FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
BOB MARTINEZ CENTER
2600 BLAIRSTONE ROAD
TALLAHASSEE, FLORIDA 32399-2400

RICK SCOTT
GOVERNOR

CARLOS LOPEZ-CANTERA
LT. GOVERNOR

HERSCHEL T. VINYARD JR.
SECRETARY

Sent by Electronic Mail – Received Receipt Requested

Jan C. Aspuru, Vice President
Orlando Utilities Commission
Reliable Plaza, 100 West Anderson
Orlando, Florida 32801

Re: Exemption from the Requirement to Obtain an Air Construction Permit
Orlando Utilities Commission, Stanton Energy Center
Project No. 0950137-042-AC
Activated Carbon Injection Trial Burn

Dear Ms. Aspuru:

On March 18, 2014, Orlando Utilities Commission submitted an application requesting to install and operate a calcium bromide ($CaBr_2$) and activated carbon injection demonstration project at the Stanton Energy Center located in Orange County at 5100 South Alafaya Trail in Orlando, Florida.

The purpose of this project is to explore mercury mitigation measures by activated carbon injection testing and $CaBr_2$ spray application to the coal to reduce emission of mercury to meet the applicable Mercury and Air Toxics (MATS) compliance standards in 40 Code of Federal Regulations Part 63, subpart UUUUU - National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units. The proposed demonstration project duration is expected to be 90 non-consecutive operational days.

Determination: A complete review of this project is summarized in the attached Technical Evaluation.

The proposed technology will consist of powdered activated carbon (PAC) that will be injected in the flue gas downstream of the air preheater in Stanton Unit 1 using the existing dry sorbent injection ports. In the flue gas duct, the injected carbon acts as a surface catalyst to convert the elemental mercury to oxidized mercury. The carbon particles are captured predominantly by the electrostatic precipitator (ESP). The remaining carbon particles are removed in the wet flue gas desulfurization (FGD) system.

Equipment will consist of a blower conveying PAC from bulk bags through injection lances into the boiler, ESPs or ductwork. The proposed sorbent injection system will utilize bulk bags (900 to 1,000 pounds each). These bulk bags will be sealed to a day hopper on a gravimetric feeder and then be discharged directly into the boiler, ESPs or ductwork. There is no bulk material transfer or bin vents with the proposed PAC injection system. Therefore, there is no emission point or vented emissions from the proposed PAC storage system.

The project will result in the following approximate potential emissions: 2.5 tons/year of particulate matter (PM); 1.1 tons/year of PM with a mean diameter of 10 microns or less (PM_{10}); and 0.2 tons/year of $PM_{2.5}$. These estimated potential emissions are conservative since only the ESP control efficiency of 99.7% was included and the approximate additional 50% control efficiency provided by the wet FGD were not included in these estimates.

Pursuant to Rule 62.4.040(1)(b) of the Florida Administrative Code (F.A.C.) and for the reasons stated in the Technical Evaluation, the Office of Permitting and Compliance determines that the activity will not emit air pollutants, *"... in sufficient quantity, with respect to its character, quality or content, and the circumstances surrounding its location, use and operation, as to contribute significantly to the pollution problems within the State, so that the regulation thereof is not reasonably justified."* Therefore, the project is exempt from the requirement to obtain an air construction permit. This determination may be revoked if the proposed activity is

substantially modified or the basis for the exemption is determined to be materially incorrect. A copy of this letter shall be maintained at the site of the proposed activity. This permitting decision is made pursuant to Chapter 403, Florida Statutes.

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, F.A.C. 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: 2600 Blair Stone Road, Tallahassee, Florida 32301. The Permitting Authority's mailing address is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/717-9000.

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 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 must be filed within 21 days of receipt of this exemption from air permitting requirements. 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 state; (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 permitting action. 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.

Effective Date: This permitting decision is final and effective on the date filed with the clerk of the Permitting Authority 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 pursuant to Rule 62-110.106, F.A.C., and the petition conforms to the content requirements of Rules 28-106.201 and 28-106.301, F.A.C. Upon timely filing of a petition or a request for extension of time, this action will not be effective until further order of the Permitting Authority.

Judicial Review: Any party to this permitting decision (order) has the right to seek judicial review of it under Section 120.68, F.S., by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department of Environmental Protection in the Office of General Counsel, Mail Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000, 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 must be filed within 30 days after this order is filed with the clerk of the Department.

Executed in Tallahassee, Florida

David Read
2014.03.27
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for: Jeffery F. Koerner, Program Administrator
Office of Permitting and Compliance
Division of Air Resource Management

JFK/dr/ttm

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Letter of Exemption and the Technical Evaluation was sent by electronic mail, or a link to these documents made available electronically on a publicly accessible server, with received receipt requested before the close of business on the date indicated below to the following persons.

Ms. Jan C. Aspuru, VP, OUC: jaspuru@ouc.com
Mr. David Baez, OUC: dbaez@ouc.com
Mr. Scott Osbourn, P.E., Golder: sosbourn@golder.com
Mr. Tom Lubozynski, DEP CD: tom.lubozynski@dep.state.fl.us
Mr. Justin Green, DEP Siting Office: (justin.b.green@dep.state.fl.us)
Ms. Alisa Coe, Earth Justice: acoe@earthjustice.org
Ms. Kathleen Forney, U.S. EPA Region 4: forney.kathleen@epa.gov
Ms. Heather Ceron, US EPA Region 4: ceron.heather@epa.gov
Ms. Barbara Friday, DEP BAR: barbara.friday@dep.state.fl.us
Ms. Lynn Scearce, DEP OPC: 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.

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