



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

AUG 5 1999

4APT-ARB

Howard L. Rhodes, Director
Air Resources Management Division
Florida Department of Environmental Protection
Mail Station 5500
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

SUBJ: EPA's Review of Proposed Title V Permit
Orlando Utilities Commission
Indian River Plant
Permit No. 0090008-001-AV

Dear Mr. Rhodes:

The purpose of this letter is to provide comments to the Florida Department of Environmental Protection (DEP) on the proposed title V operating permit for Orlando Utilities Commission, Indian River Plant, which was posted on DEP's web site on June 21, 1999. Based on the Environmental Protection Agency's (EPA's) review of the proposed permit and the supporting information for this facility, EPA formally objects, under the authority of Section 505(b) of the Clean Air Act (the Act) and 40 C.F.R. § 70.8(c) (see also Florida Regulation 62-213.450), to the issuance of the title V permit for this facility. The basis of EPA's objection is that the permit does not fully meet the periodic monitoring requirements of 40 C.F.R. § 70.6(a)(3)(i), and does not address all operational requirements and limitations to ensure compliance with all applicable requirements as specified under 40 C.F.R. § 70.6(a)(1).

Section 70.8(c) requires EPA to object to the issuance of a proposed permit in writing within 45 days of receipt of the proposed permit (and all necessary supporting information) if EPA determines that the permit is not in compliance with the applicable requirements under the Act or 40 C.F.R. Part 70. Section 70.8(c)(4) and Section 505(c) of the Act further provide that if the State fails to revise and resubmit a proposed permit within 90 days to satisfy the objection, the authority to issue or deny the permit passes to EPA and EPA will act accordingly. Because the objection issues must be fully addressed within the 90 days, we suggest that the revised permit be submitted in advance in order that any outstanding issues may be addressed prior to the expiration of the 90-day period.

Pursuant to 40 C.F.R. § 70.8(c), this letter and its enclosure contain a detailed explanation of the objection issues and the changes necessary to make the permit consistent with the requirements of 40 C.F.R. Part 70. The enclosure also contains general comments applicable to the permit.

If you have any questions or wish to discuss this further, please contact Mr. Gregg Worley, Chief, Operating Source Section at (404) 562-9141. Should your staff need additional information they may contact Ms. Elizabeth Bartlett, Florida Title V Contact, at (404) 562-9122, or Ms. Angelia Souder-Blackwell, Associate Regional Counsel, at (404) 562-9527.

Sincerely,



Winston A. Smith

Director

Air, Pesticides and Toxics
Management Division

Enclosure

cc: Mr. Gregory A. DeMuth
Director, Environmental Division
Orlando Utilities Commission

Enclosure

**U.S. EPA Region 4 Objection
Proposed Part 70 Operating Permit
Orlando Utilities Commission
Indian River Plant
Permit no. 0090008-001-AV**

I. EPA Objection Issues

1. Periodic Monitoring - The permit does not require sufficient periodic monitoring to ensure compliance with the applicable particulate matter limit for units 001 through 003. Condition III.A.5 requires annual compliance testing for particulate matter emissions to allow a 40 percent visible emissions limit for the three boilers, however permit condition III.A.21 appears to negate the annual test requirement if liquid fuel is not burned for more than 400 hours for that federal fiscal year. The permit must require the source to conduct more frequent testing or a technical demonstration must be included in the statement of basis explaining why the State has chosen not to require any additional PM testing. The demonstration needs to identify the rationale for basing the compliance certification on data from a test performed once a year.
2. Periodic Monitoring - Conditions III.A.4, B.3, C.2.d, C.2.d, and C.3, contain limits on operating hours for each of the units associated with fuel use and/or limits on "potential to emit." In order for the operational limit to be enforceable as a practical matter, the permit must specify that the facility is required to keep daily records of the operating hours, and where applicable, associated fuel use.
3. Periodic Monitoring - Condition III.F.1 contains operational limits for the number of hours per week during which loading can occur, and the maximum process loading rate for the lime storage silo. In order for the operational limits to be enforceable as a practical matter, the permit must require record keeping for the operating hours and process loading rate of the lime storage silo to ensure continuous compliance with these limits.
4. Periodic Monitoring - Condition III.F.4. requires the source to conduct a Method 9 visible emissions test for the lime storage silo. The permit needs to designate a required frequency for this compliance test. Additionally, EPA recommends that the permit contain a condition that requires the source to perform and record the results of a qualitative observation of opacity (40 C.F.R. Part 60, Method 22) at least once on each day while the loading operations are taking place. The records of these observations should indicate whether or not any abnormal visible emissions are detected and include color, duration, and density of the plume, as well as the cause and corrective action taken for any abnormal visible emissions.

If an abnormal visible emission is detected, a Method 9 survey shall be conducted during lime loading operations, within 24 hours of the qualitative survey. If lime filling does not occur within 24 hours of the detected visible emission, a Method 9 survey shall occur at the next time the silo is loaded.

5. Appropriate Averaging Times - In order for the emissions standard for particulate matter in conditions III.A.7 and A.8 and for pollutants listed in conditions III.B.4, B.6, and C.5 (excluding NOx and sulfur dioxide, for which "excess emissions" are defined in condition III.D.4) to be practicably enforceable, the appropriate averaging time must be specified in the permit. An approach that can be used to address this deficiency is to include general language in the permit to indicate that averaging times for all specified emission standards are tied to or based on the run time of the test method(s) used for determining compliance.
6. Applicable Requirements - Condition III.B.7. allows the source to operate Combustion Turbines A and B "at or better than the minimum water to fuel ratios measured for the most recent (satisfactory) compliance demonstration." This condition conflicts with the requirements of 40 C.F.R. § 60.333(c)(1), which requires compliance with the "water-to-fuel ratio determined to demonstrate compliance with § 60.332 by the [initial] performance test required in § 60.8 or any period during which the fuel-bound nitrogen of the fuel is greater than the maximum nitrogen content allowed by the fuel-bound nitrogen allowance used during the performance test required in § 60.8."
7. Applicable Requirements - PSD-FL-173 Condition 15 does not appear to have been incorporated into the title V permit for this source. A condition requiring utilization of water injection for NOx control and specifying the appropriate water to fuel ratios must be added to Subsection C for Combustion Turbines C & D. In accordance with PSD condition 15, "The water to fuel ratio at which annual compliance is achieved shall be incorporated into the permit and shall be continuously monitored. The system shall meet the requirements of 40 C.F.R. Part 60, Subpart GG." Condition III.C.10. requires that the ratios be provided to demonstrate compliance with the permitted emission rate, but this condition alone does not meet the intent of Condition 15.
8. Applicable Requirements - To comply with the applicable requirements of 40 C.F.R. Subpart GG, discussed in Objection Item #7, condition III.D.1. should be replaced with specific nitrogen oxide standards for Combustion Turbines A & B and C & D, calculated using the values for fuel-bound nitrogen used during the initial compliance tests for these units.
9. Acid Rain Requirements - In accordance with 40 C.F.R. 70.6(a)(1)(ii), the permit must state that, "where an applicable requirement of the Act is more stringent than

an applicable requirement of the regulations promulgated under title IV of the Act, both provisions shall be incorporated in the permit and shall be enforceable by the Administrator.”

II. General Comments

1. Public Comment Period - The transmittal memo sent to the facility containing response to comments indicates that the 30-day public comment period began on October 8, 1997. The response to comments section documents changes made to the permit in response to written comments dated October 17, 1997, and received on December 10, 1997, written comments dated April 12, 1999, and a meeting held with OUC personnel on May 4, 1998. All changes made to the draft permit appear to be based on comments received from OUC outside of the 30-day public comment period. Because changes of potential public concern were made to the draft permit after the public comment period (see Objection Item #6), the revised draft permit should have been renoticed to accommodate input from the entire public. If the October 17, 1997, letter from OUC was an extension request, the appropriate action would have been for FDEP to extend the public comment period for a specified amount of time allowing the entire public the opportunity to provide comments on the draft permit.
2. Page 2, Condition I.A. - The “Facility Description” indicates that the facility is a major source of hazardous air pollutants (HAPs), but does not identify which HAPs. The facility is also a major source of sulfur dioxide, particulate matter, carbon monoxide, and nitrogen oxides. For clarity, the permit and/or statement of basis should specify each pollutant for which the facility is a major source.
3. Page 4, Condition II.11. - Please correct the telephone and fax number for the Air Enforcement Section. The correct telephone and fax numbers are (404)562-9155 and (404)562-9163, respectively. This condition should also cross-reference condition 51 of Appendix TV-3, which lists the necessary elements of a compliance certification required under 40 C.F.R. 70.6(c)(5)(iii).
4. Page 5, Condition III.A.1. - As specified in Appendix C of the permit application, this condition should also limit on-specification used oil firing such that the heat input is no more than 10 percent of the permitted heat input on No. 6 Fuel Oil while combusting either no. 6 Fuel Oil or Pipeline Natural Gas.
5. Page 6, Condition III.A.5. - This condition limits the visible emissions from the three steam generating units to 40% opacity, and requires the source to conduct a compliance test for particulate matter annually. The Florida SIP Rule 62-296.405(1)(a), F.A.C., *Fossil Fuel Steam Generators with more than 250 million Btu per Hour Heat Input*, requires quarterly testing for particulate matter to

comply with the 40 % opacity limit, unless the facility has petitioned and received approval from FDEP to allow annual particulate testing. Documentation was not available during the permit review to verify FDEP approval for annual testing. Please provide documentation of FDEP's approval for annual particulate testing or revise this condition to reflect the requirements of 62-296.405(1)(a), F.A.C.

6. Page 7, Condition III.A.11. - This condition mistakenly refers to condition A.24 for SO2 record keeping requirements. Please modify this condition to reference A.22.
7. Page 7, Condition III.A.12(a) - This condition is vague as to how it applies to OUC. Specific equipment for which this requirement is applicable should be listed.
8. Page 15, Condition III.B.6. - The PM10 limit for oil was incorrectly copied from the PSD permit as 87.6 TPY per Unit. Please change this value to 43.8 TPY per Unit.
9. Page 20, Condition III.D.5. - This condition refers to compliance test for each "diesel generator." Should this be changed to say "combustion turbine?"
10. Page 33, Subsection E - While this subsection is intended to apply to Units 001 through 007, this applicability should be stated as the first condition in this subsection, and references to this subsection should be provided as specific permit conditions in Subsections A, B, and C. As the permit stands, short paragraphs are provided in each of the other subsections which are mixed in with various, unrelated conditions.