PERMITTEE

Mr. Ralph E. Randall, Regional Plant Director
Hardee Power Partners Limited
6695 North County Road 663
Bowling Green, Florida 33834

PERMITTING AUTHORITY

Florida Department of Environmental Protection (Department)
Division of Air Resource Management
Office of Permitting and Compliance
2600 Blair Stone Road, MS #5505
Tallahassee, Florida 32399-2400

PROJECT

Title V Air Operation Permit Renewal
Permit No. 0490015-017-AV
Hardee Power Station

The purpose of this permitting project is for the renewal of the existing Title V air operation permit for the above referenced facility.

NOTICE AND PUBLICATION

The Department distributed an Intent to Issue Air Permit package on September22, 2014. The applicant published the Public Notice of Intent to Issue Air Permit in the Wauchula Herald Advocate on September 25, 2014. The Department received the proof of publication on September 25, 2014. A proposed permit was issued for EPA review on September 25, 2014 in order to overlap the Public and EPA comment periods and shorten overall processing time.

COMMENTS

No comments were received from the EPA Region 4 office. However, the following minor comments were received from the applicant:

It appears that inaccurate language made its way into 0490015-012-AC/PSD-FL-140C, and is now being incorporated into the second paragraph of Section III., Subsection A and Condition A.3 of 0490015-017-AV. This has resulted in lowering the maximum sulfur content of No. 2 fuel oil for combustion turbines CT-1A, -1B, and-2A (Emission Units 001, 002, and 003, respectively) from 0.5% by weight, with a maximum annual average of 0.3% by weight, to 0.05% by weight. Hardee's review of historical records has concluded that the above change was discussed by HPP, its consultants, and the FDEP in 2009 as part of negotiations centered on emissions testing parameters, specifically particulate matter (PM) testing, but Hardee ultimately opted to keep the PM testing requirement, rather than lowering the fuel sulfur content limit. Therefore, Hardee respectfully requests that the language in 0490015-017-A V be revised to incorporate the previous sulfur limits, and that the corresponding corrections also be made to the underlying PSD permit language

Response: Upon further review of the records related to permit No. 0490015-012-AC/PSD-FL-140C, the Department agrees that the language related to the reduction of the sulfur content in the fuel contained in the project description for that permit was a remnant from a preliminary version of a draft permit for that project. During the processing of the permit, there was a discussion about lowering the sulfur content of the fuel in exchange for removing the requirement for particulate matter testing. At some point during the processing, the applicant chose to keep the particulate matter testing rather than reducing the allowable sulfur content of the fuel and the permit was issued in reflection of this agreement without an enforceable permit condition specifying the reduced sulfur limit. However, the project description was inadvertently not revised to reflect this change.

The inclusion of this reduced sulfur limit in the Title V permit renewal was a scrivener's error, which inadvertently reflected the project description as an enforceable limit. The final Title V permit is hereby administratively corrected to accurately reflect the underlying federally enforceable permit conditions for the sulfur content of the fuel, which originated in permit No. PSD-FL-140 and which have never been revised.

CONCLUSION

The final action of the Department is to issue the permit with the minor changes listed above.