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

Mr. Rudy Sanchez, Turkey Point General Manager
Florida Power and Light Company
700 Universe Boulevard
Juno Beach, Florida 33408

Re: Project No. 0250003-016-AC
Florida Power and Light Company, Turkey Point
Air Construction Permit Revision
Changes to Provisions for Installing Particulate Control Equipment

Dear Mr. Sanchez:

On September 9, 2011, you submitted a permit revision application requesting changes to the current air construction permit (0250003-008-AC) for installing particulate control equipment on fossil fuel boilers Unit 1 and Unit 2 in accordance with the Best Available Retrofit Technology (BART) determination at the Turkey Point power plant. The facility is located in Miami Dade County, 9700 SW 344th Street, Homestead, Florida. Enclosed are the following documents: the Draft Permit Revision; the Written Notice of Intent to Issue Air Permit; and the Public Notice of Intent to Issue Air Permit. The Public Notice of Intent to Issue Air Permit is the actual notice that you must have published in the legal advertisement section of a newspaper of general circulation in the area affected by this project. If you have any questions, please contact the project engineer, Martin Costello, at 850-717-9040.

Sincerely,

Jeffery F. Koerner

11-2-11

Jeffery F. Koerner, Program Administrator
Office of Permitting and Compliance
Division of Air Resource Management

Date

Enclosures

JFK/jkh/mjc

WRITTEN NOTICE OF INTENT TO ISSUE AIR PERMIT

In the Matter of an
Application for Air Permit by:

Florida Power and Light
9700 SW 344th Street
Homestead, Florida 33035

Responsible Official:
Rudy Sanchez, Plant General Manager

Permit No. 0250003-016-AC
Facility ID No. 0250003
Turkey Point
Revision to Construction Permit
Miami Dade County, Florida

Facility Location: The applicant operates the existing Turkey Point Power Plant, which is located in Miami Dade County, at 9700 SW 344th Street, Homestead, Florida.

Project: The purpose of this project is for an air construction permit No. 0250003-016-AC to revise air construction permit No. 0250003-008-AC, for the above referenced facility. Details of the project are provided in the application.

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 Department of Environmental Protection's Office of Air Permitting and Compliance in Tallahassee. 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 telephone number is 850/717-9000.

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 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 or phone number listed above.

Notice of Intent to Issue 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 appropriate 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 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.

Public Notice: Pursuant to Section 403.815, F.S. and Rules 62-110.106 and 62-210.350, F.A.C., you (the applicant) are required to publish at your own expense the enclosed Public Notice of Intent to Issue Air Permit (Public Notice). The Public Notice shall be published one time only as soon as possible in the legal advertisement section of a newspaper of general circulation in the area affected by this project. The newspaper used must meet the requirements of Sections 50.011 and 50.031, F.S. in the county where the activity is to take place. If you are uncertain that a newspaper meets these requirements, please contact the Permitting Authority at above address or phone number. Pursuant to Rule 62-110.106(5) and (9), F.A.C., the applicant shall provide proof of publication to the Permitting Authority at the above address within 7 days of publication. Failure to publish the notice and provide proof of publication may result in the denial of the permit pursuant to Rule 62-110.106(11), F.A.C.

Comments: The Permitting Authority will accept written comments concerning the draft permit for a period of 14 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 the 14-day period. If written comments received 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 at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/245-2241). Petitions filed by the applicant or any of the parties listed below must be filed within 14 days of receipt of this Written Notice of Intent to Issue Air Permit. 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 the attached Public Notice or within 14 days of receipt of this Written Notice of Intent to Issue Air Permit, 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. If there are none, the petition must so indicate; (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 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.

Executed in Tallahassee, Florida.

Jeffery F. Koerner, Program Administrator
Office of Permitting and Compliance
Division of Air Resource Management

11-2-11
Date

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Written Notice of Intent to Issue Air Permit package (including the Written Notice of Intent to Issue Air Permit, the Public Notice of Intent to Issue Air Permit, and Preliminary Determination and the Draft Permit Revision) 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 11-2-11 to the persons listed below.

Mr. Rudy Sanchez, FPL: Rudy_Sanchez@fpl.com
Ms. Mary Archer, FPL: mary.archer@fpl.com
Mr. Kennard F. Kosky, P.E., Golder Associates, Inc.: ken_kosky@golder.com
Mr. H. Patrick Wong, Miami-Dade County DERM: wongp@miamidate.gov
Ms. Cindy Mulkey, DEP Siting Office: cindy.mulkey@dep.state.fl.us
Ms. Heather Ceron, U.S. EPA Region 4: ceron.heather@epa.gov
Ms. Katy R. Forney, U.S. EPA Region 4: forney.kathleen@epa.gov
Ms. Ana Oquendo-Vazquez, U.S. EPA Region 4: oquendo.ana@epa.gov
Ms. Barbara Friday, DEP OPC: barbara.friday@dep.state.fl.us (for posting with U.S. EPA, Region 4)
Ms. Lynn Scearce, DEP OPC: lynn.scearce@dep.state.fl.us (for reading file)

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.

Lynn Scearce
(Clerk)

November 2, 2011
(Date)

PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT

Florida Department of Environmental Protection
Office of Permitting and Compliance
Permit No. 0250003-016-AC
Florida Power & Light Company (FPL), Turkey Point Power Plant
Miami Dade County, Florida

Applicant: The applicant for this project is FPL. The applicant's responsible official and mailing address are: Rudy Sanchez, Turkey Point General Manager, FPL, Turkey Point, 9700 SW 344th Street, Homestead, Florida 33035.

Facility Location: The applicant operates the existing Turkey Point Power Plant, which is located in Miami Dade County, at 9700 SW 344th Street, Homestead, Florida.

Project: The applicant applied on September 9, 2011 to the Department for an air construction permit revision. This is a revision of permit No. 0250003-008-AC. The existing fossil fuel power plant consists of two 440 MW boilers (Units 1 and 2), one natural gas-fueled 1,150 MW combined cycle unit (Unit 5) and supporting equipment.

This revision makes minor changes to the Best Available Retrofit Technology (BART) construction permit for fossil fired boilers, either Units 1 or 2, which are placed on Inactive Reserve and this revision also extends the permit expiration date. Currently, Unit 2 is shut down and is expected to be on inactive reserve for an extended period; therefore the installation of emission controls is delayed until the unit is restarted on fuel oil. An alternative control option is for FPL to submit an application to the department by the dates shown in the revised permit conditions to only fire natural gas in these boilers or repowering with natural gas units.

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 Department of Environmental Protection's Office of Permitting and Compliance in Tallahassee. 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 telephone number is 850/717-9000.

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 the physical address indicated above for the Permitting Authority. The complete project file includes the draft permit, the application and information submitted by the applicant (exclusive of confidential records under Section 403.111, F.S.). Interested persons may contact the Permitting Authority's project engineer for additional information at the address and phone number listed above. In addition, electronic copies of these documents are available on the following web site: http://www.dep.state.fl.us/air/emission/apds/default.asp.

Notice of Intent to Issue Air Permit: The Permitting Authority gives notice of its intent to issue an air construction permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of proposed equipment will not adversely impact air quality and that the project will comply with all appropriate 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 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 draft permit for a period of 14 days from the date of publication of this 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 the 14-day period. If written comments received 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 at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/245-2241). 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 rights will be affected by the agency determination; (c) A statement of when and how the 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 indicate; (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 for this proceeding.

DRAFT PERMIT REVISION

PERMITTEE

Florida Power & Light Company (FPL)
700 Universe Boulevard
Juno Beach, Florida 33408

Authorized Representative:
Rudy Sanchez, Turkey Point General Manager

Air Permit No. 0250003-016-AC
Permit Expires: ~~7/01/2014~~
12/31/2017
Air Construction Permit Revision
Turkey Point
BART Construction Permit Revision

PROJECT

This is the final air construction permit, which revises Permit No. 0250003-008-AC for the following items. This revision makes minor changes to the Best Available Retrofit Technology (BART) construction permit for Unit 1 and Unit 2 emission controls which is necessary since Unit 2 is currently shut down and is expected to be on Inactive Reserve for an extended period. The expiration date is extended to 12/31/2017 to allow time for construction of BART controls on units that were shut down. Turkey Point Power Plant is a plant categorized under Standard Industrial Classification No. 4111. The existing facility is located in Dade County at 9700 SW 344th Street, Homestead, Florida. The UTM coordinates are Zone 17, 567.4 km East and 2,813.5 km North. The facility is an existing oil and natural gas-fired power plant. This final permit is organized into the following sections: Section 1 (General Information) and Section 2 (Permit Revisions).

STATEMENT OF BASIS

This air pollution construction permit is issued under the provisions of: Chapter 403 of the Florida Statutes (F.S.) and Chapters 62-4, 62-204, 62-210, 62-212, 62-296 and 62-297 of the Florida Administrative Code (F.A.C.). This project is subject to the general preconstruction review requirements in Rule 62-212.300, F.A.C. and is not subject to the preconstruction review requirements for major stationary sources in Rule 62-212.400, F.A.C. for the Prevention of Significant Deterioration (PSD) of Air Quality. A copy of this permit revision shall be filed with the referenced permit and shall become part of the permit.

Upon issuance of this final permit, any party to this order has the right to seek judicial review of it under Section 120.68 of the Florida Statutes 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

(DRAFT)

_____ _____

Jeffery F. Koerner, Administrator (Date)
Office of Permitting and Compliance
Division of Air Resource Management

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Final Air Permit package (including the Final Determination and Final Permit Revision) 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 _____(DRAFT)_____ to the persons listed below.

Mr. Rudy Sanchez, FPL: Rudy_Sanchez@fpl.com
Mr. Kevin Washington, FPL: Kevin_Washington@fpl.com
Mr. Edward Preast, FPL: ed.preast@fpl.com
Mr. Lennon Anderson, DEP Southeast Office: lennon.anderson@dep.state.fl.us
Mr. H. Patrick Wong, Miami-Dade County DERM: wongp@miamidade.gov
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. Ana M. Oquendo-Vazquez, EPA Region 4: oquendo.ana@epa.gov
Ms. Barbara Friday, DEP-BAR: barbara.friday@dep.state.fl.us
Ms. Lynn Scearce, DEP – OPC: lynn.scearce@dep.state.fl.us (for reading file)

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.

(DRAFT)

_____ (Clerk) _____ (Date)

FACILITY DESCRIPTION

The existing facility is a power plant, which consists of the following emissions units and activities: The facility includes two 440 MW boilers (Units 1 and 2), one natural gas-fueled 1,150 MW combined cycle unit (Unit 5) and supporting equipment.

FACILITY REGULATORY CLASSIFICATION

- The facility is a major source of hazardous air pollutants (HAP).
- The facility operates units subject to the acid rain provisions of the Clean Air Act (CAA).
- The facility is a Title V major source of air pollution in accordance with Chapter 213, F.A.C.
- The facility is a major stationary source in accordance with Rule 62-212.400(PSD), F.A.C.
- The facility operates BART-eligible units subject to Rule 62-296.340 (BART), F.A.C.

PROPOSED PROJECT

FPL has placed one of the Turkey Point fossil fuel-fired boilers, Unit 2, on "Inactive Reserve" status and the unit is not expected to be used for an extended period. The recently issued BART construction permit required FPL to install particulate controls by the end of 2013 on both units and this action delays this requirement for units placed on "Inactive Reserve" status until it is started again on fuel oil. This action clarifies the construction permit conditions and states that BART controls for particulate matter are not required for units that are shut down or not operating on fuel oil. One of the BART control options currently in the construction permit for these boilers is to exclusively fire natural gas where no add-on particulate controls are necessary. This minor revision simply adds language that allows another obvious option, the shutdown of a boiler (placement on Inactive Reserve) to also satisfy the BART control requirements in order to protect visibility in the region.

The following permit conditions are revised as indicated. ~~Strikethrough~~ is used to denote the deletion of text. Double-underlines are used to denote the addition of text. All changes are emphasized with yellow highlight.

Permit Being Revised: Permit No. 0250003-008-AC

Affected Emissions Units: Fossil Fuel Steam Generator Units 1 and 2 (EU Numbers 001 and 002)

Subsection 3, Specific Condition 1: This condition is revised as follows.

1. Particulate Controls: As soon as practicable, but not later than December 31, 2013, the permittee shall replace the existing multi-cyclones on these units with new state-of-the-art multi-cyclones. For a unit placed on "Inactive Reserve" prior to December 31, 2013, new state of the art multi-cyclones shall be installed before reactivation of the unit on fuel oil. Otherwise, the unit shall be restricted to 100% natural gas firing until the new state-of the art multi-cyclones are installed. [Rule 62-296.340 (BART), F.A.C. and Application No. 0250003-008-AC and Applicant Request]

Subsection 3, Specific Condition 15: This condition is revised as follows.

BART Alternative Permit Application: As an alternative to the emission controls and SO_2 and PM limits in conditions 4 and 5, above, not later than 12/31/~~2011~~ 2012, for operating units, or 12/31/2017 for units on "Inactive Reserve", FPL may submit an application requesting to either: repower Units 1 and 2 with natural gas-fired combustion turbines, burn only natural gas in units 1 and 2 and meet a PM emissions limit of 0.05 lb/MMBtu, or permanently shut down Units 1 and 2. [Rule 62-296.340, F.A.C.]