

PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT

Florida Department of Environmental Protection (Department)
Division of Air Resource Management, Office of Permitting and Compliance

DEP File No. 0530380-001-AC (PSD-FL-90E)
Florida Power Development, LLC
Brooksville Power Plant
Hernando County, Florida

Applicant: The applicant for this project is Florida Power Development, LLC, an affiliate of J.P. Morgan. The applicant's authorized representative and mailing address is: Mr. Daniel A. Hopkins, Florida Power Development, LLC, 700 Louisiana, Suite 1000 Houston, Texas 34601.

Facility Location: The Brooksville Power Plant (aka Central Power and Lime) is collocated with the Cemex South Brooksville Cement Plant in unincorporated Hernando County at 10311 Cement Plant Road approximately 2.5 mile northwest of Brooksville, Florida.

Project: Florida Power Development proposes to convert the existing coal-fueled 150 megawatt (MW) Brooksville Power Plant to a 70 to 80 MW woody biomass-fueled power plant. The project includes: new fuel storage and handling systems; conversion of the pulverized coal boiler to a grate suspension boiler; construction of air pollution control equipment; and installation of an approximate 165-foot stack distinct from the cement plant.

A review pursuant to the rules for Prevention of Significant Deterioration (PSD) and a determination of best available control technology pursuant to Rule 62-212.400, F.A.C. were not required. A separate Facility Identification No. (0530380) will be established by this project for the Brooksville Power Plant. The original PSD permit (PSD-FL-090) issued by the U.S. Environmental Protection Agency (EPA) for the power plant portion of the integrated power and cement facility will also be revised by this action to reflect the separation of the two plants and the resulting separate facility identification numbers.

The fuel feedstock for the project will consist of clean woody biomass that will be locally sourced and will be delivered by truck to the Brooksville Power Plant. Ultra-low sulfur distillate fuel oil and natural gas will be used for grate-suspension boiler startup, shutdown and bed stabilization. Ultra-low sulfur distillate fuel oil will also be used in the existing emergency equipment that consists of a generator and a ditch pump engine.

Florida Power Development proposes to limit emissions by: efficient combustion of clean low sulfur woody biomass on a modern water-cooled stoker grate; particulate removal in a new electrostatic precipitator; sulfur dioxide (SO₂) and other acid gas removal by an in-duct sorbent injection system in conjunction with the electrostatic precipitator; nitrogen oxides (NO_x) destruction by a selective catalytic reduction system; and carbon monoxide (CO), volatile organic compounds (VOC) and organic hazardous air pollutants destruction by an oxidation catalyst system. Reasonable precautions and best management practices will be implemented to minimize fugitive dust emissions from biomass and ash handling, storage, processing and conveyance.

Florida Power Development estimates that conversion to woody biomass operation will yield reductions of 1,538 and 1,800 tons per year (tons/year) of SO₂ and NO_x, respectively. The project will result in less-than-significant increases of the following PSD pollutants: 86 tons/year of CO; 14 tons/year of particulate matter (PM); 12.6 tons/year of PM with a mean diameter of 10 micrometers (µm) or less (PM₁₀); 5.0 tons/year of PM with a mean diameter of 2.5 µm or less (PM_{2.5}); 3.8 tons/year of sulfuric acid mist; 28.0 tons/year of VOC; and 0.18 tons/year of lead.

Continuous emissions monitoring systems will be required for SO₂, NO_x and CO. A continuous opacity monitor system will be required for visible 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 Permitting Authority responsible for making a permit determination for this project is the Office of Permitting and Compliance in the Department of Environmental Protection's Division of Air Resource Management. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, Tallahassee, Florida. The Permitting Authority's mailing address is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's phone number is 850-717-9000.

(Public Notice to be Published in the Newspaper)

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 address indicated above for the Permitting Authority. The complete project file includes the Draft Permit, the Technical Evaluation and Preliminary Determination, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address and phone number listed above. In addition, electronic copies of these documents are available at the following web link: www.dep.state.fl.us/air/emission/bioenergy/central_power.htm.

Notice of Intent to Issue Air Permit: The Permitting Authority gives notice of its intent to issue an air 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 applicable 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 proposed Draft 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.

Comments: The Permitting Authority will accept written comments concerning the proposed Draft Permit for a period of 30 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 30-day period. If timely received comments result in a significant change to the Draft Permit, the Permitting Authority shall revise the Draft 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 (Telephone: 850/245-2241; Fax: 850/245-2303). 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 this Public Notice or receipt of a written notice, 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; (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 Public 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.