Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Rick Scott
Governor

Jennifer Carroll
Lt. Governor

Herschel T. Vinyard Jr.
Secretary

Electronic Mail – Received Receipt Requested.

Mr. Robby Odom, Plant Manager
Progress Energy Florida, Inc.
299 First Avenue North, CN-77
St. Petersburg, Florida 33701

Re: Air Construction Permit No. 0170004-037-AC (PSD-FL-383E)
Crystal River Power Plant

Dear Mr. Odom:

Enclosed is the draft permit package to issue an air construction permit revision for the Crystal River Power Plant. The facility is located north of Crystal River and west of U.S. Highway 19 in Citrus County, Florida. The permit package includes the following documents:

- The Technical Evaluation and Preliminary Determination, which establishes the basis for approving the requested changes made in the construction permit.
- The draft air construction permit which includes the specific permit conditions that regulate the emissions units covered by the proposed project.
- The Written Notice of Intent to Issue Air Permit provides important information regarding: the Permitting Authority's intent to issue an air permit for the proposed project; the requirements for publishing a Public Notice of the Permitting Authority's intent to issue air permit; the procedures for submitting comments on the draft; the process for filing a petition for an administrative hearing; and the availability of mediation.
- The Public Notice of Intent to Issue Air Permit is the actual notice that you must have published in the legal advertisement section of a newspaper of general circulation in the area affected by this project. The Public Notice of Intent to Issue Air Permit must be published as soon as possible and the original proof of publication affidavit must be provided to the Department within seven days of the date of publication. As an acceptable alternative to mailing the original proof of publication pursuant to section 50.041(2), Florida Statutes (F.S.), the affidavit may be provided in electronic rather than paper form, provided the notarization of the affidavit complies with the requirements of section 117.021, F.S.

If you have any questions, please contact the Project Engineer, Tom Cascio by telephone at (850) 717-9077 or by email at tom.cascio@dep.state.fl.us .

Sincerely,

_____

Jeffery F. Koerner, Program Administrator
Division of Air Resource Management
Office of Permitting and Compliance

Enclosures
JFK/jkh/tbc

WRITTEN NOTICE OF INTENT TO ISSUE AIR PERMIT

In the Matter of an
Application for Air Construction Permit Revision by:

Progress Energy Florida, Inc.
299 First Avenue North, CN-77
St. Petersburg, Florida 33701

Responsible Official:
Robby Odom, Plant Manager

Permit No. 0170004-037-AC (PSD-FL-383E)
Facility ID No. 0170004
Crystal River Power Plant
Air Construction Permit Revision
Citrus County, Florida

Facility Location: Progress Energy Florida, Inc., operates the existing Crystal River Power Plant, which is located in Citrus County, north of Crystal River and west of U.S. Highway 19.

Project: The existing Crystal River Power Plant consists of the following: four coal-fired fossil fuel steam generating units with electrostatic precipitators; two natural draft cooling towers; two sets of mechanical draft cooling towers (one set of "helper" cooling towers and a second set of "modular" cooling towers); coal and ash material handling facilities; and relocatable diesel fired generators. The Crystal River Energy Complex includes the nuclear unit and associated facilities permitted under the same Title V air operation permit. This project, permit No. 0170004-037-AC (PSD-FL-383E), revises permit No. 0170004-026-AC (PSD-FL-383D) to authorize a permanent hydrated lime injection system at Units 4 and 5. The system will be used to reduce sulfuric acid mist (SAM) emissions.

Permitting Authority: Applications for air construction permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210 and 62-212 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and an air permit is required to perform the proposed work. The Office of Permitting and Compliance is the Permitting Authority responsible for making a permit determination for this project.

Project File: A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at the address indicated above for the Permitting Authority. The complete project file includes the Technical Evaluation and Preliminary Determination, the draft permit, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may view the draft permit by visiting the following website: http://www.dep.state.fl.us/air/emission/apds/default.asp and entering the permit number shown above. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address or phone number listed above.

Notice of Intent to Issue Permit: The Permitting Authority gives notice of its intent to issue an air construction permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of the proposed equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296 and 62-297, F.A.C. The Permitting Authority will issue a final permit in accordance with the conditions of the draft air construction permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

Public Notice: Pursuant to Section 403.815, F.S. and Rules 62-110.106 and 62-210.350, F.A.C., you (the applicant) are required to publish at your own expense the enclosed Public Notice of Intent to Issue Air Permit (Public Notice). The Public 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 by this project. The newspaper used must meet the requirements of Sections 50.011 and 50.031, F.S. in the county where the activity is to take place. If you are uncertain that a newspaper meets these requirements, please contact the Permitting Authority at the above address or phone number. Pursuant to Rule 62-110.106(5) and (9), F.A.C., the applicant shall provide proof of publication to the Permitting Authority at the above address within 7 days of publication. Failure to

publish the notice and provide proof of publication may result in the denial of the permit pursuant to Rule 62-110.106(11), F.A.C.

Comments: The Permitting Authority will accept written comments concerning the draft air construction permit for a period of 14 days from the date of publication of the Public Notice. Written comments must be received by the Permitting Authority by close of business (5:00 p.m.) on or before the end of this 14-day period. If written comments received result in a significant change to the draft air construction permit, the Permitting Authority shall revise the draft air construction permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

Petitions: 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 with (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by the applicant or any of the parties listed below must be filed within 14 days of receipt of this Written Notice of Intent to Issue Air Permit. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the attached Public Notice or within 14 days of receipt of this Written Notice of Intent to Issue Air Permit, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority for notice of agency action may file a petition within 14 days of receipt of that notice, regardless of the date of publication. A petitioner shall 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 (in a proceeding initiated by another party) will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Permitting Authority's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination; (c) A statement of when and how each petitioner received notice of the agency action or proposed decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action including an explanation of how the alleged facts relate to the specific rules or statutes; and, (g) A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the agency to take with respect to the agency's proposed action. A petition that does not dispute the material facts upon which the Permitting Authority's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

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 Written Notice of Intent to Issue Air Permit. 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.

Mediation: Mediation is not available in this proceeding.

Executed in Tallahassee, Florida.

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Jeffery F. Koerner, Program Administrator
Division of Air Resource Management
Office of Permitting and Compliance

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Written Notice of Intent to Issue an Air Construction Permit Revision (including the Public Notice and the Draft Air Construction Permit Revision), or a link to these documents available electronically on a publicly accessible server, was sent by electronic mail with received receipt requested before the close of business on the date shown in the Clerk's stamp to the persons listed below.

Mr. Robby Odom, Progress Energy Florida (robby.odom@pgnmail.com)
Mr. Jamie Hunter, Progress Energy Florida (john.hunter@pgnmail.com)
Mr. Scott H. Osbourn, P.E., Golder Associates, Inc. (sosbourn@golder.com)
Ms. Cindy Zhang-Torres, SWD Office (cindy.zhang-torres@dep.state.fl.us)
Ms. Cindy Mulkey, DEP Siting Office (cindy.mulkey@dep.state.fl.us)
Ms. Alisa Coe, Earth Justice (acoe@earthjustice.org)
Ms. Kathleen Forney, EPA Region 4 (forney.kathleen@epa.gov)
Ms. Heather Ceron, EPA Region 4 (ceron.heather@epa.gov)
Ms. Barbara Friday, DEP Office of Air Permitting and Compliance (barbara.friday@dep.state.fl.us)
Ms. Lynn Scearce, DEP Office of Air Permitting and Compliance (lynn.scearce@dep.state.fl.us)

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.