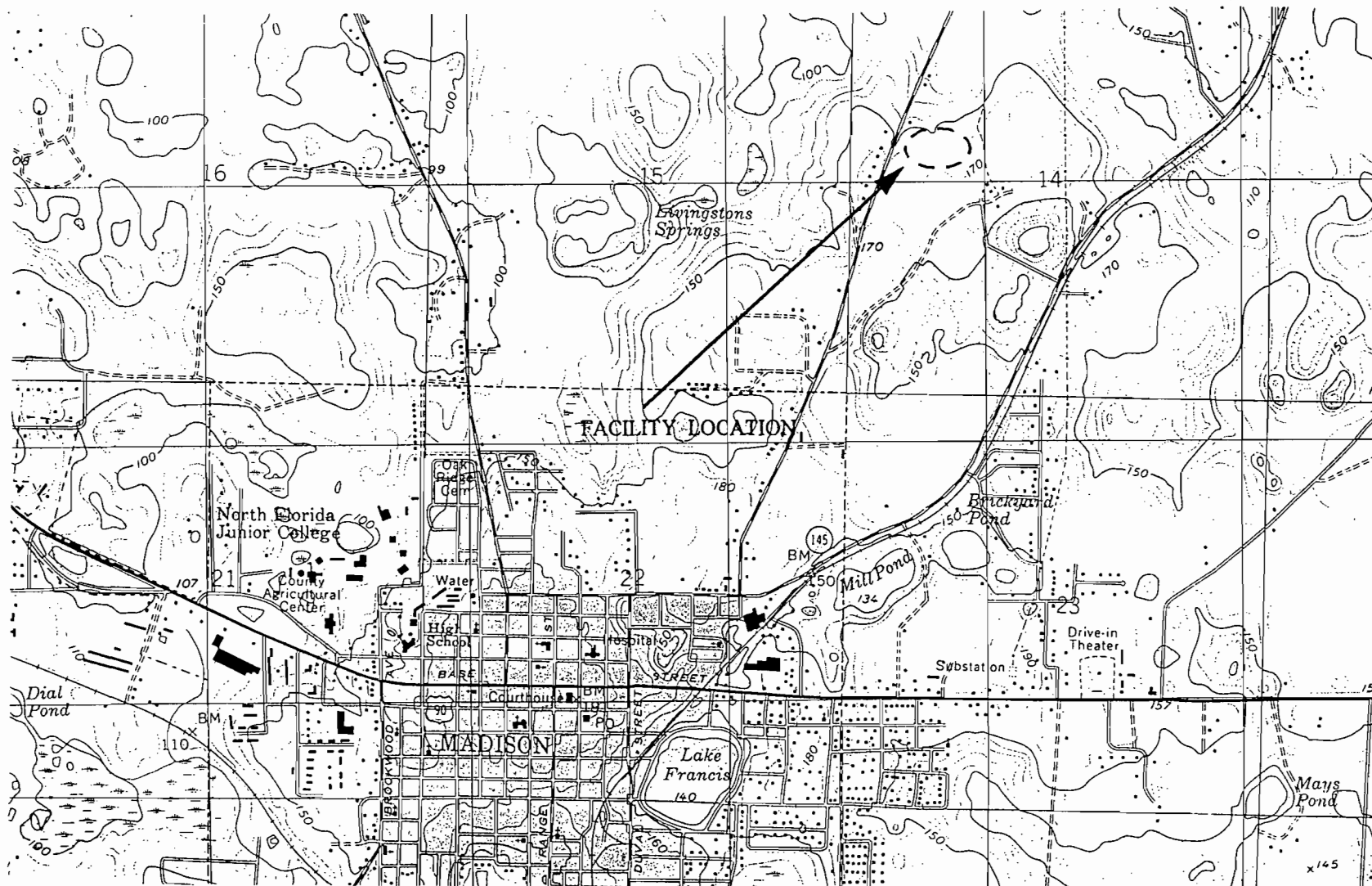
1. Area Map Showing Facility Location: <input checked="" type="checkbox"/> Attached, Document ID: <b>MCF-01</b> <input type="checkbox"/> Not Applicable <input type="checkbox"/> Waiver Requested
2. Facility Plot Plan: <input checked="" type="checkbox"/> Attached, Document ID: <b>MCF-02</b> <input type="checkbox"/> Not Applicable <input type="checkbox"/> Waiver Requested
3. Process Flow Diagram(s): <input checked="" type="checkbox"/> Attached, Document ID: <b>MCF-03</b> <input type="checkbox"/> Not Applicable <input type="checkbox"/> Waiver Requested
4. Precautions to Prevent Emissions of Unconfined Particulate Matter: <input checked="" type="checkbox"/> Attached, Document ID: <b>MCF-04</b> <input type="checkbox"/> Not Applicable <input type="checkbox"/> Waiver Requested
5. Fugitive Emissions Identification: <input type="checkbox"/> Attached, Document ID: _____ <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/> Waiver Requested
6. Supplemental Information for Construction Permit Application: <input type="checkbox"/> Attached, Document ID: _____ <input checked="" type="checkbox"/> Not Applicable

### Additional Supplemental Requirements for Category I Applications Only

7. List of Proposed Exempt Activities: <input checked="" type="checkbox"/> Attached, Document ID: <b>MCF-05</b> <input type="checkbox"/> Not Applicable
8. List of Equipment/Activities Regulated under Title VI:  <input type="checkbox"/> Attached, Document ID: _____  <input checked="" type="checkbox"/> Equipment/Activities On site but Not Required to be Individually Listed  <input type="checkbox"/> Not Applicable
9. Alternative Methods of Operation:  <input checked="" type="checkbox"/> Attached, Document ID: <b>MCF-06</b> <input checked="" type="checkbox"/> Not Applicable
10. Alternative Modes of Operation (Emissions Trading): <input type="checkbox"/> Attached, Document ID: _____ <input checked="" type="checkbox"/> Not Applicable

<p>11. Identification of Additional Applicable Requirements:  <input checked="" type="checkbox"/> Attached, Document ID: <b>MCF-07</b> <input type="checkbox"/> Not Applicable</p>
<p>12. Compliance Assurance Monitoring Plan:  <input checked="" type="checkbox"/> Attached, Document ID: <b>MCF-08</b> <input type="checkbox"/> Not Applicable</p>
<p>13. Risk Management Plan Verification:</p> <p><input type="checkbox"/> Plan Submitted to Implementing Agency - Verification Attached,  Document ID: _____</p> <p><input checked="" type="checkbox"/> Plan to be Submitted to Implementing Agency by Required Date</p> <p><input type="checkbox"/> Not Applicable</p>
<p>14. Compliance Report and Plan:  <input checked="" type="checkbox"/> Attached, Document ID: <b>MCF-09</b> <input type="checkbox"/> Not Applicable</p>
<p>15. Compliance Certification (Hard-copy Required):  <input checked="" type="checkbox"/> Attached, Document ID: <b>MCF-10</b> <input type="checkbox"/> Not Applicable</p>

**ATTACHMENT MCF-01: AREA MAP SHOWING FACILITY LOCATION**

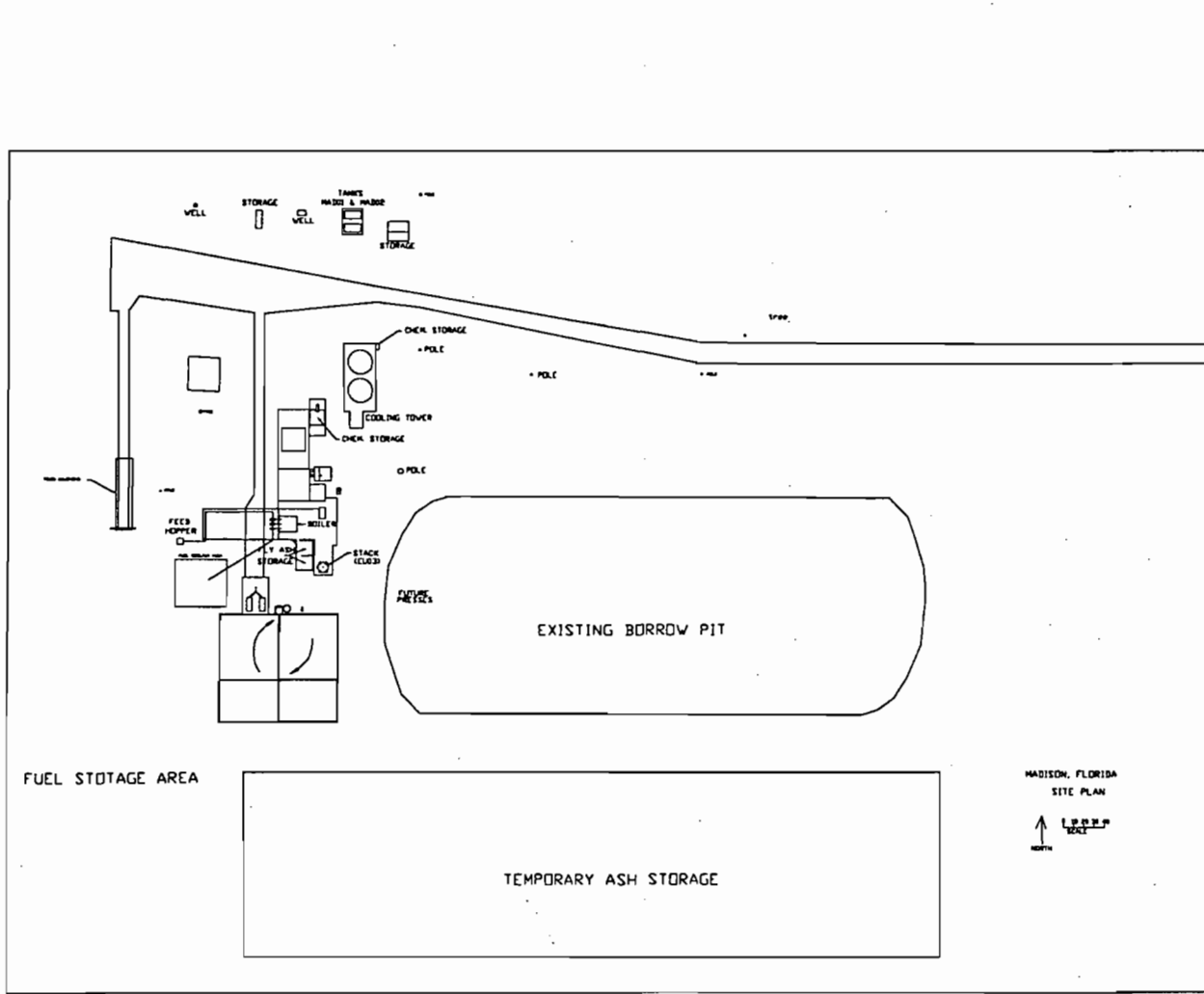


UTM GRID AND 1993 MAGNETIC NORTH DECLINATION AT CENTER OF SHEET

LFC No.47 Corp.		4000 BRUSH WAY PLACE BLDG 1, SUITE 255 LAKE OSWEGO, OR 97035
MADISON FACILITY MADISON COUNTY, FLORIDA		
AREA MAP		
FOSTER WHEELER ENVIRONMENTAL CORPORATION		
SCALE AS SHOWN	PREPARED DJG CHECKED: CJT	CAD FILE NO. MFCAREA.DWG
DATE: 05/14/96	APPROVED: DJF	FIGURE No. MCF-01

**ATTACHMENT MCF-02: FACILITY PLOT PLAN**




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Route 3

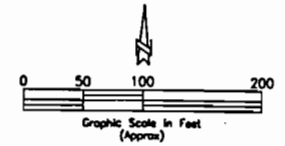
Plant Entrance

**LEGEND**

-  FENCE
-  PAVED AREA
-  GRASS AREA

**NOTE**

THIS DRAWING WAS DIGITIZED FROM...



MADISON, FLORIDA  
SITE PLAN



**LFC** No. 47 Corp.

4000 HOUSE WAY PLACE  
BLDG. 1, SUITE 250  
LAKE OSVEGO, OR 97025

MADISON FACILITY  
MADISON COUNTY, FLORIDA  
SITE PLAN

**F** FOSTER WHEELER ENVIRONMENTAL CORPORATION

SCALE AS SHOWN

PREPARED DJG

CAD FILE NO.  
MCFSP.DWG

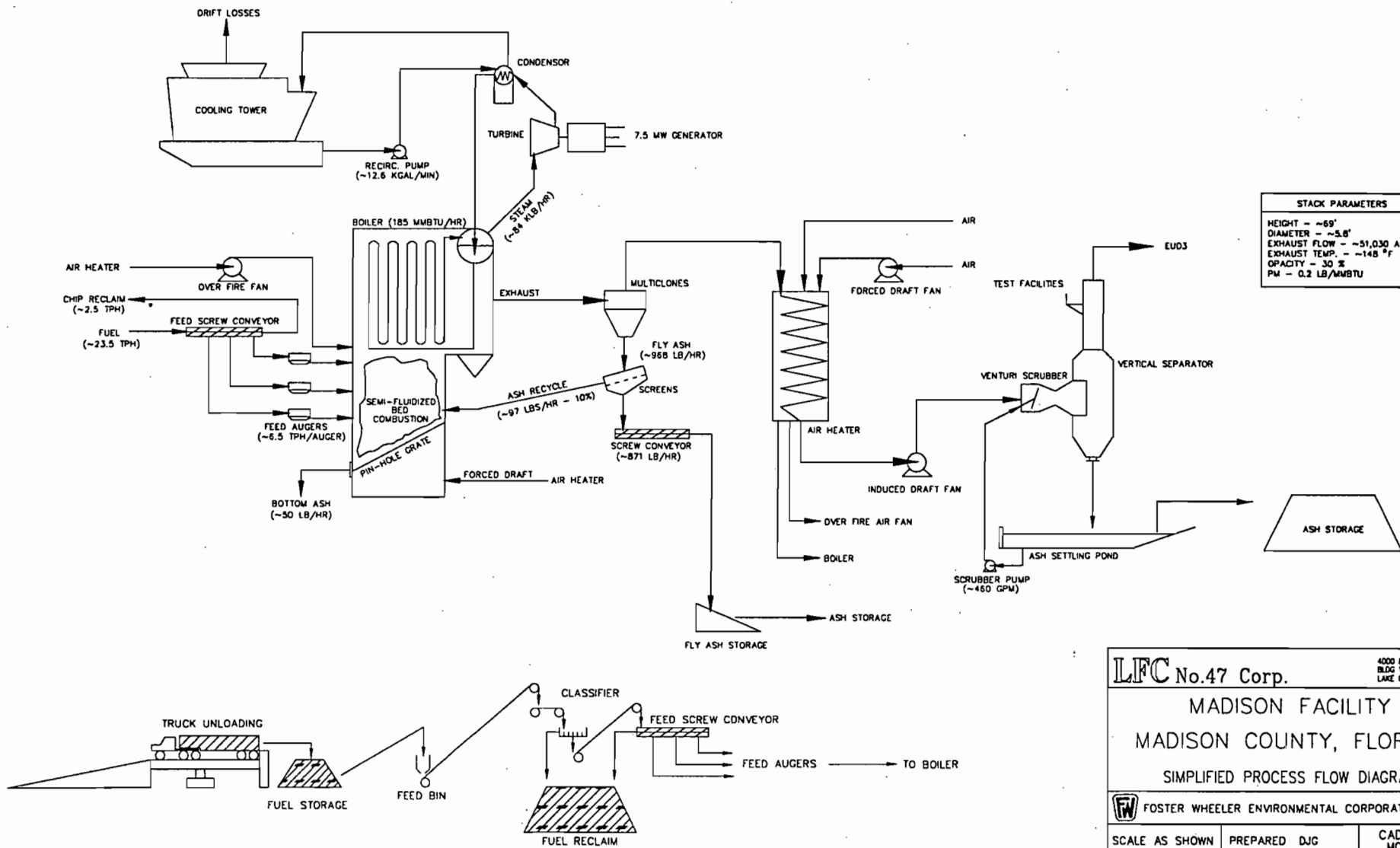
DATE: 05/14/96

CHECKED: CJT  
APPROVED: DJF

FIGURE No.  
MCF - 02



**ATTACHMENT MCF-03: PROCESS FLOW DIAGRAM**



STACK PARAMETERS	
HEIGHT	~69'
DIAMETER	~5.8'
EXHAUST FLOW	~51,030 ACFM
EXHAUST TEMP.	~145 °F
OPACITY	30 %
PM	0.2 LB/MMBTU

LFC No.47 Corp. 4000 KRUSE WAY PLACE  
BLDG 1, SUITE 255  
LAKE OSWEGO, OR 97035

MADISON FACILITY  
MADISON COUNTY, FLORIDA  
SIMPLIFIED PROCESS FLOW DIAGRAM

FOSTER WHEELER ENVIRONMENTAL CORPORATION

SCALE AS SHOWN	PREPARED DJG	CAD FILE NO. MCFPF1.DWG
DATE: 05/14/96	CHECKED: CJT	FIGURE No. MCF-03
	APPROVED: DJF	

**ATTACHMENT MCF-04: PRECAUTIONS TO PREVENT EMISSIONS OF  
UNCONFINED PARTICULATE MATTER**

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As part of the Title V application development, LFC No. 47 Corporation reviewed the potential sources of unconfined emissions at its Madison Facility. The intent of the review was to ensure that reasonable precautions were in place to prevent and/or control these potential emissions. The potential sources which were identified included the following:

1. Fuel unloading and transfer operations;
2. Ash transfer points\storage.

Based on the review of these potential sources, the following reasonable precautions have been established to control unconfined emissions of particulate matter:

- Water will be kept available during fuel unloading and transfer operations in order to suppress any fugitive emissions generated by these operations. Application of the water will be on an as needed basis (manual operation).
- Ash transfer points will be protected from the wind and ash storage containers will be kept closed when not in use.

**ATTACHMENT MCF-05: LIST OF PROPOSED EXEMPT ACTIVITIES**

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In developing the Title V application, LFC's consultant, Foster Wheeler Environmental Corporation, conducted a comprehensive emissions unit inventory of the Madison Facility. The attached inventory (File: MEI.XLS) represents a comprehensive examination of the facility, its operations, and potential emissions units. The inventory identified twelve emissions unit areas. These areas included the following:

1. Boiler Operations;
2. Organic Liquid Storage;
3. Fuel Dispensing Operations;
4. Cooling Tower;
5. Water Treatment Systems;
6. Fuel Handling Operations;
7. Plant Operations;
8. Maintenance Activities;
9. Gasoline Engines;
10. Fugitive Dust
11. Open Burning
12. Laboratory

The inventory attempted to identify every emissions unit at the facility including permitted, exempt, and unpermitted units. The attached inventory provides descriptions of each emissions unit noted at the facility, its permit status (Permitted, Unpermitted, or Exempt), its classification (Regulated, Unregulated, or Trivial), and a Title V status (Significant, Exempt or N/A).

The Title V application includes the permitted emissions unit, and the fugitive dust and VOC sources. The permitted emissions unit is considered a regulated emissions unit with specific emission limitations. The fugitive dust and VOC sources are considered unregulated emissions units with no specific emission limited pollutants.

The list of emissions units also includes those which meet either the specific exemption criteria of Rule 62-210.300, F.A.C, or have been listed as trivial activities. LFC requests an exemption for these trivial units based on the regulations and requirements of the Preconstruction Review and Title V Operating Permit Programs. In addition, LFC requests that the exempt activities be excluded from Title V permitting.

The list of emissions units also contains several unpermitted emissions units which have been in operation since the facility started-up. These activities are currently operating under the temporary exemption of Rule 62-210.300(b), F.A.C. LFC requests that all of the existing unpermitted activities at the Madison Facility be exempted from the preconstruction review requirements of Rule 62-210.300(1), F.A.C. under the authority provided to the FDEP in Rule 62-4.040(1)(b), F.A.C. The emissions units include the following:

- Fuel Handling Operations - Exemption from the preconstruction review permitting process is requested for the unregulated units listed under this category. The emissions from these activities are of the Fugitive-Area type. These units have been included in the Title V application within Emissions Unit No. 1 (EU01). The request is based on the fugitive nature of the emissions and low quantities associated with these operations.
- Fugitive Dust - Exemption from the preconstruction review permitting process is requested for the Heavy Construction Activities listed under this category. Emissions from these activities are of the Fugitive Area type generated by operation of heavy equipment on site. This unit has also been included in the Title V application within Emissions Unit No. 1 (EU01). The request is based on the fugitive nature of the emissions and the low quantities associated with these activities.
- Open Burning - Exemption from the preconstruction review permitting process is requested for spontaneous combustion fires which sometimes occur in fuel storage piles. Emissions from this activity are of the Fugitive Area type. The request is based on the fugitive nature of the emissions and the low quantities associated with this infrequent activity . Exemption is requested from the Title V operating permit process based on emissions of less than 5 tons per year.
- Organic Liquid Storage/Oil-Water Separator/Fuel Dispensing Operations - Exemption from the preconstruction review permitting process is requested for all units based on combined potential emissions of less than 1000 pounds per year of volatile organic compounds. Exemption is requested from the Title V operating permit process based on emissions of less than 5 tons per year.
- Evaporative Loss Sources - Exemption from the preconstruction review permitting process for the small parts washers is requested based on their limited use, size and potential emissions (<1000 pounds per year). The units are typically vendor supplied (i.e., Safety-Kleen) on an as needed basis and considered unregulated. Exemption is requested from the Title V operating permit process based on emissions of less than 5 tons per year. Exemption from the preconstruction review permitting process is also requested for surface coating operations at the facility based on the fugitive nature of the emissions and low quantities of surface coating material . Surface coating activities have been included in the Title V application within EU02.

The attached list and the above comments are intended to meet the requirements of Rule 62-213.420(3)(m), F.A.C. and to serve as an official request for the exemption of all the units listed as unpermitted from the requirements of Rule 62-210.300(1), F.A.C.

LFC No. 47 CORPORATION EMISSIONS UNIT INVENTORY MADISON COUNTY FACILITY					
Unit No.	Emissions Unit	Emissions Unit Description	Emissions Unit Permit Status	Emissions Unit Classification	Title V Status
1	Boiler No. 1	Carbonaceous Fuel Boiler - 185 mmBtu/hr	Permitted - AO40-179441	Regulated	Significant
1a	Steam Vents	Steam Vents	Unpermitted	Trivial	N/A
1b	Dearator Tank	Dearator Vents	Unpermitted	Trivial	N/A
1c	Air Ejectors	Air Ejectors	Unpermitted	Trivial	N/A
1d	Fly Ash Drop Outs	Off-line Maintenance/Cleaning	Unpermitted	Trivial	N/A
1e	Bottom Ash Removal	Off-line Maintenance/Cleaning	Unpermitted	Trivial	N/A
1f	Boiler Cleaning Wastes	Cleaning Solution Injection	Unpermitted	Trivial	N/A
1g	Condenser	Steam Vent	Unpermitted	Trivial	N/A
1h	Lube Oil Tank	Organic Liquid Storage	Unpermitted	Trivial	N/A
1i	Lube/Fuel Oil Drip Pans	Lube/Fuel Oil Drip Pans	Unpermitted	Trivial	N/A
2	Storage Tank	Diesel Tank #2	Unpermitted	Unregulated	62-213.430(6)
3	Fuel Dispensing Operations	Diesel Fuel	Unpermitted	Unregulated	62-213.430(6)
4	Cooling Tower	Fresh Water Cooling Tower	Unpermitted	Trivial	N/A
5	Water Treatment System	Water Chlorinization (Sodium Hypochlorite)	Unpermitted	Trivial	N/A
5a	Water Treatment System	pH Control - Sulfuric Acid	Unpermitted	Trivial	N/A
6	Fuel Handling Operations	Truck Unloading Operation	Unpermitted	Unregulated	Significant
6a	Fuel Handling Operations	Fuel Transfer & Drop Point (Feed Bin)	Unpermitted	Unregulated	Significant
6b	Fuel Handling Operations	Fuel Transfer Point (Conveyor Belt)	Unpermitted	Unregulated	Significant
6c	Fuel Handling Operations	Fuel Transfer & Drop Point (Classified)	Unpermitted	Unregulated	Significant
6d	Fuel Handling Operations	Fuel Transfer & Drop Point (Classified - Fuel Reclaim)	Unpermitted	Unregulated	Significant
6e	Fuel Handling Operations	Fuel Transfer Point (Conveyor Belt)	Unpermitted	Unregulated	Significant
6f	Fuel Handling Operations	Fuel Transfer & Drop Point (Feed Screw Conveyor - Fuel Reclaim)	Unpermitted	Unregulated	Significant
7	Plant Operations	Air Compressors	Unpermitted	Trivial	N/A
7a	Plant Operations	Compressed Air Systems	Unpermitted	Trivial	N/A
7b	Plant Operations	Chemical Storage (sealed containers)	Unpermitted	Trivial	N/A
7c	Plant Operations	Employee Vehicles	Unpermitted	Trivial	N/A
7d	Plant Operations	Company Vehicles	Unpermitted	Trivial	N/A
7e	Plant Operations	Contractor/Delivery Vehicles	Unpermitted	Trivial	N/A
7f	Plant Operations	Office Building HVAC/Vents	Unpermitted	Trivial	N/A
7g	Plant Operations	Chlorine Storage/Use	Unpermitted	Trivial	N/A
7h	Plant Operations	Waste Water Vents (i.e., Rest Rooms.)	Unpermitted	Trivial	N/A
7i	Plant Operations	Solid Waste Collection/Disposal	Unpermitted	Trivial	N/A
7j	Plant Operations	Lube Oil Storage Tanks	Unpermitted	Trivial	N/A
7k	Plant Operations	Front End Loaders (2-3)	Unpermitted	Trivial	N/A
7l	Plant Operations	PCB Transformer	Unpermitted	Trivial	N/A
7m	Plant Operations	Oil/Water Separator	Unpermitted	Unregulated	62-213.430(6)
8	Maintenance Activities	Surface Coating/Solvent Usage	Exempt 62-210.300(3)(a)(22)	Unregulated	Significant
8a	Maintenance Activities	Brazing/Soldering/Welding	Exempt 62-210.300(3)(a)(16)	Unregulated	N/A



LFC No. 47 CORPORATION EMISSIONS UNIT INVENTORY MADISON COUNTY FACILITY					
Unit No.	Emissions Unit	Emissions Unit Description	Emissions Unit Permit Status	Emissions Unit Classification	Title V Status
8b	Maintenance Activities	Wood/Metal Working Activities (i.e., saws, grinders)	Unpermitted	Trivial	N/A
8c	Maintenance Activities	Lawn Care/Maintenance	Unpermitted	Trivial	N/A
8d	Maintenance Activities	Pest Control	Unpermitted	Trivial	N/A
8e	Maintenance Activities	Transformers, Switches & Switchgear Processing	Unpermitted	Trivial	N/A
8f	Maintenance Activities	HVAC Systems (Units < 50 #)	Unpermitted	Trivial	N/A
8g	Maintenance Activities	Refrigeration Systems	Unpermitted	Trivial	N/A
8h	Maintenance Activities	Chemical Storage Cabinets	Unpermitted	Trivial	N/A
8i	Maintenance Activities	Acetylene Cutting Torches	Unpermitted	Trivial	N/A
8j	Maintenance Activities	Bench Grinder	Unpermitted	Trivial	N/A
8k	Maintenance Activities	Parts Washers	Unpermitted	Unregulated	62-213.430(6)
8l	Maintenance Activities	Pressure Washing	Unpermitted	Trivial	N/A
9	Gasoline Engine	Portable Water Pump - 16 hp	Unpermitted	Trivial	N/A
9a	Gasoline Engine	Portable Water Pump - 15 hp	Unpermitted	Trivial	N/A
9b	Gasoline Engine	Portable Water Pump - 15 hp	Unpermitted	Trivial	N/A
9c	Gasoline Engine	Fire Pump - 18 hp	Unpermitted	Trivial	N/A
9d	Gasoline Engine	Portable Electric Generator - 10 kw	Unpermitted	Trivial	N/A
9e	Gasoline Engine	Portable Electric Generator - 10 kw	Unpermitted	Trivial	N/A
9f	Gasoline Engine	Portable Air Compressor -5.5 hp	Unpermitted	Trivial	N/A
9g	Gasoline Engine	Pressure Washer - 12.5 hp	Unpermitted	Trivial	N/A
10a	Fugitive Dust	Unpaved Roads	Unpermitted	Trivial	N/A
10b	Fugitive Dust	Heavy Construction	Unpermitted	Unregulated	Significant
11	Open Burning	Fuel Storage	Unpermitted	Unregulated	62-213.430(6)
12	Laboratory	Laboratory Equipment	Exempt 62-210.300(3)(a)(15)	Trivial	N/A
12a	Laboratory	Chemical Storage	Exempt 62-210.300(3)(a)(15)	Trivial	N/A
12b	Laboratory	Chemical Usage	Exempt 62-210.300(3)(a)(15)	Trivial	N/A
12c	Laboratory	Vacuum Pumps	Exempt 62-210.300(3)(a)(9)	Trivial	N/A

<sup>(1)</sup>Note: The designation "62-213.430(6)" indicates that an exemption is requested for this unit pursuant to Rule 62-213.420(3), F.A.C., in accordance with the provisions of Rule 62-213.430(6), F.A.C.

**ATTACHMENT MCF-06: ALTERNATIVE METHODS OF OPERATION**

Only one emissions unit located at the Madison facility will have alternative methods of operation. This emissions unit (EU03) is the Carbonaceous Fuel Boiler and the alternative methods of operation all deal with the type of fuels being fired.

By definitions contained in the Florida Administrative Code (FAC) and the current federally enforceable permit conditions, the emissions unit is authorized to fire carbonaceous fuels as defined in Rule 62-210.200, FAC, paper with up to three percent (3%) nonhalogenated plastics and any other fuel which the unit is capable of firing with the exception of garbage and hazardous waste as defined in Rule 67-712.200, FAC. The term "primarily" as used in the state definition of carbonaceous fuel is being interpreted to mean at least fifty-one percent (51%) of the allowable heat input. Since the method of operation of the boiler does not impact other emissions units at the source, the exact nature of the alternatives is not discussed within this section of the application pursuant to the instructions.

**ATTACHMENT MCF-07: IDENTIFICATION OF ADDITIONAL APPLICABLE  
REQUIREMENTS**

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LFC's Madison Facility consists of a carbonaceous fuel boiler which provides steam to a turbine generator and switchgear designed to deliver electrical power to the regional power grid. Since the facility has been shut down for over six months, the emissions unit (boiler) is subject to Rules 62-210.300(2)(a) 3 and 4, FAC. regarding shutdown and reactivation. The Rules require reasonable notification and compliance testing requirements for reactivation of such an emissions unit and provide that the owner or operator demonstrate to the department prior to reactivation that such reactivation would not constitute reconstruction pursuant to Rule 62-204.800(7)(d).

Rule 62-204.800(7)(d), F.A.C. adopts the General Provisions set forth in Subpart A of 40 CFR 60 - Standards of Performance for New Stationary Sources. This Subpart defines reconstruction as the replacement of components of an existing facility to such an extent that the fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable new facility. Should any modification or reconstruction of the boiler take place, the applicability of 40 CFR Part 60, Subpart Db- Standards of Performance for Industrial-Commercial Institutional Steam Generating Units, would need to be evaluated.

**ATTACHMENT MCF-08: COMPLIANCE ASSURANCE MONITORING PLAN**

**RESERVED - PENDING RULE ADOPTION**

**ATTACHMENT MCF-09: COMPLIANCE REPORT AND PLAN**



## **INTRODUCTION**

Title V of the 1990 Clean Air Act Amendments (CAAA) established a new federal operating permit program for major sources of air pollution. This new program was designed to be implemented by the various State and local air pollution control programs. Title V required the U.S. Environmental Protection Agency (EPA) to promulgate regulations establishing the minimum elements of the State and local major source operating programs. On May 10, 1991, the EPA proposed the state operating permit program regulations in Title 40 of the Code of Federal Regulations (CFR) Part 70. These proposed regulations were promulgated on July 21, 1992. In accordance with these regulations, the State of Florida's Department of Environmental Protection (FDEP) has developed and implemented its program under Chapter 62-213 of the Florida Administrative Code (F.A.C.). The FDEP has also developed a standardized permit application form and associated instructions under Chapter 62-210, F.A.C. for sources required to obtain air pollution permits (i.e., construction, state operating & federal operating...)

The FDEP's Title V operating program defines a major source in accordance with Rule 62-210.200, F.A.C. Under this definition, LFC's Madison Facility is classified a major source based on potential emissions of 100 tons or more of particulate matter (PM), carbon monoxide (CO), nitrogen oxides (NO<sub>x</sub>), and sulfur dioxide (SO<sub>2</sub>), and lead (Pb). The facility is also a major source of Hazardous Air Pollutants (HAPs). This determination is based on 10 tons or more per year of any single HAP or 25 tons per year of any combination of HAPs. Emissions of these pollutants are generated during operation of the carbonaceous fuel boiler. As a major source, LFC Power No. 47 Corp. is required to submit a Title V operating permit application to the FDEP on or before June 15, 1996.

LFC Power No. 47 Corp. contracted Foster Wheeler Environmental in the spring of 1995 to develop Title V applications for its two Florida facilities, including the Madison Facility. As part of the application development process, Foster Wheeler Environmental conducted a comprehensive emissions inventory including a regulatory assessment of the Madison Facility. Foster Wheeler Environmental's assessment focused on the following applicable areas:

- Air Pollution Permits
- Federal/State/Local Air Pollutant Emission Limitations; and
- Other Requirements (e.g., permit conditions, reporting requirements, testing requirements...)

The requirement to develop a Compliance Report was added to the Title V operating program during the FDEP's permit simplification process. Prior to the simplification, a Compliance Plan was required only if a source was out of compliance. Under the Revised rule 62-210.900(10), F.A.C., Instructions, the Compliance Report must address the compliance status

of each emissions unit with respect to each applicable requirement and provide a description of the activities taken to achieve compliance. The Compliance Report forms the basis of the Compliance Certification which must be signed by the Responsible Official. The signed Compliance Certification certifies the truth, accuracy, and completeness of the Compliance Report.

### **SOURCE DESCRIPTION**

LFC's Madison Facility supports a carbonaceous fuel boiler which provides steam to a generator set and switchgear designed to deliver electrical power to the regional power grid.

The facility is located on Route 3, north of Madison in Madison County, Florida in an area designated as attainment for ozone, sulfur dioxide, carbon monoxide, nitrogen dioxide, and PM-10, and not designated for lead. The facility is considered an existing major source under the federal and State preconstruction review regulations (40 CFR 52.21, Chapters 62-210.300 and 62-212.300, F.A.C.). The facility is also classified as a major source under the Title V operating permit program (40 CFR Part 70 and Chapter 62-210.200, F.A.C.) and under the Title III or hazardous air pollutant program (Title III of the 1990 CAAA).

The comprehensive emissions unit inventory is contained in Attachment MCF-05 of this Title V application. The inventory classifies each emissions unit into a category, provides a description of the unit, its permit status (i.e., permit No., unpermitted, exempt, or trivial), its classification (regulated or unregulated), and its Title V status (significant or exempt). The comprehensive inventory formed the basis of the assessment.

### **REGULATORY APPLICABILITY AND COMPLIANCE**

The list of regulations contained in the application under the heading Facility Regulations (pages 12-14) represent the regulations applicable to the Madison Facility. The list of regulations contained in the application under the heading Emissions Unit Regulations (Emissions Unit Information Section 3 of 3, page 6) represent the regulations applicable to each emissions unit. For purposes of this assessment, Foster Wheeler Environmental examined three general areas of regulatory compliance. These three areas included the following:

- Air Pollution Permits;
- Federal/State/Local Air Pollutant Emission Limitations; and
- Other Requirements (e.g., permit conditions, reporting requirements, testing requirements...)

Attachment CR-1 contains the compliance assessment for each emissions unit based on the above general areas, with compliance denoted as either "in" or "out". The recommended compliance plan or action item resulting from the initial compliance finding is also noted. The specific regulations related to each of the general areas are discussed below.

## **PERMITS**

Chapter 403.061(14) of the Florida Statutes (FS) provides the FDEP with the authority to establish a permit system for the operation, construction or expansion of any air pollution source. Permits issued under this authorization are subject to the processing requirements of the Administrative Procedures Act, Chapter 120, FS. The FDEP's permitting program begins in Chapter 62-4, F.A.C., which establishes the general requirements of the program including a prohibition on construction, modification, or operation of a stationary installation without the appropriate and valid permits. Chapters 62-210, 62-212 and 62-213 F.A.C. establish specific requirements of the FDEP's permitting program. Within Rule 62-210.300, F.A.C., the FDEP has established a requirement for all emissions units to obtain air pollution permits unless specifically exempted or exempted under the provisions of Chapter 62-4, F.A.C. The FDEP's specific permitting requirements for air pollution sources include the following:

- Rule 62-210.300(1) - Requires air construction permits for new or modified emissions units;
- Rule 62-210.300(2) - Requires air operation permits for all emissions units; and
- Rule 62-210.300(3) - Specific emission unit exemptions, including the temporary exemption for Title V sources.

The requirement for construction or modification permits includes major source permitting under the Prevention of Significant Deterioration (PSD) and New Source Review for Nonattainment Areas (NSR-NAA) as specified in Rule 62-212 F.A.C.. The requirement for operation permits includes major source permitting under Title V as specified in Rule 62-213, F.A.C.

## **EMISSIONS LIMITATIONS**

Chapter 403.061 (7) of the Florida Statutes (FS) provides the FDEP with the authority to establish rules and regulations establishing emission limitations. The FDEP's emission limiting standards include both the general and specific requirements of Chapter 62-296, F.A.C. In addition, Chapter 62-212, F.A.C., establishes Best Available Control Technology (BACT) and Lowest Achievable Emission Rate (LAER) requirements for new or modified major sources.

Chapter 62-204, F.A.C. adopts by reference several federal regulations governing air quality. Within Chapter 62-296, F.A.C., the FDEP has adopted regulations which limit emissions and establish performance standards for a variety of emissions units. The regulations reviewed included the following:

- Rule 62-204.800, F.A.C. - Federal Regulations Adopted By Reference
- Rule 62-296.320, F.A.C. - General Pollutant Emission Limiting Standards
- Rule 62-296.410, F.A.C. - Carbonaceous Fuel Burning Equipment
- Rule 62-296.500, F.A.C. - Reasonably Available Control Technology (RACT) for Volatile Organic Compounds (VOC) and Nitrogen Oxides (NOx) Emitting Facilities
- Rule 62-296.570, F.A.C. - Reasonably Available Control Technology (RACT) for major VOC and NOx Emitting Facilities
- Rule 62-296.600, F.A.C. - Reasonably Available Control Technology (RACT) for Lead
- Rule 62-296.700, F.A.C. - Reasonably Available Control Technology (RACT) for Particulate Matter

## **OTHER REQUIREMENTS**

In addition to the requirements for permits and the emission limitations and performance standards presented above, compliance was also assessed versus the other federal and state requirements. These other requirements include any testing, recordkeeping, reporting, and/or notification requirements. These requirements can be specified either by regulation or contained within a specific condition of an air pollution permit. The regulations and permits reviewed include the following:

### **Regulations**

- Chapter 62-4, F.A.C. - Permits
- Chapter 62-102, F.A.C. - Rules of Administrative Procedures - Rulemaking
- Chapter 62-103, F.A.C. - Rules of Administrative Procedures - Final Agency Action (Non-Rulemaking) and Appeal
- Chapter 62-150, F.A.C. - Hazardous Substance Release Notification
- Chapter 62-210, F.A.C. - Stationary Sources - General Requirements
- Chapter 62-212, F.A.C. - Stationary Sources - Preconstruction Review
- Chapter 62-213, F.A.C. - Operation Permits for Major Sources of Air Pollution
- Chapter 62-256, F.A.C. - Open Burning and Frost Protection Fires
- Chapter 62-257, F.A.C. - Asbestos Removal
- Chapter 62-275, F.A.C. - Air Quality Areas
- Chapter 62-296, F.A.C. - Stationary Sources - Emission Standards
- Chapter 62-297, F.A.C. - Stationary Sources - Emissions Monitoring
- Chapter 120, FS - Administrative Procedures Act

- Chapter 403, FS - Environmental Control

### **Permits**

- AO40-179441 - Operating Permit for Carbonaceous Fuel Boiler

The review identified all the applicable regulations including procedural requirements and rights established under the regulations. The compliance assessment focused on specific requirements within the regulations which could be evaluated and a compliance status reported. These requirements included renewing permits, annual testing schedules, recordkeeping, and reporting requirements.

### **OBSERVATIONS**

Within each of the three general areas, Foster Wheeler Environmental assessed compliance based on the emissions unit inventory, the existing regulations, and the current air pollution permits. With the exception of the two issues listed below, all emissions units were determined to be in compliance with all applicable requirements. Items requiring corrective action are noted below.

### **PERMITS**

As an existing source, the Madison Facility is required to have operating permits for all emissions units which emit or can reasonably be expected to emit any air pollutant unless specifically exempted. Review of the emissions unit inventory noted several small emissions units which were not covered by a valid FDEP construction or operating permit. These emissions units were considered insignificant under the FDEP regulations prior to the 1990 CAAA. The units are currently operating under the temporary exemption of Rule 62-210.300(3)(b), F.A.C. Compliance with the temporary exemption requires notification to the FDEP of the emissions units and inclusion of the emissions units within the Title V operating permit application.

Based on its observations, Foster Wheeler Environmental has reported all emissions units as in compliance with the permitting requirements of Chapters 62-4 and 62-219, F.A.C. based on the temporary exemption. The action item will be resolved through the submittal of the Title V operating permit application and the issuance of a final determination by the FDEP as to the requested exemptions for these unpermitted emissions units.

### **OTHER REQUIREMENTS**

Foster Wheeler Environmental noted that the boiler at the Madison Facility has been shut down for at least six months and is subject to the requirements of Rules 62-210.300(2)(a) 3

and 4 F.A.C. regarding reactivation. The Rules require reasonable notification and compliance testing requirements for reactivation of this unit.

Based on its observations, available operating data, and calculations, Foster Wheeler Environmental has reported the boiler (emissions unit EU03) in compliance with all emissions limitations based on the last stack test.

**ATTACHMENT CR-1**

LFC NO. 47 CORPORATION EMISSIONS UNIT INVENTORY MADISON COUNTY FACILITY						
Unit No.	Emissions Unit	Emissions Unit Description	Permits	Emissions Limitations	Other Requirements	Action Item
1	Boiler No. 1	Carbonaceous Fuel Boiler - 185 mmBtu/hr	In	In	In	none
1a	Steam Vents	Steam Vents	In	In	In	(1)
1b	Dearator Tank	Dearator Vents	In	In	In	(1)
1c	Air Ejectors	Air Ejectors	In	In	In	(1)
1d	Fly Ash Drop Outs	Off-line Maintenance/Cleaning	In	In	In	(1)
1e	Bottom Ash Removal	Off-line Maintenance/Cleaning	In	In	In	(1)
1f	Boiler Cleaning Wastes	Cleaning Solution Injection	In	In	In	(1)
1g	Condenser	Steam Vent	In	In	In	(1)
1h	Lube Oil Tank	Organic Liquid Storage	In	In	In	(1)
1i	Lube/Fuel Oil Drip Pans	Lube/Fuel Oil Drip Pans	In	In	In	(1)
2	Storage Tank	Diesel Tank #2	In	In	In	(1)
3	Fuel Dispensing Operations	Diesel Fuel	In	In	In	(1)
4	Cooling Tower	Fresh Water Cooling Tower	In	In	In	(1)
5	Water Treatment System	Water Chlorinization (Sodium Hypochlorite)	In	In	In	(1)
5a	Water Treatment System	pH Control - Sulfuric Acid	In	In	In	(1)
6	Fuel Handling Operations	Truck Unloading Operation	In	In	In	(1)
6a	Fuel Handling Operations	Fuel Transfer & Drop Point (Feed Bin)	In	In	In	(1)
6b	Fuel Handling Operations	Fuel Transfer Point (Conveyor Belt)	In	In	In	(1)
6c	Fuel Handling Operations	Fuel Transfer & Drop Point (Classified)	In	In	In	(1)
6d	Fuel Handling Operations	Fuel Transfer & Drop Point (Classified - Fuel Reclaim)	In	In	In	(1)
6e	Fuel Handling Operations	Fuel Transfer Point (Conveyor Belt)	In	In	In	(1)
6f	Fuel Handling Operations	Fuel Transfer & Drop Point (Feed Screw Conveyor - Fuel Reclaim)	In	In	In	(1)
7	Plant Operations	Air Compressors	In	In	In	(1)
7a	Plant Operations	Compressed Air Systems	In	In	In	(1)
7b	Plant Operations	Chemical Storage (sealed containers)	In	In	In	(1)
7c	Plant Operations	Employee Vehicles	In	In	In	(1)
7d	Plant Operations	Company Vehicles	In	In	In	(1)
7e	Plant Operations	Contractor/Delivery Vehicles	In	In	In	(1)
7f	Plant Operations	Office Building HVAC/Vents	In	In	In	(1)
7g	Plant Operations	Chlorine Storage/Use	In	In	In	(1)
7h	Plant Operations	Waste Water Vents (i.e., Rest Rooms.)	In	In	In	(1)
7i	Plant Operations	Solid Waste Collection/Disposal	In	In	In	(1)
7j	Plant Operations	Lube Oil Storage Tanks	In	In	In	(1)
7k	Plant Operations	Front End Loaders (2-3)	In	In	In	(1)
7l	Plant Operations	PCB Transformer	In	In	In	(1)
7m	Plant Operations	Oil/Water Separator	In	In	In	(1)
8	Maintenance Activities	Surface Coating/Solvent Usage	In	In	In	none
8a	Maintenance Activities	Brazing/Soldering/Welding	In	In	In	none



LFC NO. 47 CORPORATION EMISSIONS UNIT INVENTORY MADISON COUNTY FACILITY						
Unit No.	Emissions Unit	Emissions Unit Description	Permits	Emissions Limitations	Other Requirements	Action Item
8b	Maintenance Activities	Wood/Metal Working Activities (i.e., saws, grinders)	In	In	In	none
8c	Maintenance Activities	Lawn Care/Maintenance	In	In	In	(1)
8d	Maintenance Activities	Pest Control	In	In	In	(1)
8e	Maintenance Activities	Transformers, Switches & Switchgear Processing	In	In	In	(1)
8f	Maintenance Activities	HVAC Systems (Units < 50 #)	In	In	In	(1)
8g	Maintenance Activities	Refrigeration Systems	In	In	In	(1)
8h	Maintenance Activities	Chemical Storage Cabinets	In	In	In	(1)
8i	Maintenance Activities	Acetylene Cutting Torches	In	In	In	(1)
8j	Maintenance Activities	Bench Grinder	In	In	In	(1)
8k	Maintenance Activities	Parts Washers	In	In	In	(1)
8l	Maintenance Activities	Pressure Washing	In	In	In	(1)
9	Gasoline Engine	Portable Water Pump - 16 hp	In	In	In	(1)
9a	Gasoline Engine	Portable Water Pump - 15 hp	In	In	In	(1)
9b	Gasoline Engine	Portable Water Pump - 15 hp	In	In	In	(1)
9c	Gasoline Engine	Fire Pump - 18 hp	In	In	In	(1)
9d	Gasoline Engine	Portable Electric Generator - 10 kw	In	In	In	(1)
9e	Gasoline Engine	Portable Electric Generator - 10 kw	In	In	In	(1)
9f	Gasoline Engine	Portable Air Compressor -5.5 hp	In	In	In	(1)
9g	Gasoline Engine	Pressure Washer - 12.5 hp	In	In	In	(1)
10a	Fugitive Dust	Unpaved Roads	In	In	In	(1)
10b	Fugitive Dust	Heavy Construction	In	In	In	(1)
11	Open Burning	Fuel Storage	In	In	In	(1)
12	Laboratory	Laboratory Equipment	In	In	In	none
12a	Laboratory	Chemical Storage	In	In	In	none
12b	Laboratory	Chemical Usage	In	In	In	none
12c	Laboratory	Vacuum Pumps	In	In	In	none

Note: Action Item (1) represents the submittal of the Title V operating permit application and the issuance of a final determination by the FDEP as to the requested exemptions for these unpermitted emissions units.

**ATTACHMENT MCF-10: COMPLIANCE CERTIFICATION**

**COMPLIANCE CERTIFICATION**

In accordance with the instructions for the Florida Department of Environmental Protection's Form No. 62-210.900(1), F.A.C., and Rule 62-213.420(3)(j), F.A.C., a compliance statement must be included in each application for an air pollution permit (i.e., Construction, Modification, State Operating or Title V Operating Permit). This Compliance Certification is intended to meet the requirements of the instructions and the regulation.

**CERTIFICATION STATEMENT**

"I, the undersigned, am the responsible official as defined in Chapter 62-210.200, F.A.C., of the Title V Source for which this report is being submitted. I hereby certify, based on information and belief formed after reasonable inquiry, that the statements made and data contained in this report are true, accurate and complete.



Signed

6/6/96

Date

**III. EMISSIONS UNIT INFORMATION**

A separate Emissions Unit Information Section (including subsections A through L as required) must be completed for each emissions unit addressed in this Application for Air Permit. If submitting the application form in hard copy, indicate, in the space provided at the top of each page, the number of this Emissions Unit Information Section and the total number of Emissions Unit Information Sections submitted as part of this application. Some of the subsections comprising the Emissions Unit Information Section of the form are intended for regulated emissions units only. Others are intended for both regulated and unregulated emissions units. Each subsection is appropriately marked.

**A. TYPE OF EMISSIONS UNIT  
(Regulated and Unregulated Emissions Units)**

**Type of Emissions Unit Addressed in This Section**

1. Regulated or Unregulated Emissions Unit? Check one:

The emissions unit addressed in this Emissions Unit Information Section is a regulated emissions unit.

The emissions unit addressed in this Emissions Unit Information Section is an unregulated emissions unit.

2. Single Process, Group of Processes, or Fugitive Only? Check one:

This Emissions Unit Information Section addresses, as a single emissions unit, a single process or production unit, or activity, which produces one or more air pollutants and which has at least one definable emission point (stack or vent).

This Emissions Unit Information Section addresses, as a single emissions unit, a group of process or production units and activities which has at least one definable emission point (stack or vent) but may also produce fugitive emissions.

This Emissions Unit Information Section addresses, as a single emissions unit, one or more process or production units and activities which produce fugitive emissions only.

**Emissions Unit Information Section 1 of 3**

**B. GENERAL EMISSIONS UNIT INFORMATION  
(Regulated and Unregulated Emissions Units)**

**Emissions Unit Description and Status**

1. Description of Emissions Unit Addressed in This Section (limit to 60 characters):  <b>Fugitive Dust Sources</b>		
2. Emissions Unit Identification Number: [ ] No Corresponding ID [X] Unknown		
3. Emissions Unit Status Code: A	4. Acid Rain Unit? [ ] Yes [X] No	5. Emissions Unit Major Group SIC Code: <b>49</b>
6. Emissions Unit Comment (limit to 500 characters):  <b>Fugitive dust sources include dust from fuel handling activities, heavy construction, unpaved roads, and occasional open burning.</b>		

**Emissions Unit Control Equipment**

**A.**

1. Description (limit to 200 characters):  <b>Reasonable precautions as described in Attachment MFC-04.</b>
2. Control Device or Method Code: <b>061</b>

**Emissions Unit Information Section 1 of 3**

**F. SEGMENT (PROCESS/FUEL) INFORMATION  
(Regulated and Unregulated Emissions Units)**

**Segment Description and Rate: Segment 1 of 3**

1. Segment Description (Process/Fuel Type and Associated Operating Method/Mode) (limit to 500 characters):  <p style="text-align: center;"><b>Fuel Handling Operations</b></p>	
2. Source Classification Code (SCC):	
3. SCC Units: <b>Tons</b>	
4. Maximum Hourly Rate: <b>0</b>	5. Maximum Annual Rate: <b>0</b>
6. Estimated Annual Activity Factor: <b>173,000</b>	
7. Maximum Percent Sulfur:	8. Maximum Percent Ash:
9. Million Btu per SCC Unit:	
10. Segment Comment (limit to 200 characters):  <p style="text-align: center;"><b>Annual activity factor is based on the maximum heat input rate of the boiler at this facility (185 mmBtu/hr) and the lowest waste heat content of the fuel (4500Btu/lb).</b></p>	

**Emissions Unit Information Section 1 of 3**

**Segment Description and Rate: Segment 2 of 3**

1. Segment Description (Process/Fuel Type and Associated Operating Method/Mode) (limit to 500 characters):  <p style="text-align: center;"><b>Unpaved Roads</b></p>	
2. Source Classification Code (SCC):	
3. SCC Units: <b>Miles</b>	
4. Maximum Hourly Rate: <b>0</b>	5. Maximum Annual Rate: <b>0</b>
6. Estimated Annual Activity Factor: <b>5,000</b>	
7. Maximum Percent Sulfur:	8. Maximum Percent Ash:
9. Million Btu per SCC Unit:	
10. Segment Comment (limit to 200 characters):  <p style="text-align: center;"><b>Annual activity factor is based on a maximum of 5,0000 vehicle miles travelled on unpaved roads on-site.</b></p>	

**Emissions Unit Information Section 1 of 3**

**Segment Description and Rate: Segment 3 of 3**

1. Segment Description (Process/Fuel Type and Associated Operating Method/Mode) (limit to 500 characters):  <p style="text-align: center;"><b>Heavy Construction</b></p>	
2. Source Classification Code (SCC):	
3. SCC Units: <b>Acres per Month</b>	
4. Maximum Hourly Rate: <b>0</b>	5. Maximum Annual Rate: <b>0</b>
6. Estimated Annual Activity Factor: <b>1.0</b>	
7. Maximum Percent Sulfur:	8. Maximum Percent Ash:
9. Million Btu per SCC Unit:	
10. Segment Comment (limit to 200 characters):  <p style="text-align: center;"><b>Heavy Construction Activities were included in fugitive dust sources as part of Title V.</b></p>	





**K. PREVENTION OF SIGNIFICANT DETERIORATION (PSD) INCREMENT  
TRACKING INFORMATION  
(Regulated and Unregulated Emissions Units)**

**PSD Increment Consumption Determination**

1. Increment Consuming for Particulate Matter or Sulfur Dioxide?

If the emissions unit addressed in this section emits particulate matter or sulfur dioxide, answer the following series of questions to make a preliminary determination as to whether or not the emissions unit consumes PSD increment for particulate matter or sulfur dioxide. Check the first statement, if any, that applies and skip remaining statements.

- ] The emissions unit is undergoing PSD review as part of this application, or has undergone PSD review previously, for particulate matter or sulfur dioxide. If so, emissions unit consumes increment.
- ] The facility addressed in this application is classified as an EPA major source pursuant to paragraph (c) of the definition of "major source of air pollution" in Chapter 62-213, F.A.C., and the emissions unit addressed in this section commenced (or will commence) construction after January 6, 1975. If so, baseline emissions are zero, and emissions unit consumes increment.
- ] The facility addressed in this application is classified as an EPA major source, and the emissions unit began initial operation after January 6, 1975, but before December 27, 1977. If so, baseline emissions are zero, and emissions unit consumes increment.
- ] For any facility, the emissions unit began (or will begin) initial operation after December 27, 1977. If so, baseline emissions are zero, and emissions unit consumes increment.
- ] None of the above apply. If so, the baseline emissions of the emissions unit are nonzero. In such case, additional analysis, beyond the scope of this application, is needed to determine whether changes in emissions have occurred (or will occur) after the baseline date that may consume or expand increment.

**Emissions Unit Information Section 1 of 3**

**2. Increment Consuming for Nitrogen Dioxide?**

If the emissions unit addressed in this section emits nitrogen oxides, answer the following series of questions to make a preliminary determination as to whether or not the emissions unit consumes PSD increment for nitrogen dioxide. Check first statement, if any, that applies and skip remaining statements.

- ] The emissions unit addressed in this section is undergoing PSD review as part of this application, or has undergone PSD review previously, for nitrogen dioxide. If so, emissions unit consumes increment.
- ] The facility addressed in this application is classified as an EPA major source pursuant to paragraph (c) of the definition of "major source of air pollution" in Chapter 62-213, F.A.C., and the emissions unit addressed in this section commenced (or will commence) construction after February 8, 1988. If so, baseline emissions are zero, and emissions unit consumes increment.
- ] The facility addressed in this application is classified as an EPA major source, and the emissions unit began initial operation after February 8, 1988, but before March 28, 1988. If so, baseline emissions are zero, and emissions unit consumes increment.
- ] For any facility, the emissions unit began (or will begin) initial operation after March 28, 1988. If so, baseline emissions are zero, and emissions unit consumes increment.
- ] None of the above apply. If so, the baseline emissions of the emissions unit are nonzero. In such case, additional analysis, beyond the scope of this application, is needed to determine whether changes in emissions have occurred (or will occur) after the baseline date that may consume or expand increment.

<b>3. Increment Consuming/Expanding Code:</b>			
PM	<input checked="" type="checkbox"/> C	<input type="checkbox"/> E	<input type="checkbox"/> Unknown
SO2	<input type="checkbox"/> C	<input type="checkbox"/> E	<input type="checkbox"/> Unknown
NO2	<input type="checkbox"/> C	<input type="checkbox"/> E	<input type="checkbox"/> Unknown
<b>4. Baseline Emissions:</b>			
PM	0 lb/hour	0	tons/year
SO2	lb/hour		tons/year
NO2			tons/year
<b>5. PSD Comment (limit to 200 characters):</b>			

**III. EMISSIONS UNIT INFORMATION**

A separate Emissions Unit Information Section (including subsections A through L as required) must be completed for each emissions unit addressed in this Application for Air Permit. If submitting the application form in hard copy, indicate, in the space provided at the top of each page, the number of this Emissions Unit Information Section and the total number of Emissions Unit Information Sections submitted as part of this application. Some of the subsections comprising the Emissions Unit Information Section of the form are intended for regulated emissions units only. Others are intended for both regulated and unregulated emissions units. Each subsection is appropriately marked.

**A. TYPE OF EMISSIONS UNIT  
(Regulated and Unregulated Emissions Units)**

**Type of Emissions Unit Addressed in This Section**

1. Regulated or Unregulated Emissions Unit? Check one:

The emissions unit addressed in this Emissions Unit Information Section is a regulated emissions unit.

The emissions unit addressed in this Emissions Unit Information Section is an unregulated emissions unit.

2. Single Process, Group of Processes, or Fugitive Only? Check one:

This Emissions Unit Information Section addresses, as a single emissions unit, a single process or production unit, or activity, which produces one or more air pollutants and which has at least one definable emission point (stack or vent).

This Emissions Unit Information Section addresses, as a single emissions unit, a group of process or production units and activities which has at least one definable emission point (stack or vent) but may also produce fugitive emissions.

This Emissions Unit Information Section addresses, as a single emissions unit, one or more process or production units and activities which produce fugitive emissions only.

**Emissions Unit Information Section 2 of 3**

**B. GENERAL EMISSIONS UNIT INFORMATION  
(Regulated and Unregulated Emissions Units)**

**Emissions Unit Description and Status**

1. Description of Emissions Unit Addressed in This Section (limit to 60 characters):  <b>Fugitive VOC Sources</b>		
2. Emissions Unit Identification Number: [ ] No Corresponding ID [ <b>X</b> ] Unknown		
3. Emissions Unit Status Code: <b>A</b>	4. Acid Rain Unit? [ ] Yes [ <b>X</b> ] No	5. Emissions Unit Major Group SIC Code: <b>49</b>
6. Emissions Unit Comment (limit to 500 characters):  <b>Fugitive VOC sources include surface coating activities.</b>		

**Emissions Unit Control Equipment**

**A.**

1. Description (limit to 200 characters):  <b>None</b>
2. Control Device or Method Code: <b>0</b>

**Emissions Unit Information Section 2 of 3**

**B. GENERAL EMISSIONS UNIT INFORMATION  
(Regulated and Unregulated Emissions Units)**

**Emissions Unit Description and Status**

1. Description of Emissions Unit Addressed in This Section (limit to 60 characters):  <b>Fugitive VOC Sources</b>		
2. Emissions Unit Identification Number: [ ] No Corresponding ID [ <b>X</b> ] Unknown		
3. Emissions Unit Status Code: <b>A</b>	4. Acid Rain Unit? [ ] Yes [ <b>X</b> ] No	5. Emissions Unit Major Group SIC Code: <b>49</b>
6. Emissions Unit Comment (limit to 500 characters):  <b>Fugitive VOC sources include surface coating activities.</b>		

**Emissions Unit Control Equipment**

**A.**

1. Description (limit to 200 characters):  <b>None</b>
2. Control Device or Method Code: <b>0</b>

**F. SEGMENT (PROCESS/FUEL) INFORMATION  
(Regulated and Unregulated Emissions Units)**

**Segment Description and Rate:** Segment **1** of **1**

1. Segment Description (Process/Fuel Type and Associated Operating Method/Mode) (limit to 500 characters):  <p style="text-align: center;"><b>Surface Coating</b></p>	
2. Source Classification Code (SCC):	
3. SCC Units: <b>Gallons</b>	
4. Maximum Hourly Rate: <b>0</b>	5. Maximum Annual Rate: <b>0</b>
6. Estimated Annual Activity Factor: <b>2190</b>	
7. Maximum Percent Sulfur:	8. Maximum Percent Ash:
9. Million Btu per SCC Unit:	
10. Segment Comment (limit to 200 characters):  <p style="text-align: center;"><b>Annual Activity Factor is based on maximum coating level of 6 gallons per day.</b></p>	





**K. PREVENTION OF SIGNIFICANT DETERIORATION (PSD) INCREMENT  
TRACKING INFORMATION  
(Regulated and Unregulated Emissions Units)**

**PSD Increment Consumption Determination**

1. Increment Consuming for Particulate Matter or Sulfur Dioxide?

If the emissions unit addressed in this section emits particulate matter or sulfur dioxide, answer the following series of questions to make a preliminary determination as to whether or not the emissions unit consumes PSD increment for particulate matter or sulfur dioxide. Check the first statement, if any, that applies and skip remaining statements.

- ] The emissions unit is undergoing PSD review as part of this application, or has undergone PSD review previously, for particulate matter or sulfur dioxide. If so, emissions unit consumes increment.
  
- ] The facility addressed in this application is classified as an EPA major source pursuant to paragraph (c) of the definition of "major source of air pollution" in Chapter 62-213, F.A.C., and the emissions unit addressed in this section commenced (or will commence) construction after January 6, 1975. If so, baseline emissions are zero, and emissions unit consumes increment.
  
- ] The facility addressed in this application is classified as an EPA major source, and the emissions unit began initial operation after January 6, 1975, but before December 27, 1977. If so, baseline emissions are zero, and emissions unit consumes increment.
  
- ] For any facility, the emissions unit began (or will begin) initial operation after December 27, 1977. If so, baseline emissions are zero, and emissions unit consumes increment.
  
- ] None of the above apply. If so, the baseline emissions of the emissions unit are nonzero. In such case, additional analysis, beyond the scope of this application, is needed to determine whether changes in emissions have occurred (or will occur) after the baseline date that may consume or expand increment.

**Emissions Unit Information Section 2 of 3**

**2. Increment Consuming for Nitrogen Dioxide?**

If the emissions unit addressed in this section emits nitrogen oxides, answer the following series of questions to make a preliminary determination as to whether or not the emissions unit consumes PSD increment for nitrogen dioxide. Check first statement, if any, that applies and skip remaining statements.

- ] The emissions unit addressed in this section is undergoing PSD review as part of this application, or has undergone PSD review previously, for nitrogen dioxide. If so, emissions unit consumes increment.
  
- ] The facility addressed in this application is classified as an EPA major source pursuant to paragraph (c) of the definition of "major source of air pollution" in Chapter 62-213, F.A.C., and the emissions unit addressed in this section commenced (or will commence) construction after February 8, 1988. If so, baseline emissions are zero, and emissions unit consumes increment.
  
- ] The facility addressed in this application is classified as an EPA major source, and the emissions unit began initial operation after February 8, 1988, but before March 28, 1988. If so, baseline emissions are zero, and emissions unit consumes increment.
  
- ] For any facility, the emissions unit began (or will begin) initial operation after March 28, 1988. If so, baseline emissions are zero, and emissions unit consumes increment.
  
- ] None of the above apply. If so, the baseline emissions of the emissions unit are nonzero. In such case, additional analysis, beyond the scope of this application, is needed to determine whether changes in emissions have occurred (or will occur) after the baseline date that may consume or expand increment.

<b>3. Increment Consuming/Expanding Code:</b>			
PM	<input type="checkbox"/> ] C	<input type="checkbox"/> ] E	<input type="checkbox"/> ] Unknown
SO2	<input type="checkbox"/> ] C	<input type="checkbox"/> ] E	<input type="checkbox"/> ] Unknown
NO2	<input type="checkbox"/> ] C	<input type="checkbox"/> ] E	<input type="checkbox"/> ] Unknown
<b>4. Baseline Emissions:</b>			
PM	lb/hour	tons/year	
SO2	lb/hour	tons/year	
NO2		tons/year	
<b>5. PSD Comment (limit to 200 characters):</b>			

### III. EMISSIONS UNIT INFORMATION

A separate Emissions Unit Information Section (including subsections A through L as required) must be completed for each emissions unit addressed in this Application for Air Permit. If submitting the application form in hard copy, indicate, in the space provided at the top of each page, the number of this Emissions Unit Information Section and the total number of Emissions Unit Information Sections submitted as part of this application. Some of the subsections comprising the Emissions Unit Information Section of the form are intended for regulated emissions units only. Others are intended for both regulated and unregulated emissions units. Each subsection is appropriately marked.

#### A. TYPE OF EMISSIONS UNIT (Regulated and Unregulated Emissions Units)

##### Type of Emissions Unit Addressed in This Section

1. Regulated or Unregulated Emissions Unit? Check one:

The emissions unit addressed in this Emissions Unit Information Section is a regulated emissions unit.

The emissions unit addressed in this Emissions Unit Information Section is an unregulated emissions unit.

2. Single Process, Group of Processes, or Fugitive Only? Check one:

This Emissions Unit Information Section addresses, as a single emissions unit, a single process or production unit, or activity, which produces one or more air pollutants and which has at least one definable emission point (stack or vent).

This Emissions Unit Information Section addresses, as a single emissions unit, a group of process or production units and activities which has at least one definable emission point (stack or vent) but may also produce fugitive emissions.

This Emissions Unit Information Section addresses, as a single emissions unit, one or more process or production units and activities which produce fugitive emissions only.

**B. GENERAL EMISSIONS UNIT INFORMATION  
(Regulated and Unregulated Emissions Units)**

**Emissions Unit Description and Status**

1. Description of Emissions Unit Addressed in This Section (limit to 60 characters): <b>Carbonaceous Fuel Boiler.</b>		
2. Emissions Unit Identification Number: [ ] No Corresponding ID [X] Unknown		
3. Emissions Unit Status Code: A	4. Acid Rain Unit? [ ] Yes [X] No	5. Emissions Unit Major Group SIC Code: 49
6. Emissions Unit Comment (limit to 500 characters):  <b>This emissions unit is currently permitted at a maximum firing rate of 185 mmBtu heat input per hour of carbonaceous fuel and authorized to operate 8400 hours per year. This emissions unit is permitted as a Synthetic Minor under PSD regulations.</b>		

**Emissions Unit Information Section 3 of 3**

**Emissions Unit Control Equipment**

**A.**

1. Description (limit to 200 characters):

**Particulate matter emissions are controlled by a multicyclone separator system manufactured by the Western Precipitation Division of Joy Manufacturing, model 12VM35, size 50-5.**

2. Control Device or Method Code: **077**

**B.**

1. Description (limit to 200 characters):

**The exhaust from the boiler passes through a Perry Smith company Model 80M wet venturi scrubber with a vertical moisture separator.**

2. Control Device or Method Code: **053**

**C.**

1. Description (limit to 200 characters):

2. Control Device or Method Code:

**C. EMISSIONS UNIT DETAIL INFORMATION  
(Regulated Emissions Units Only)**

**Emissions Unit Details**

1. Initial Startup Date:		
2. Long-term Reserve Shutdown Date:		
3. Package Unit: Manufacturer: <b>Bigelow</b>		Model Number: <b>Size KVS-2836</b>
4. Generator Nameplate Rating: <b>7.5 MW</b>		
5. Incinerator Information:		
	Dwell Temperature:	°F
	Dwell Time:	seconds
	Incinerator Afterburner Temperature:	°F

**Emissions Unit Operating Capacity**

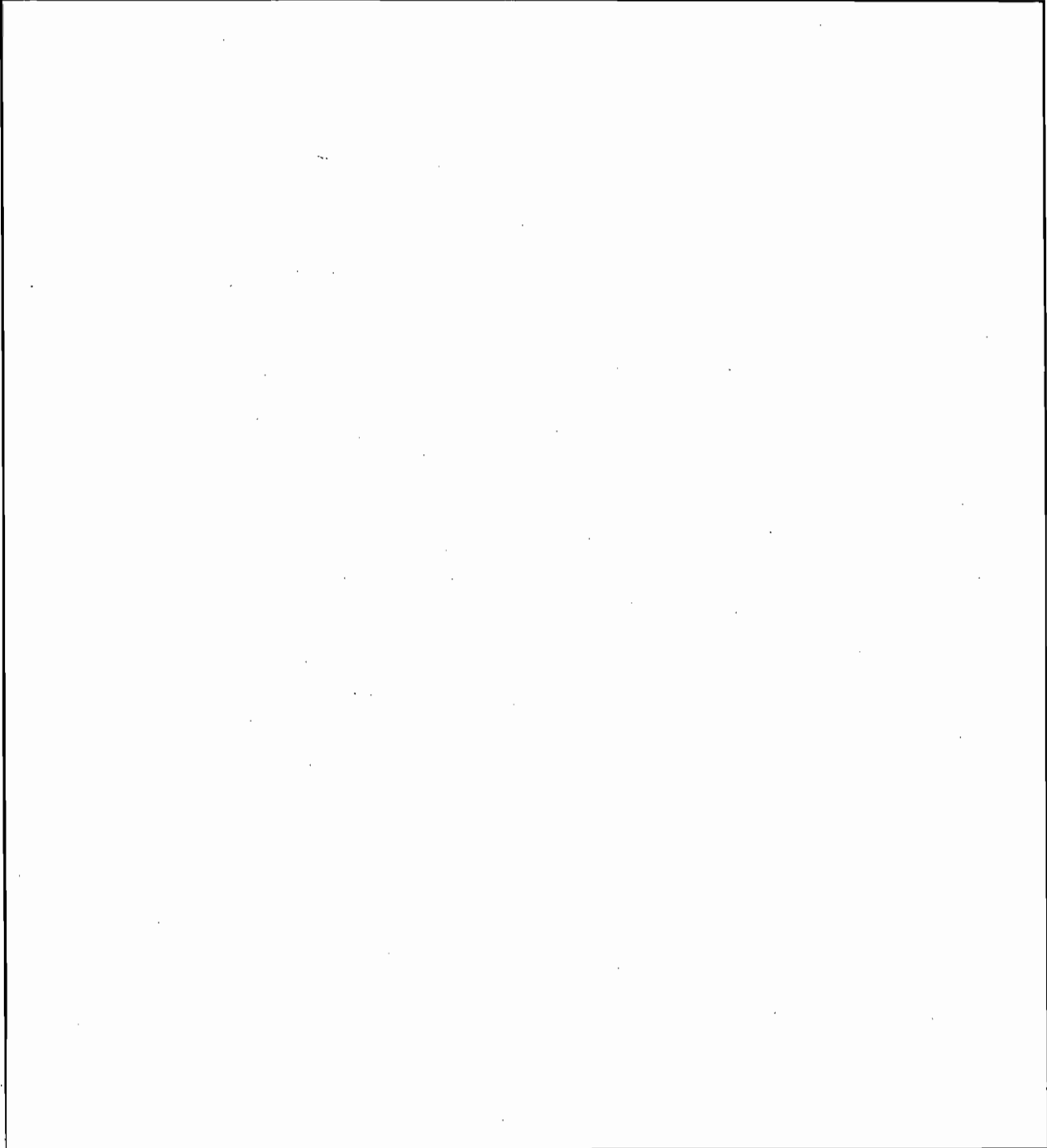
1. Maximum Heat Input Rate: <b>185 mmBtu/hr</b>		
2. Maximum Incineration Rate:	lb/hr	tons/day
3. Maximum Process or Throughput Rate:		
4. Maximum Production Rate:		
5. Operating Capacity Comment (limit to 200 characters):		

**Emissions Unit Operating Schedule**

Requested Maximum Operating Schedule:		
	<b>24 hours/day</b>	<b>7 days/week</b>
	<b>50 weeks/year</b>	<b>8400 hours/year</b>

**D. EMISSIONS UNIT REGULATIONS  
(Regulated Emissions Units Only)**

**Rule Applicability Analysis** (Required for Category II applications and Category III applications involving non Title-V sources. See Instructions.)



**Emissions Unit Information Section 3 of 3**

**List of Applicable Regulations** (Required for Category I applications and Category III applications involving Title-V sources. See Instructions.)

<b>Rule 62-4.020 FAC</b>	<b>Rule 62-103.050 FAC</b>
<b>Rule 62-4.030 FAC</b>	<b>Rule 62-103.150 FAC</b>
<b>Rule 62-4.040 FAC</b>	<b>Rule 62-103.155 FAC</b>
<b>Rule 62-4.055 FAC</b>	<b>Rule 62-103.200 FAC</b>
<b>Rule 62-4.060 FAC</b>	<b>Rule 62-103.206 FAC</b>
<b>Rule 62-4.070 FAC</b>	<b>Rule 62-103.510 FAC</b>
<b>Rule 62-4.080 FAC</b>	<b>Rule 62-204 FAC</b>
<b>Rule 62-4.090 FAC</b>	<b>Rule 62-210.100 FAC</b>
<b>Rule 62-4.100 FAC</b>	<b>Rule 62-210.200 FAC</b>
<b>Rule 62-4.110 FAC</b>	<b>Rule 62-210.300 FAC</b>
<b>Rule 62-4.120 FAC</b>	<b>Rule 62-210.350 FAC</b>
<b>Rule 62-4.130 FAC</b>	<b>Rule 62-210.360 FAC</b>
<b>Rule 62-4.150 FAC</b>	<b>Rule 62-210.370 FAC</b>
<b>Rule 62-4.160 FAC</b>	<b>Rule 62-210.550 FAC</b>
<b>Rule 62-4.210 FAC</b>	<b>Rule 62-210.650 FAC</b>
<b>Rule 62-4.220 FAC</b>	<b>Rule 62-210.700 FAC</b>
<b>Rule 62-102.050 FAC</b>	<b>Rule 62-210.900 FAC</b>
<b>Rule 62-102.130 FAC</b>	<b>Rule 62-212.100 FAC</b>
<b>Rule 62-102.140 FAC</b>	<b>Rule 62-212.300 FAC</b>



**Emissions Unit Information Section 3 of 3**

**List of Applicable Regulations** (Required for Category I applications and Category III applications involving Title-V sources. See Instructions.)

<b>Rule 62-212.400(2)(d)(1) FAC</b>	<b>FS 120.60</b>
<b>Rule 62-213 FAC</b>	<b>FS 120.68</b>
<b>Rule 62-296.100 FAC</b>	<b>FS 403.031</b>
<b>Rule 62-296.320 FAC</b>	<b>FS 403.087</b>
<b>Rule 62-296.410(2)(b)(1) FAC</b>	<b>FS 403.0872</b>
<b>Rule 62-296.410(2)(b)(2) FAC</b>	<b>FS 403.0875</b>
<b>Rule 62-296.410(3) FAC</b>	<b>FS 403.0876</b>
<b>Rule 62-297.310 FAC</b>	<b>FS 403.0877</b>
<b>Rule 62-297.401 FAC</b>	<b>FS 403.091</b>
<b>Rule 62-297.440(1) FAC</b>	<b>FS 403.111</b>
<b>Rule 62-297.620 FAC</b>	<b>FS 403.141</b>
<b>40 CFR 60.2</b>	<b>FS 403.151</b>
<b>40 CFR 60.5</b>	
<b>40 CFR 60.6</b>	
<b>40 CFR 60.7</b>	
<b>40 CFR 60.8</b>	
<b>40 CFR 60.11</b>	
<b>40 CFR 60.12</b>	
<b>40 CFR 60.14</b>	
<b>40 CFR 60.15</b>	

Emissions Unit Information Section 3 of 3

E. EMISSION POINT (STACK/VENT) INFORMATION  
(Regulated Emissions Units Only)

Emission Point Description and Type

1. Identification of Point on Plot Plan or Flow Diagram: <b>EU03</b>
2. Emission Point Type Code: <input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4
3. Descriptions of Emissions Points Comprising this Emissions Unit for VE Tracking (limit to 100 characters per point):  <b>This emission point, EU03, represents the exhaust stack for the boiler.</b>
4. ID Numbers or Descriptions of Emission Units with this Emission Point in Common:
5. Discharge Type Code: <input type="checkbox"/> D <input type="checkbox"/> F <input type="checkbox"/> H <input type="checkbox"/> P <input type="checkbox"/> R <input checked="" type="checkbox"/> V <input type="checkbox"/> W
6. Stack Height: <b>69</b> feet
7. Exit Diameter: <b>5.8</b> feet
8. Exit Temperature: <b>148</b> °F
9. Actual Volumetric Flow Rate: <b>51,030</b> acfm



**F. SEGMENT (PROCESS/FUEL) INFORMATION  
(Regulated and Unregulated Emissions Units)**

**Segment Description and Rate: Segment 1 of 4**

1. Segment Description (Process/Fuel Type and Associated Operating Method/Mode) (limit to 500 characters):  <b>100% Wood / Wood Waste</b>	
2. Source Classification Code (SCC): <b>10200903</b>	
3. SCC Units: <b>Tons (burned)</b>	
4. Maximum Hourly Rate: <b>20.55</b>	5. Maximum Annual Rate: <b>172,620</b>
6. Estimated Annual Activity Factor:	
7. Maximum Percent Sulfur:	8. Maximum Percent Ash:
9. Million Btu per SCC Unit: <b>9.0 (mmBtu/ton)</b>	
10. Segment Comment (limit to 200 characters):  <b>The maximum hourly and annual rates listed above are based on 8400 hours per year operation. The Heat Content is based on 4500 Btu/lb for wood.</b>	

**Emissions Unit Information Section 3 of 3**

**Segment Description and Rate: Segment 2 of 4**

1. Segment Description (Process/Fuel Type and Associated Operating Method/Mode) (limit to 500 characters):  <b>65% Paper (maximum) &amp; 35% Wood (minimum)</b>	
2. Source Classification Code (SCC):	
3. SCC Units: <b>Tons</b>	
4. Maximum Hourly Rate: <b>16.97</b>	5. Maximum Annual Rate: <b>142,548</b>
6. Estimated Annual Activity Factor:	
7. Maximum Percent Sulfur:	8. Maximum Percent Ash:
9. Million Btu per SCC Unit: <b>10.9 (mmBtu/ton)</b>	
10. Segment Comment (limit to 200 characters):  <b>The maximum hourly and annual rates listed above are based on 8400 hours per year operation. The Heat Content is based on 5962 Btu/lb for paper and 4500 Btu/lb for wood.</b>	

**Emissions Unit Information Section 3 of 3**

**Segment Description and Rate: Segment 3 of 4**

1. Segment Description (Process/Fuel Type and Associated Operating Method/Mode) (limit to 500 characters):  <b>88% Wood (minimum) &amp; 12% Tire Derived Fuel (TDF) (maximum)</b>	
2. Source Classification Code (SCC):	
3. SCC Units: <b>Tons</b>	
4. Maximum Hourly Rate: <b>15.90</b>	5. Maximum Annual Rate: <b>133,560</b>
6. Estimated Annual Activity Factor:	
7. Maximum Percent Sulfur:	8. Maximum Percent Ash:
9. Million Btu per SCC Unit: <b>11.60 (mmBtu/ton)</b>	
10. Segment Comment (limit to 200 characters):  <b>The maximum hourly and annual rates listed above are based on 8400 hours per year operation. The Heat Content is based on 4500 Btu/lb for wood and 15332 Btu/lb for TDF.</b>	

**Emissions Unit Information Section 3 of 3**

**Segment Description and Rate: Segment 4 of 4**

1. Segment Description (Process/Fuel Type and Associated Operating Method/Mode) (limit to 500 characters):  <b>55% Wood (minimum) &amp; 45% Refuse Derived Fuel (RDF) (maximum)</b>	
2. Source Classification Code (SCC):	
3. SCC Units: <b>Tons</b>	
4. Maximum Hourly Rate: <b>18.69</b>	5. Maximum Annual Rate: <b>156,996</b>
6. Estimated Annual Activity Factor:	
7. Maximum Percent Sulfur:	8. Maximum Percent Ash:
9. Million Btu per SCC Unit: <b>9.90 (mmBtu/ton)</b>	
10. Segment Comment (limit to 200 characters):  <b>The maximum hourly and annual rates listed above are based on 8400 hours per year operation. The Heat Content is based on 4500 Btu/lb for wood and 5500 Btu/lb for RDF.</b>	





**H. EMISSIONS UNIT POLLUTANT DETAIL INFORMATION  
(Regulated Emissions Units Only - Emissions Limited Pollutants Only)**

**Pollutant Detail Information: Pollutant 1 of 2**

1. Pollutant Emitted: <b>PM</b>
2. Total Percent Efficiency of Control: <b>98 %</b>
3. Potential Emissions: <b>37 lb/hour 155.4 tons/year</b>
4. Synthetically Limited? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
5. Range of Estimated Fugitive/Other Emissions: <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3      _____ to _____ tons/year
6. Emission Factor: <b>0.2 lb/mmBtu</b> Reference: <b>FAC Rule 62-296.410 (2) (b)1</b>
7. Emissions Method Code: <input checked="" type="checkbox"/> 0 <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5
8. Calculation of Emissions (limit to 600 characters):  <b>0.2 lb/mmBtu x 185 mmBtu/hr = 37 lb/hr</b>  <b>37 lb/hr x 8400 hrs/yr x ton/2000 lb = 155.4 tons/yr</b>  <b>See Attachment EU03-01</b>
9. Pollutant Potential/Estimated Emissions Comment (limit to 200 characters):  <b>The current maximum permitted fuel input rate is 185 mmBtu/hr and the maximum permitted hours of operation are set at 8400 hours/yr. Potential emissions are set equal to the equivalent allowable emissions.</b>

**Emissions Unit Information Section 3 of 3**

**Allowable Emissions** (Pollutant identified on front of page)

**A.**

1. Basis for Allowable Emissions Code: <b>Rule</b>
2. Future Effective Date of Allowable Emissions: <b>N/A</b>
3. Requested Allowable Emissions and Units: <b>0.2 lb/mmBtu</b>
4. Equivalent Allowable Emissions: <b>37 lb/hour    155.4 tons/year</b>
5. Method of Compliance (limit to 60 characters): <b>EPA Methods 1,2,3,4 and 5</b>
6. Pollutant Allowable Emissions Comment (Desc. of Related Operating Method/Mode) (limit to 200 characters):

**B.**

1. Basis for Allowable Emissions Code:
2. Future Effective Date of Allowable Emissions:
3. Requested Allowable Emissions and Units:
4. Equivalent Allowable Emissions:                      lb/hr                      tons/year
5. Method of Compliance (limit to 60 characters):
6. Pollutant Allowable Emissions Comment (Desc. of Related Operating Method/Mode) (limit to 200 characters):

**Emissions Unit Information Section 3 of 3**

**Pollutant Detail Information: Pollutant 2 of 2**

1. Pollutant Emitted: <b>CO</b>
2. Total Percent Efficiency of Control:
3. Potential Emissions: <b>59.4 lb/hour 249.4 tons/year</b>
4. Synthetically Limited? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
5. Range of Estimated Fugitive/Other Emissions: <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3      _____ to _____ tons/year
6. Emission Factor: Reference: <b>See Attachment EU03-01</b>
7. Emissions Method Code: <input checked="" type="checkbox"/> 0 <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5
8. Calculation of Emissions (limit to 600 characters):  <b>TPY = 249.4</b>  <b>lb/hr =(249.4 tons/yr) x (2000 lbs/ton) x (yr/8400 hrs) = 59.4</b>  <b>Attachment EU03-01</b>
9. Pollutant Potential/Estimated Emissions Comment (limit to 200 characters):  <b>The current maximum permitted fuel input rate is 185 mmBtu/hr and the maximum permitted hours of operation are set at 8400 hours/yr. Potential emissions are based on requested allowable emissions.</b>

**Emissions Unit Information Section 3 of 3**

**Allowable Emissions** (Pollutant identified on front of page)

**A.**

1. Basis for Allowable Emissions Code: <b>ESCPSD</b>
2. Future Effective Date of Allowable Emissions:
3. Requested Allowable Emissions and Units:
4. Equivalent Allowable Emissions: <b>59.4 lb/hour</b> <b>249.4 tons/year</b>
5. Method of Compliance (limit to 60 characters): <b>EPA Method 10</b>
6. Pollutant Allowable Emissions Comment (Desc. of Related Operating Method/Mode) (limit to 200 characters):  <b>Request Compliance Testing only once every five years.</b>

**B.**

1. Basis for Allowable Emissions Code:
2. Future Effective Date of Allowable Emissions:
3. Requested Allowable Emissions and Units:
4. Equivalent Allowable Emissions:                      lb/hr                      tons/year
5. Method of Compliance (limit to 60 characters):
6. Pollutant Allowable Emissions Comment (Desc. of Related Operating Method/Mode) (limit to 200 characters):

**Emissions Unit Information Section 3 of 3**

**I. VISIBLE EMISSIONS INFORMATION  
(Regulated Emissions Units Only)**

**Visible Emissions Limitation: Visible Emissions Limitation 1 of 2**

1. Visible Emissions Subtype: <b>VE30</b>
2. Basis for Allowable Opacity: <input checked="" type="checkbox"/> Rule <input type="checkbox"/> Other
3. Requested Allowable Opacity: Normal Conditions: <b>30 %</b> Exceptional Conditions: <b>40 %</b> Maximum Period of Excess Opacity Allowed: <b>2 min/hour</b>
4. Method of Compliance: <b>EPA Method 9</b>
5. Visible Emissions Comment (limit to 200 characters):  <b>Visible emissions limitations in accordance with Rule 62-296.410 (2) (b) 1.</b>

**Visible Emissions Limitation: Visible Emissions Limitation 2 of 2**

1. Visible Emissions Subtype: <b>VEEX</b>
2. Basis for Allowable Opacity: <input checked="" type="checkbox"/> Rule <input type="checkbox"/> Other
3. Requested Allowable Opacity: Normal Conditions: <b>30 %</b> Exceptional Conditions: <b>100 %</b> Maximum Period of Excess Opacity Allowed: <b>60 min/hour</b>
4. Method of Compliance: <b>Best Operating Practices</b>
5. Visible Emissions Comment (limit to 200 characters):  <b>As allowed by the excess emissions Rule 62-210.700, F.A.C.</b>

**K. PREVENTION OF SIGNIFICANT DETERIORATION (PSD) INCREMENT  
TRACKING INFORMATION  
(Regulated and Unregulated Emissions Units)**

**PSD Increment Consumption Determination**

1. Increment Consuming for Particulate Matter or Sulfur Dioxide?

If the emissions unit addressed in this section emits particulate matter or sulfur dioxide, answer the following series of questions to make a preliminary determination as to whether or not the emissions unit consumes PSD increment for particulate matter or sulfur dioxide. Check the first statement, if any, that applies and skip remaining statements.

- ] The emissions unit is undergoing PSD review as part of this application, or has undergone PSD review previously, for particulate matter or sulfur dioxide. If so, emissions unit consumes increment.
- ] The facility addressed in this application is classified as an EPA major source pursuant to paragraph (c) of the definition of "major source of air pollution" in Chapter 62-213, F.A.C., and the emissions unit addressed in this section commenced (or will commence) construction after January 6, 1975. If so, baseline emissions are zero, and emissions unit consumes increment.
- ] The facility addressed in this application is classified as an EPA major source, and the emissions unit began initial operation after January 6, 1975, but before December 27, 1977. If so, baseline emissions are zero, and emissions unit consumes increment.
- ] For any facility, the emissions unit began (or will begin) initial operation after December 27, 1977. If so, baseline emissions are zero, and emissions unit consumes increment.
- ] None of the above apply. If so, the baseline emissions of the emissions unit are nonzero. In such case, additional analysis, beyond the scope of this application, is needed to determine whether changes in emissions have occurred (or will occur) after the baseline date that may consume or expand increment.

**Emissions Unit Information Section 3 of 3**

**2. Increment Consuming for Nitrogen Dioxide?**

If the emissions unit addressed in this section emits nitrogen oxides, answer the following series of questions to make a preliminary determination as to whether or not the emissions unit consumes PSD increment for nitrogen dioxide. Check first statement, if any, that applies and skip remaining statements.

- ] The emissions unit addressed in this section is undergoing PSD review as part of this application, or has undergone PSD review previously, for nitrogen dioxide. If so, emissions unit consumes increment.
- ] The facility addressed in this application is classified as an EPA major source pursuant to paragraph (c) of the definition of "major source of air pollution" in Chapter 62-213, F.A.C., and the emissions unit addressed in this section commenced (or will commence) construction after February 8, 1988. If so, baseline emissions are zero, and emissions unit consumes increment.
- ] The facility addressed in this application is classified as an EPA major source, and the emissions unit began initial operation after February 8, 1988, but before March 28, 1988. If so, baseline emissions are zero, and emissions unit consumes increment.
- ] For any facility, the emissions unit began (or will begin) initial operation after March 28, 1988. If so, baseline emissions are zero, and emissions unit consumes increment.
- ] None of the above apply. If so, the baseline emissions of the emissions unit are nonzero. In such case, additional analysis, beyond the scope of this application, is needed to determine whether changes in emissions have occurred (or will occur) after the baseline date that may consume or expand increment.

<b>3. Increment Consuming/Expanding Code:</b>			
PM	<input checked="" type="checkbox"/> C	<input type="checkbox"/> E	<input type="checkbox"/> Unknown
SO2	<input checked="" type="checkbox"/> C	<input type="checkbox"/> E	<input type="checkbox"/> Unknown
NO2	<input type="checkbox"/> C	<input type="checkbox"/> E	<input checked="" type="checkbox"/> Unknown
<b>4. Baseline Emissions:</b>			
PM	lb/hour	tons/year	
SO2	lb/hour	tons/year	
NO2		tons/year	
<b>5. PSD Comment (limit to 200 characters):</b>			

**L. EMISSIONS UNIT SUPPLEMENTAL INFORMATION  
(Regulated Emissions Units Only)**

**Supplemental Requirements for All Applications**

1. Process Flow Diagram <input checked="" type="checkbox"/> Attached, Document ID: <u>EU03-02</u> <input type="checkbox"/> Not Applicable <input type="checkbox"/> Waiver Requested
2. Fuel Analysis or Specification <input checked="" type="checkbox"/> Attached, Document ID: <u>EU03-03</u> <input type="checkbox"/> Not Applicable <input type="checkbox"/> Waiver Requested
3. Detailed Description of Control Equipment <input checked="" type="checkbox"/> Attached, Document ID: <u>EU03-04</u> <input type="checkbox"/> Not Applicable <input type="checkbox"/> Waiver Requested
4. Description of Stack Sampling Facilities <input checked="" type="checkbox"/> Attached, Document ID: <u>EU03-05</u> <input type="checkbox"/> Not Applicable <input type="checkbox"/> Waiver Requested
5. Compliance Test Report <input type="checkbox"/> Attached, Document ID: _____  <input checked="" type="checkbox"/> Previously submitted, Date: <u>January 1995</u>  <input type="checkbox"/> Not Applicable
6. Procedures for Startup and Shutdown <input type="checkbox"/> Attached, Document ID: _____ <input checked="" type="checkbox"/> Not Applicable
7. Operation and Maintenance Plan <input type="checkbox"/> Attached, Document ID: _____ <input checked="" type="checkbox"/> Not Applicable
8. Supplemental Information for Construction Permit Application <input type="checkbox"/> Attached, Document ID: _____ <input checked="" type="checkbox"/> Not Applicable
9. Other Information Required by Rule or Statute <input type="checkbox"/> Attached, Document ID: _____ <input checked="" type="checkbox"/> Not Applicable



**Emissions Unit Information Section 3 of 3**

**Additional Supplemental Requirements for Category I Applications Only**

10. Alternative Methods of Operation <input checked="" type="checkbox"/> Attached, Document ID: <b>EU03-06</b> [ ] Not Applicable
11. Alternative Modes of Operation (Emissions Trading) [ ] Attached, Document ID: _____ <input checked="" type="checkbox"/> Not Applicable
12. Identification of Additional Applicable Requirements <input checked="" type="checkbox"/> Attached, Document ID: <b>EU03-07</b> [ ] Not Applicable
13. Compliance Assurance Monitoring Plan <input checked="" type="checkbox"/> Attached, Document ID: <b>EU03-08</b> [ ] Not Applicable
14. Acid Rain Application (Hard-copy Required)  [ ] Acid Rain Part - Phase II (Form No. 62-210.900(1)(a)) Attached, Document ID: _____  [ ] Repowering Extension Plan (Form No. 62-210.900(1)(a)1.) Attached, Document ID: _____  [ ] New Unit Exemption (Form No. 62-210.900(1)(a)2.) Attached, Document ID: _____  [ ] Retired Unit Exemption (Form No. 62-210.900(1)(a)3.) Attached, Document ID: _____  <input checked="" type="checkbox"/> Not Applicable

**ATTACHMENT EU03-01: EMISSIONS CALCULATION**

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**FOSTER WHEELER ENVIRONMENTAL CORPORATION  
CALCULATION SHEET - MATHCAD 5.0+**

By: C. Thompson  
Date: 03/25/96

Client: LFC No. 47 Corp.  
OFS No: 1309

Ck'd By: D. Graziani, P.E.  
Date: 03/28/96

Sheet No.: 1 of 4  
Calc. No.: 960325CJT01a

**Emission Unit Description:**

The emissions unit is a Carbonaceous Fuel Boiler (EU03) manufactured by Bigelow, size KVS - 2836. The unit may be fired with bark, waste wood or paper with up to three (3) percent nonhalogenated plastic or any combination to produce steam which is used to generate a nominal 7.5 MW of electricity. Particulate matter emissions are controlled by a multiclone separator system manufactured by Western Precipitation Division of Joy Manufacturing, model 12VM35, size 50 -5, followed by a model 8M venturi scrubber manufactured by Perry Smith Company, and a vertical separator.

The maximum permitted operating rate is 185 MMBtu heat input per hour of carbonaceous fuel, and the boiler is authorized to operate 8400 hours per year by the existing operating permit. The permit restricts the maximum allowable emission rate for particulate matter (PM) to 0.2 pounds per MMBtu heat input of carbonaceous fuel, plus 0.1 pounds per MMBtu per heat input of fossil fuel. Visible emissions are restricted to 30 percent opacity under normal operating conditions.

**References:**

- No. 1 - FDEP Permit No. AO40 - 179441
- No. 2 - AP-42, Section 1.6
- No. 3 - Construction Permit Application
- No. 4 - File BOILER.XLS (Attached)
- No. 5 - AP-42, Section 2.1
- No. 6 - 1993 Stack Test Performed at LFC No. 47 Corp. Madison County Facility

**Operating Parameters**

Annual Hours of Operation (hrs/yr)	AHOP := 8400	Ref. No. 1
Maximum Heat Input Rate (mmBtu/hr)	MHR1 := 185	Ref. No. 1
Estimated Overall PM Control Efficiency (%)	CONTROL := 98	Ref. No. 3

# FOSTER WHEELER ENVIRONMENTAL CORPORATION

## CALCULATION SHEET - MATHCAD 5.0+

By: C. Thompson  
Date: 03/25/96

Client: LFC No. 47 Corp.  
OFS No: 1309

Ck'd By: D. Graziani, P.E.  
Date: 03/28/96

Sheet No.: 2 of 4  
Calc. No.: 960325CJT01a

### Emission Estimates:

Potential and allowable estimates of emission rates have been based on restrictions in the existing permit, regulations, or emission factors. In this calculation, allowable emission rates are designated with an "ER". Potential emission rates are designated with an "EF", meaning emission factor. These potential rates are presented as required by Rule 62-213, F.A.C. Potential rates are presented to illustrate that they are within the limits of the requested allowable emissions rate. All EF and ER units are in terms of lb/mmBtu. Hourly emissions are denoted with an "H" and annual emissions with an "A".

### Allowable Emission Estimates:

#### Particulate Matter (PM) Emissions (Ref. No. 1)

$$\text{ERPM} := 0.2$$

$$\text{HPM} := \text{ERPM} \cdot \text{MHR}1$$

$$\text{HPM} = 37$$

$$\text{APM} := \text{HPM} \cdot \frac{\text{AHOP}}{2000}$$

$$\text{APM} = 155.4$$

### Potential Emission Estimates:

#### Carbon Monoxide (CO) Emissions (Ref. No. 4)

Potential emissions of CO are based on current operating parameters and the requested allowable emissions rate.

$$\text{ACO} := 249.4$$

$$\text{HCO} := \text{ACO} \cdot \frac{2000}{\text{AHOP}}$$

$$\text{HCO} = 59.38$$

## FOSTER WHEELER ENVIRONMENTAL CORPORATION CALCULATION SHEET - MATHCAD 5.0+

By: C. Thompson  
Date: 03/25/96

Client: LFC No. 47 Corp.  
OFS No: 1309

Ck'd By: D. Graziani, P.E.  
Date: 03/28/96

Sheet No.: 3 of 4  
Calc. No.: 960325CJT01a

The following emission rates are estimates of potential emissions based on emission factors

A) Combustion of 100% Wood (Ref. No 6)

$$\text{AEFCO} := 0.297$$

$$\text{AHCO} := \text{MHR1} \cdot \text{AEFCO} \qquad \text{AHCO} = 54.95$$

$$\text{AACO} := \text{AHCO} \cdot \frac{\text{AHOP}}{2000} \qquad \text{AACO} = 230.77$$

B) Combustion of 65% Paper and 35% Wood (Ref. No.6)

(Emission Factor for paper assumed to be the same as for wood)

$$\text{AEFCO} := 0.297$$

$$\text{BEFCO} := 0.297$$

$$\text{BHCO} := (\text{MHR1} \cdot \text{AEFCO}) \cdot 0.35 + (\text{MHR1} \cdot \text{BEFCO}) \cdot 0.65 \qquad \text{BHCO} = 54.95$$

$$\text{BACO} := \text{BHCO} \cdot \frac{\text{AHOP}}{2000} \qquad \text{BACO} = 230.77$$

C) Combustion of 88% Wood and 12% Tire Derived Fuel (TDF) (Refs. No.6 & No.2)

$$\text{AEFCO} := 0.297$$

$$\text{CEFCO} := 0.175$$

$$\text{CHCO} := (\text{MHR1} \cdot \text{AEFCO}) \cdot 0.88 + (\text{MHR1} \cdot \text{CEFCO}) \cdot 0.12 \qquad \text{CHCO} = 52.24$$

$$\text{CACO} := \text{CHCO} \cdot \frac{\text{AHOP}}{2000} \qquad \text{CACO} = 219.39$$

**FOSTER WHEELER ENVIRONMENTAL CORPORATION**  
**CALCULATION SHEET - MATHCAD 5.0+**

By: C. Thompson  
Date: 03/25/96

Client: LFC No. 47 Corp.  
OFS No: 1309

Ck'd By: D. Graziani, P.E.  
Date: 03/28/96

Sheet No.: 4 of 4  
Calc. No.: 960325CJT01a

D) Combustion of 55% Wood and 45% Tire Derived Fuel (TDF) (Refs. No.6 & No.2)

$$\text{AEFCO} := 0.297$$

$$\text{DEFCO} := 0.175$$

$$\text{DHCO} := (\text{MHR1} \cdot \text{AEFCO}) \cdot 0.55 + (\text{MHR1} \cdot \text{DEFCO}) \cdot 0.45$$

$$\text{DHCO} = 44.79$$

$$\text{DACO} := \text{DHCO} \cdot \frac{\text{AHOP}}{2000}$$

$$\text{DACO} = 188.11$$

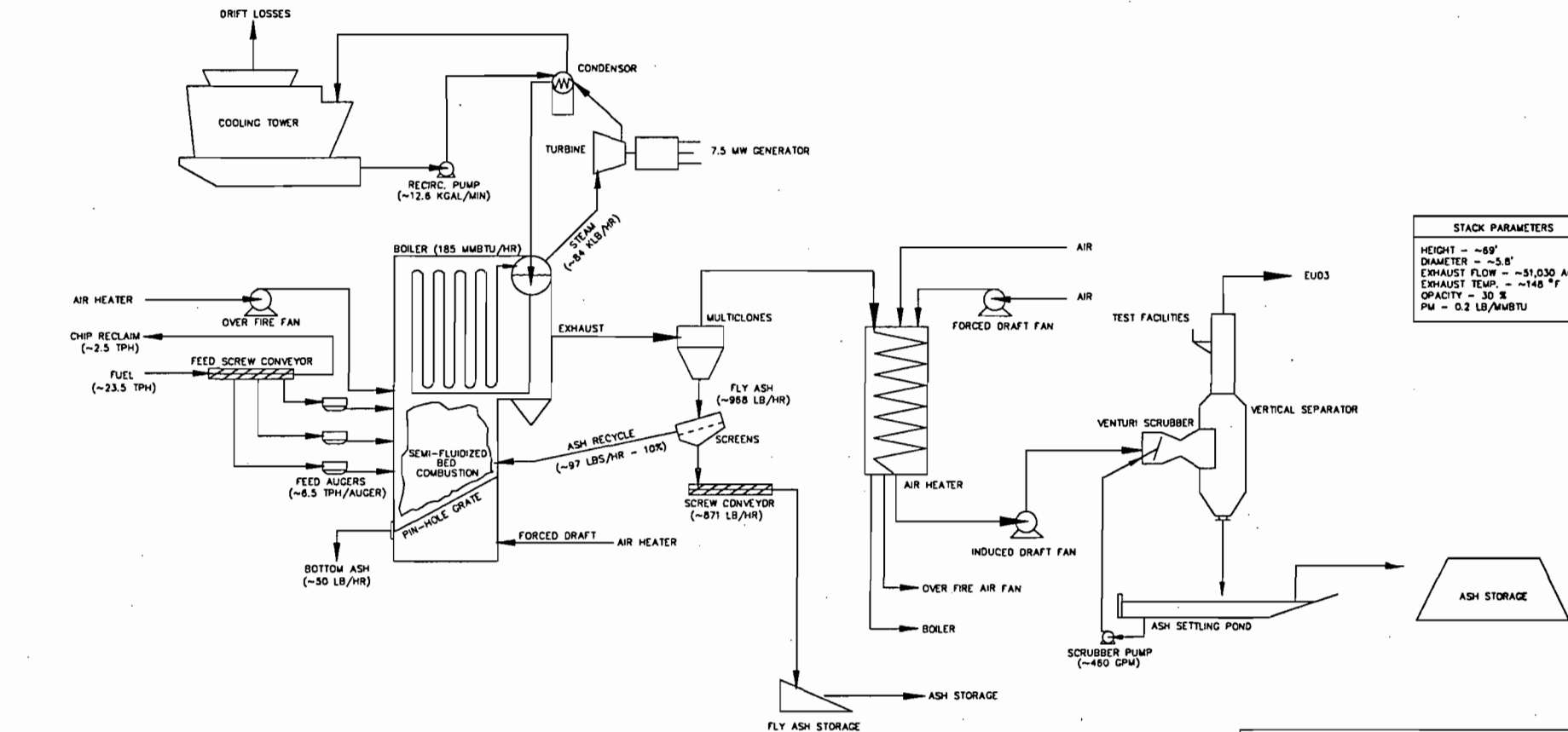
<b>Operating Parameters</b>		
<b>Parameter</b>	<b>Value</b>	<b>Reference</b>
Hours of Operation (hr/yr):	8400	FDEP Permit No. AO33-265694
Max. Heat Input Rate (mmBtu/hr):	185	FDEP Permit No. AO33-265694
Particulate Matter Control Efficiency (%):	98	Construction Permit Application
Wood Waste Heat Content (BTU/lb):	4500	AP-42 Section 1.6
Actual Wood Waste Heat Content (Btu/lb):	4739	Fuel Data
Paper Waste Heat Content (BTU/lb)	5962	Fuel Data
Tire Derived Fuel Heat Content (Btu/lb)	15332	Fuel Data
Refuse Derived-Fuel Heat Content (Btu/lb):	5500	AP-42 Section 2.1

<b>Allowable Emission Rates</b>		
<b>Pollutant</b>	<b>Value</b>	<b>Basis</b>
Particulate Matter (lb/mmBtu)	0.2	Emission Limitation

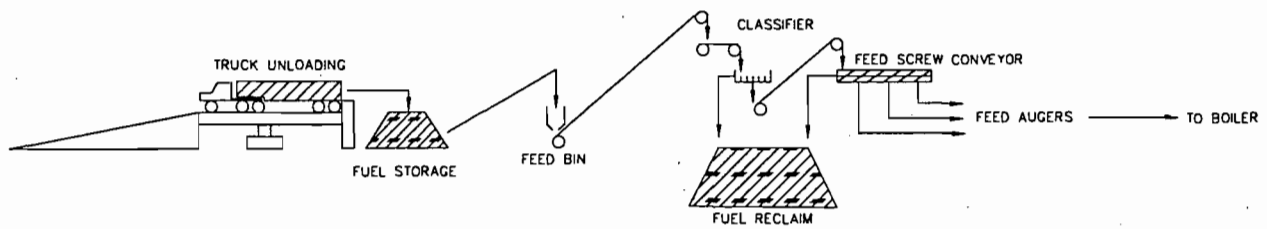
**ATTACHMENT EUO3-02 PROCESS FLOW DIAGRAM**

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STACK PARAMETERS	
HEIGHT	~69'
DIAMETER	~5.8'
EXHAUST FLOW	~51,030 ACFM
EXHAUST TEMP.	~148 °F
OPACITY	30 %
PM	0.2 LB/MMBTU



LFC No.47 Corp. 4000 KRUSE WAY PLACE  
BLDG 1, SUITE 255  
LAKE OSWEGO, OR 97035

**MADISON FACILITY**  
MADISON COUNTY, FLORIDA

SIMPLIFIED PROCESS FLOW DIAGRAM

**F** FOSTER WHEELER ENVIRONMENTAL CORPORATION

SCALE AS SHOWN	PREPARED DJG	CAD FILE NO. MCFPF2.DWG
DATE: 05/14/96	CHECKED: CJT	FIGURE No. EU03-02
	APPROVED: DJF	

**ATTACHMENT EU03-03: FUEL ANALYSIS OR SPECIFICATION**

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The boiler at the Madison Facility is capable of firing carbonaceous fuel as defined in Rule 62-210.200, FAC, paper with up to three percent (3%) nonhalogenated plastics and any other fuel which the unit is capable of firing with the exception of garbage and hazardous waste as defined in Rule 67-712.200, FAC. Rule 62-210.200, FAC defines carbonaceous fuel as solid materials composed primarily of vegetative matter such as tree bark, wood waste, or bagasse. The term "primarily" as used in this definition is being interpreted as at least fifty-one percent (51%) of the allowable heat input.

"Typical" characterizations for the various fuel components comprising the carbonaceous fuel fired in this unit are provided in the table below. No detailed characterization was available for Refuse-Derived Waste (RDW), and all emission factors based on combustion of this waste were taken directly from AP-42.

<b>LFC NO. 47 CORPORATION EMISSION ESTIMATES FUEL ANALYSES</b>					
Ultimate Analysis	Fuel Type (wet Basis)			Fuel Type	
	Paper Average	Wood	TDF	Paper Dry	Wood Dry
Heat Content (Btu/lb)	5962	4739	15332	N/A	N/A
Carbon	39.12%	28.50%	81.63%	47.21%	48.17%
Hydrogen	4.96%	3.32%	7.03%	5.99%	5.61%
Oxygen	25.64%	23.52%	1.06%	30.93%	39.75%
Nitrogen	0.80%	0.08%	0.54%	0.97%	0.14%
Sulfur	0.15%	0.05%	2.02%	0.18%	0.08%
Chlorine	0.03%	0.00%	0.00%	0.04%	0.00%
Water	17.07%	40.84%	2.95%	N/A	N/A
Ash (Inerts)	12.17%	3.70%	4.87%	14.69%	6.25%
Trace Metals (ug/g-ash)					
Arsenic	0.35	AP-42	ND	AP-42	ND
Barium	19.87	AP-42	ND	AP-42	ND
Beryllium	0.12	AP-42	ND	AP-42	ND
Cadmium	0.16	AP-42	ND	AP-42	ND
Chromium	2.83	AP-42	ND	AP-42	ND
Copper	6.03	AP-42	ND	AP-42	ND
Lead	19.78	AP-42	ND	AP-42	ND
Manganese	8.65	AP-42	ND	AP-42	ND
Mercury	0.04	AP-42	ND	AP-42	ND
Nickel	1.59	AP-42	ND	AP-42	ND
Selenium	0.38	AP-42	ND	AP-42	ND
Strontium	6.36	AP-42	ND	AP-42	ND
Zinc	18.39	AP-42	ND	AP-42	ND

**ATTACHMENT EU03-04: DETAILED DESCRIPTION OF CONTROL  
EQUIPMENT**

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Pollution control equipment for the carbonaceous fuel boiler consists of a dry cyclone dust collector, a wet venturi scrubber, and overfire/underfire air control. The process flow diagram is included as Attachment MCF-003. Control equipment details are as follows:

- **Western Precipitation "Multiclone", Model 12 VM 35, Size 50 - 5.**

Performance Data:

88,500 ACFM @ 650° F with 2.51" w.g. ΔP

Collection efficiency based on manufacturer's calculations and data obtained from prior installations > 80%

- **Perry Smith Company Model 80M wet venturi scrubber with vertical moisture separator.**

Performance Data:

64,600 ACFM @ 350°F with 6" w.g. ΔP in venturi and 2" w.g. ΔP in separator.

Water scrubbing rate = 500-600 GPM

Water evaporation rate ≈ 20 GPM

Collection efficiency based on data obtained from prior installations > 90%

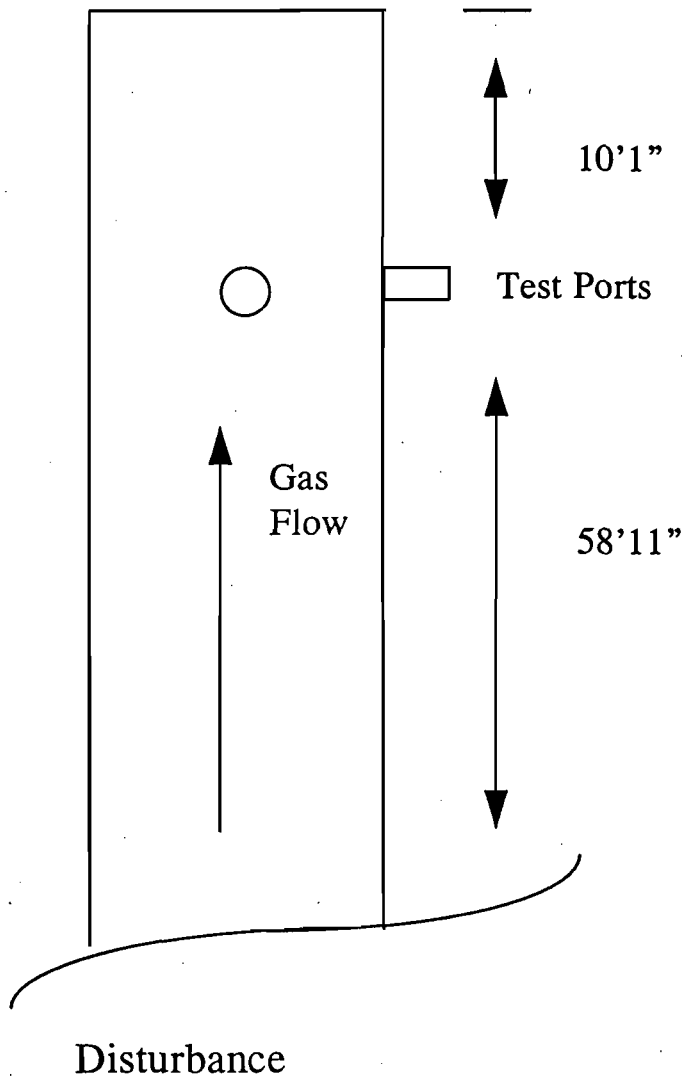
- The boiler is equipped with an overfire air system which creates turbulence in the furnace and further completes combustion of hydrocarbons and small particles of suspended fuels.

The efficiencies of the pollution control systems were based on data in the construction permit applications.

**ATTACHMENT EU03-05: DESCRIPTION OF STACK SAMPLING  
FACILITIES**

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The boiler scrubber exhaust (EU03) is equipped with stack sampling ports as illustrated below. The exhaust stack is 5.8" in diameter. An attached ladder provides access to the sampling platform which is permanently mounted to the exhaust structure. The height of the test platform above grade is 53'. The height of the stack above grade is approximately 69'. The two sampling ports are each 3" IPS with MPT Connections, 90° apart. Hanger brackets are mounted above the sampling ports. Two 120 Volt, 20 Amp outlets are located at the platform. All test facilities are in accordance with Rule 297.310(6), Florida Administrative Code (F.A.C.).



**ATTACHMENT EU03-06: ALTERNATIVE METHODS OF OPERATION**



The boiler at the Madison Facility (EU03) is capable of firing carbonaceous fuel as defined in Rule 62-210.200, FAC, paper with up to three percent (3%) nonhalogenated plastics and any other fuel which the unit is capable of firing with the exception of garbage and hazardous waste as defined in Rule 67-712.200, FAC. Rule 62-210.200, FAC defines carbonaceous fuel as solid materials composed primarily of vegetative matter such as tree bark, wood waste, or bagasse. The term "primarily" as used in this definition is being interpreted as at least fifty-one percent (51%) of the allowable heat input.

The fuel mixtures combusted in this emissions unit are composed of the following fuels at these maximum concentrations. Each mixture is listed as a separate Alternative Operating Scenario (AMO).

AMO-01 - 100% Wood

AMO-02 - 65% Paper (maximum) and 35% Wood (minimum)

AMO-04 - 88% Wood (minimum) and 12% Tire-Derived Fuel (TDF) (maximum)

AMO-05 - 55% Wood (minimum) and 45% Refuse-Derived Fuel (RDF) (maximum)

**ATTACHMENT EU03-07: IDENTIFICATION OF ADDITIONAL APPLICABLE  
REQUIREMENTS**

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The additional applicable requirements are included within the attached current state operating permit (AO40-179441). Specific Conditions which are included in the List of Applicable Regulations have been crossed out.

17.20.20



# Department of Environmental Protection

Lawton Chiles  
Governor

Northeast District  
7825 Baymeadows Way, Suite B200  
Jacksonville, Florida 32256-7590

Virginia B. Wetherell  
Secretary

## NOTICE OF PERMIT MODIFICATION

### CERTIFIED - RETURN RECEIPT

Mr. David J. Brown  
V.P. Field Operations  
LFC No. 47 Corporation  
4000 Kruse Way Place, Bldg. 1, Suite 255  
Lake Oswego, Oregon 97035

Dear Mr. Brown:

Madison County - AP  
LFC No. 47 Corporation  
LD. Number: 31GVL40001101  
Permit/Cert Number: AO40-179441  
Date of Issue: July 09, 1990  
Revised: June 02, 1995  
Expiration Date: July 24, 1995  
Project: Boiler (Carbonaceous fuel fired)

Enclosed are revised pages 5 & 6 of Permit Number AO40-179441 to operate the subject air pollution emissions unit(s), pursuant to the modification application received April 10, 1995.

A person whose substantial interests are affected by this permit may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within 14 days of receipt of this Permit. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, Florida Statutes.

The Petition shall contain the following information;

- (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department Permit File Number and the county in which the project is proposed;
- (b) A statement of how and when each petitioner received notice of the Department's action or proposed action;
- (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action;

**PERMITTEE:**

LFC No. 47 Corporation

Permit/Cert Number: AO40-179441

Project: Boiler (Carbonaceous fuel fired)

- (d) A statement of the material facts disputed by Petitioner, if any;
- (e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action;
- (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and
- (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this permit. Persons whose substantial interests will be affected by any decision of the Department with regard to the application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of receipt of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, F.A.C.

This permit is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition and conforms to Rule 62-103.070, F.A.C. Upon timely filing of a petition or a request for an extension of time this permit will not be effective until further Order of the Department.

When the Order (Permit) is final, any party to the Order has the right to seek judicial review of the Order pursuant to Section 120.68, Florida Statutes, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate procedure, with the Clerk of the Department in the Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; 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 the Final Order is filed with the Clerk of the Department.

Executed in Jacksonville, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

*Ernest E. Frey*  
 Ernest E. Frey, P.E.  
 Director of District Management

*William C. Zegel*  
 EEF:CLK/PA:JLC  
 cc: William C. Zegel, P.E.

**CERTIFICATE OF SERVICE**

This is to certify that this NOTICE OF PERMIT and all copies were mailed before the close of business on 6/6/95 to the listed persons.

**FILING AND ACKNOWLEDGEMENT**  
 FILED, on this date, pursuant to §120.52 Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.  
*Deanna Benfield* 6/6/95

PERMITTEE:  
LFC No. 47 Corporation  
4000 Kruse Way Place, Bldg. 1, Suite 255  
Lake Oswego, Oregon 97035

I.D. Number: 31GVL40001101  
Permit/Cert Number: AO40-179441  
Date of Issue: July 09, 1990  
Revised: June 02, 1995  
Expiration Date: July 24, 1995

SPECIFIC CONDITIONS:

- 1. The ID. No. and Project name for this source shall be used on all correspondence.
- 2. The maximum input (operating rate) is listed below and shall not be exceeded without prior Department approval:

MATERIAL	RATE
Carbonaceous Fuels <sup>1</sup>	185 MMBTU/hr <sup>2</sup>

<sup>1</sup>Consists of wood, bark, paper, and waste wood  
<sup>2</sup>Basis: 4500 BTU/lb; 41,111 lbs/hr

- 3. Testing of emissions must be performed at an operating rate of at least 90% of the rate in Specific Condition No. 2, or Specific Condition No. 4 will become effective - [FAC Rule 62-297.310(2)(b)].
- 4. The operating rate shall not exceed 110% of the most recently accepted test, except for additional testing purposes, and shall not exceed the rate in Specific Condition No. 2. After testing at a higher rate, the operating rate shall continue to not exceed the aforementioned rate until the test report at the higher rate is reviewed and accepted by the Department - [FAC Rule 62-297.310(2)].
- 5. The permitted maximum allowable emission rate for each pollutant is as follows:

POLLUTANT	EMISSION RATE		FAC RULE
	LBS/HR	TPM	
PM <sup>1</sup>	37.0 <sup>2</sup>	155 <sup>3</sup>	62-296.410(2)(b)2.
VE <sup>4</sup>	30% opacity <sup>5</sup>		62-296.410(2)(b)1.

<sup>1</sup>PM - particulate matter  
<sup>2</sup>Basis applicant requested on March 28, 1995 a limit of 0.2 lb/MMBTU; 185 MMBTU/hr  
<sup>3</sup>Operation hours shall be limited to 24 H/D, 7 D/W, 50 W/Y and shall be recorded.  
<sup>4</sup>VE - visible emissions  
<sup>5</sup>except 40% for 2 mins/hr.

- 6. Unconfined particulate matter emissions shall be controlled by application of dust suppressants, unless an alternative method is requested and approved, to all areas necessary to reasonable control such emissions per FAC Rule 62-296.310(3).
- 7. Test the emissions for the following pollutant(s) within 60 days prior to the date stated below, notify the Department 15 days prior to testing [FAC Rule 62-297.340(1)(i)], and submit the test report documentation to the Department within 45 days after completion of the testing [FAC Rule 62-297.570(2)]:

POLLUTANT	TEST INTERVAL	TEST METHOD
PM <sup>1</sup>	12 mos. from 01-24-95	EPA 5
VE	12 mos. from 01-24-95	EPA 9

<sup>1</sup>Compliance and the test heat input rate shall be based on test data and 9280 DSCF/MMBTU or the actual F-factor determined from acceptable data collected during the test period.

Tests and test reports shall comply with the requirements of FAC Rules 62-297.401 and 62-297.570, respectively.

**PERMITTEE:**

LFC No. 47 Corporation  
4000 Kruse Way Place, Bldg. 1, Suite 255  
Lake Oswego, Oregon 97035

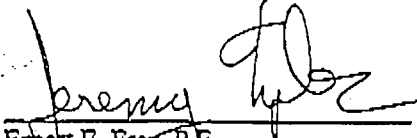
LD. Number: 31GVL40001101  
Permit/Cert Number: AO40-179441  
Date of Issue: July 09, 1990  
Revised: June 02, 1995  
Expiration Date: July 24, 1995

**SPECIFIC CONDITIONS:**

- 8. In each test report, submit the maximum input/production rate at which this source was operated since the most recent test.
- 9. Any revision(s) to a permit (and application) must be submitted to the Department, in writing, and approved by the Department prior to implementation.
- 10. ~~A completed Application for Air Permit - Long Form [DEP Form No. 62-2 (0-900(1))] for a Title V permit is due 11-1-95.~~

Executed in Jacksonville, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

*for*   
 Ernest E. Frey, P.E.  
 Director of District Management

**FILING AND ACKNOWLEDGEMENT**  
 FILED, on this date, pursuant to §120.52 Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.  
*Nancy Benfield* Clerk      *6/6/95* Date

**ATTACHMENT EU03-08: COMPLIANCE ASSURANCE MONITORING PLAN**



**RESERVED - PENDING RULE ADOPTION**

**ATTACHMENT EU03-08: COMPLIANCE ASSURANCE MONITORING PLAN**

LFC

Johnny,  
Here is LFC's  
test report for CO that  
shows they have emissions  
greater than 100 Tpy.  
Star has entered this  
in APIS.

CP needs to be modified

Needs clause that states: For Title V  
tracking purposes this source emits  
130 TONS CO per year.

Also need to determine if PM should be  
changed to maximum now that source  
will no longer be minor.

Will JAX or TAL be doing modification?

Part of file  
with no dates.

D.I.

TO SCOTT

DATE 5/22 TIME 12:30  
WHILE YOU WERE OUT

M VICTOR

of LSE POWER SYSTEM

PHONE 904 - 997 - 0515  
AREA CODE NUMBER EXTENSION

TELEPHONED	PLEASE CALL	WILL CALL AGAIN	
RETURNED YOUR CALL		CALL IMMEDIATELY	
CAME TO SEE YOU		WANTS TO SEE YOU	

MESSAGE ANNUAL

Waiting on info -

Call -  
need, tons burned  
PM required by  
permit.

By \_\_\_\_\_

left message  
5/22 →  
talked to Victor  
(904)-997-0515  
going to send info.

Madison Co. - AA  
LFC  
Carb, Boiler  
mod. ACP review  
APPLICATION PROCESSING

M

~~11-05-90~~

1. When received

- Per AK on 11/2, if minor at major, notify P. Adams or B. Andrews. Then process, unless told to send to CAPS.
- If biohaz waste incinerator or soil decon  
1. Send 'Notice of Permit Application' to
  - 1. Chair of Board of County Commissioners
  - 2. Highest elected city official
  - 3. Each State Senator
  - 4. State Representative
- 3. Type Code and Subcode
  - 1. Fee Amount
  - ~~2. Refund form and note (send to)~~ no refund as of 7/1/91
- If boiler < 250, send for BACT
- If major new or mod, send to CAPS

2. If ACP (if AOP, #3,5,6,7,8,9 do not apply)

- 1. Rule limits
- 2. Other limits - NSPS, NSR, Toxics, Used Oil, Soil Decon
- 3. AAQ (if renewal AOP, use screen model)
- 4. Additional Information
- 5. Draft permit copy to GBO, ADES and/or LO (Based on location)
- 6. P/N copy to GBO, ADES, <sup>LC</sup> and (see 1.2.1.1.-4. above)
- 7. Intent (~~copy to See 5.~~) (copy to -- same as 2.6.)
- 8. OGC at end of 14 days
- 9. Prepare CP
- 10. APIS
- 11. Prepare OP, if OP is a renewal of an incinerator burning bio-waste, add SC that must meet new Rule by \_\_\_\_\_.

~~12. Memo to BK~~

\* If OGC has assigned an <sup>OGC case</sup> number during processing, then when <sup>permit</sup> issued, etc. the E-mail msg is to be sent to Chris at OGC.

13. 10/29/93 (1) tab pages to be signed; (2) note clock date

BEFORE THE STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL REGULATION

*Madison Co*

STATE OF FLORIDA DEPARTMENT :  
OF ENVIRONMENTAL REGULATION, : IN THE OFFICE OF THE  
Complainant, : NORTHEAST DISTRICT  
vs. : OGC Case No. 86-1142  
BIOMASS POWER CORPORATION, :  
Respondent. :  
\_\_\_\_\_ :

DRAFT

CONSENT ORDER

This Consent Order is made and entered into between the State of Florida Department of Environmental Regulation ("Department") and Biomass Power Corporation ("Respondent"), 145 Camp Drive, Dunnellon, Florida 32630.

The Department finds and Respondent admits the following:

1. The Department is the administrative agency of the State of Florida charged with the duty to enforce Chapter 403, Florida Statutes (F.S.), and the rules promulgated thereunder, Florida Administrative Code (F.A.C.) Title 17.

2. Respondent is a Florida corporation authorized to transact business in Florida. Respondent owns and operates an electricity generating facility (facility) located on County Road 591, 1.5 miles north of Madison, Madison County, Florida. Respondent's resident agent is Robert J. Spence, 22 Johnson Street, Hawthorne, Florida 32640.

3. In conjunction with the operation of the facility, Respondent operates a carbonaceous fuel-fired boiler (boiler). Particulate emissions from the boiler are controlled by a multicyclone and a venturi scrubber in series.

4. Operation of the boiler is authorized by the Department under Operation Permit No. AO40-105817 (Permit), issued July 24, 1985 and expiring July 24, 1990. Specific Condition No. 4 of the permit gives the maximum allowable emission rate for particulate matter as 24.65 lbs/hr, pursuant to F.A.C. Rule 17-2.600(10)(b)2.b. Specific Condition No. 4 of the Permit also gives the maximum allowable visible emission (VE) as 30% opacity, except for 40% for two minutes per hour, pursuant to F.A.C. Rule 17-2.600(10)(b)2.a. Specific Condition No. 5 of the Permit gives the interval for testing the emission for particulate matter and VE as every six months from the date of May 16, 1985.

5. On October 10, 1985, Department personnel conducted a VE test on the boiler stack for the purpose of verifying compliance, pursuant to F.A.C. Rule 17-2.600(10)(b)2.a. The test indicated noncompliance in that the highest six-minute average was 93.3% as opposed to 30% allowed by Specific Condition No. 4 of the Permit. During a post test inspection, Department personnel determined that the scrubber had not been operating during the test period.

6. On November 25, 1985, January 10, February 24 and April 28, 1986, the Department issued Respondent Warning Notice No. NE-W-40-2672, Request Notice No. JRN-40-2740, Warning Notice No. NE-W-40-2782 and Request Notice No. JRN-40-2782A (notices) respectively, for failure of the October 10, 1985 VE test. The Notices cited Respondent for violations of F.A.C. Rules 17-2.240, 17-2.250(1), 17-2.250(4), 17-2.250(6), 17-2.600(10)(b)2.a. and 17-4.13.

7. On March 12, 1986, Respondent conducted a stack test and a VE test on the boiler stack for the purpose of demonstrating compliance with Specific Condition No. 4 of the Permit. The test, after review by the Department, indicated noncompliance in that the particulate emissions were 50.57 lbs/hr as opposed to 24.65 lbs/hr allowable under U.S. Environmental Protection Agency Reference Method (EPA Method) 5 test conditions.

8. Respondent conducted a retest on the boiler stack on May 21, 1986. The test, after review by the Department, indicated compliance with Specific Condition No. 4 of the Permit in that the particulate emissions were 20.58 lbs/hr as opposed to 22.14 lbs/hr allowable under EPA Method 5 test conditions.

9. On June 4 and 5, 1986, Department personnel conducted a stack test on the boiler stack for the purpose of demonstrating compliance with Specific Condition No. 4 of the Permit. The stack test indicated compliance with Specific Condition No. 4 of the Permit in that the particulate emissions were 14.92 lbs/hr as opposed to 21.78 lbs/hr allowable under EPA Method 5 test conditions.

10. During the June 4 and 5, 1986 stack test, Department personnel noted that the plume was saturated with water indicating that the water flow to the scrubber had been increased relative to the water flow on June 3, 1986 when the plume was not saturated.

11. The Department received Respondent's annual operating report (report) for the boiler on May 9, 1986. Specific Condition No. 6 of the Permit required the submittal of the report on or before March 1, 1986.

12. On June 9, 1986, the Department issued Respondent Warning Notice No. NE-W-40-2892 for failure of the March 12, 1986 stack test and for late submittal of the report. The Warning Notice cited Respondent for violations of F.A.C. Rules 17-2.600(10)(b)2.b. and 17-4.14.

13. The Department and Respondent met on June 9, 1986 in an attempt to resolve the violations. As a result of this meeting and negotiations between the Department and Respondent, the issues raised herein have been resolved.

THEREFORE, having met and reached a resolution of the matter, pursuant to F.A.C. Rule 17-103.110, the Department and Respondent mutually agree, and it is

ORDERED:

14. Respondent shall install, within 30 days from the effective date of this Consent Order, equipment and gauges to measure the pressure drop across the scrubber and water flow to the scrubber.

15. Immediately and henceforth, Respondent shall monitor and log the scrubber operating parameters. Respondent shall submit the operating logs to the Department on a quarterly basis for one year beginning 90 days from the effective date of this Consent Order.

16. Respondent shall determine the water flow to the scrubber which results in a saturated plume, and shall submit that information to the Department within 45 days from the effective date of this Consent Order.

17. Respondent shall maintain sufficient water flow to the scrubber to result in a saturated plume.

18. As reimbursement of the Department's costs and expenses of investigation and in further settlement of this matter, Respondent shall pay the Department the sum of \$10,304.00. The payment shall be in the form of a cashier's check or money order, made payable to the Department of Environmental Regulation, and submitted within 20 days from the effective date of this Consent Order, to the Department of Environmental Regulation, Northeast District, 3426 Bills Road, Jacksonville, Florida 32207.



19. Respondent shall allow authorized representatives of the Department access to the property at reasonable times for purposes of determining compliance with this order and the rules and regulations of the Department.

20. The Department hereby expressly reserves the right to initiate appropriate legal action to prevent or prohibit the future violation of applicable statutes, or the rules promulgated thereunder.

21. The Department, for and in consideration of the complete and timely performance by Respondent of the obligations agreed to in this Consent Order, hereby waives its right to seek judicial imposition of damages, or civil or criminal penalties for violations outlined in this Consent Order. Respondent waives its right to a hearing or judicial review of the terms of this Consent Order, except in cases of third party intervention.

22. Entry of this Consent Order does not relieve Respondent of the need to comply with applicable federal, state, or local laws, regulations, or ordinances. The entry of this Consent Order does not abrogate the rights of substantially affected persons who are not parties to this Order, pursuant to Chapter 120, F.S. Statutes.

23. The terms and conditions set forth in the Consent Order may be enforced in a court of competent jurisdiction pursuant to Sections 120.69 and 403.121, F.S. Failure to comply with the terms of this Consent Order shall constitute a violation of Section 403.161(1)(b), F.S.

24. Respondent is fully aware a violation of the terms of this Consent Order may subject Respondent to judicial imposition of damages, civil penalties of up to \$10,000 per day, per offense, and criminal penalties.

25. Persons other than the parties to this Consent Order whose substantial interests are affected by this Consent Order have a right, pursuant to Section 120.57, F.S., to petition for an administrative determination (hearing). The petition must conform to the requirements of F.A.C. Chapters 17-103 and 28-5, and must be filed (received) with the Department's Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida, 32301,