



Florida Department of Environmental Protection

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

Rick Scott
Governor

Jennifer Carroll
Lt. Governor

Mimi A. Drew
Secretary

January 14, 2011

Electronically Sent – Received Receipt Requested

Mr. Larry Hatcher, Manager
Crystal River Fossil Plant and Fuel Operations
Progress Energy Florida, Inc.
15760 W. Powerline Street, CN77
Crystal River, Florida 34428

Re: Project No. 0170004-027-AC
Amends Permit No. 0170004-023-AC
Crystal River Steam Plant, Units 4 and 5
Notification Request to Conduct Additional Sulfuric Acid Mist Testing
Acknowledgement of Testing Notification

Dear Mr. Hatcher:

The Department acknowledges receipt of your request (dated January 4, 2011) to conduct additional sulfuric acid mist testing to reestablish flexible ammonia injection rates that represent compliance with the permitted emissions limit. This is allowed by Condition 16f in Subsection 3A of Permit No. 0170004-023-AC, which states, "The permittee may request that additional performance tests be conducted to establish new operating conditions for the alkali injection system due to changes with the fuel blends, the SCR catalyst, or other circumstances." The Department approves your request. To clarify this condition for the future, it is the Department's intent that you provide written "notification" of such additional tests. Therefore, Condition 16f in is amended to, "The permittee shall provide advance written notification to the Compliance Authority prior to conducting ~~may request that~~ additional performance tests ~~be conducted~~ to establish new operating conditions for the alkali injection system due to changes with the fuel blends, the SCR catalyst, or other circumstances."

The Department will consider this action final unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, of the Florida Statutes (F.S.). Mediation under Section 120.573, F.S., will not be available for this proposed action.

A person whose substantial interests are affected by the proposed 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 (received) in the Department's Office of General Counsel, MS #35, 3900 Commonwealth Boulevard, 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 notice. Petitions filed by any other person must be filed within 14 days of receipt of this proposed action. A petitioner must 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 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 Department'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,

Letter of Authorization

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 how and when each petitioner received notice of the agency action or proposed action; (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, as well as the rules and statutes which entitle the petitioner to relief; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and, (g) A statement of the relief sought by the petitioner, stating precisely the action 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 Department's final action may be different from the position taken by it in this notice. 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.

Any party to this order has the right to seek judicial review of it under Section 120.68, F.S., by the filing of a Notice of Appeal, under Rule 9.110 of the Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station #35, 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 of Appeal must be filed within thirty days from the date this notice is filed with the Clerk of the permitting authority.

Executed in Tallahassee, Florida.



Trina L. Vielhauer, Chief
Bureau of Air Regulation

TLV/jfk

Letter of Authorization

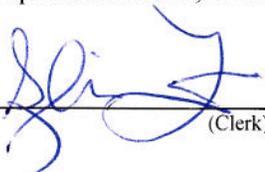
CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this authorization 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 1/14/11 to the persons listed below.

Mr. Larry Hatcher, Progress Energy Florida, Inc. (larry.hatcher@pgnmail.com)
Mr. John (Jamie) Hunter, Progress Energy Florida, Inc. (john.hunter@pgnmail.com)
Ms. Cindy Zhang-Torres, DEP Southwest District Office (cindy.zhang-torres@dep.state.fl.us)
Mr. Bill Schroeder, DEP Southwest District Office (bill.schroeder@dep.state.fl.us)
Ms. Vickie Gibson, DEP BAR Reading File (victoria.gibson@dep.state.fl.us)

Clerk Stamp

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to §120.52(7), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.



(Clerk)

1/14/11

(Date)