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

Electronically Sent – Received Receipt Requested

Mr. Robert Odom, Plant Manager
Progress Energy Florida
299 First Avenue North, CN77
St. Petersburg, FL 33701

RE: Project No. 0170004-033-AC
Supplements Permit No. 0170004-026-AC
Progress Energy Florida Crystal River Power Plant, Units 4 and 5
Request for Continued Operation of Temporary Hydrated Lime Injection Systems
Letter of Authorization

Dear Mr. Odom:

The Department acknowledges receipt of the November 22, 2011, request for continued operation of the temporary hydrated lime injection system, which was used to ascertain the viability of injecting hydrated lime instead of ammonia in reducing sulfuric acid mist (SAM) at Crystal River Units 4 and 5. The initial authorization for this project was permit No. 0170004-026-AC, which also specified SAM emissions testing in order to establish an operating protocol for the injection of hydrated lime (alternative other sorbents) for reducing SAM emissions.

We have reviewed the SAM test report and performance curve for the hydrated lime injection rate to continue operation of the temporary hydrated lime sorbent injection system beyond the demonstration period. The results show good performance of this system over a wide range of operational loads to mitigate SAM emissions to levels below the best available control technology (BACT) limit of 0.009 lb/MMBtu.

This operating protocol and your request to continue operation of the temporary hydrated lime injection system for Unit 4 is approved. The plant is also authorized to install a similar temporary hydrated lime injection system for Unit 5 and operate in accordance with this same protocol. The operation of these systems is allowed until a permanent system is engineered, permitted and constructed. This authorization supplements the current permit requirements and previous authorizations for these projects.

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 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 / Facsimile: 850/245-2303). Petitions must be filed within 14 days of receipt of this permit extension. 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 written 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 permitting decision 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
Electronically Signed

JFK/jh/rw

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 on the date indicated below to the following persons.

Mr. Robert Odom, Progress Energy Florida (robby.odom@pgnmail.com)
Mr. John Hunter, Progress Energy Florida (john.hunter@pgnmail.com)
Ms. Cindy Zhang-Torres, SWD Office (cindy.zhang-torres@dep.state.fl.us)
Ms. Danielle Henry, SWD Office (Danielle.d.henry@dep.state.fl.us)
Ms. Cindy Mulkey, DEP Siting Office (cindy.mulkey@dep.state.fl.us)
Ms. Kathleen Forney, EPA Region 4 (Forney.kathleen@epa.gov)
Ms. Heather Ceron, EPA Region 4 (ceron.heather@epa.gov)
Ms. Anne Harvey, Earthjustice (aharvey@earthjustice.org)
Ms. Lynn Scearce, DEP OPC Reading File (lynn.scearce@dep.state.fl.us)

Clerk Stamp

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