PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT

Florida Department of Environmental Protection
Division of Air Resource Management, Office of Permitting and Compliance
DEP File No. 0850001-026-AC (PSD-FL-327E)
Florida Power & Light Company
Martin Power Plant Unit 8
Martin County, Florida

Applicant: The applicant for this project is Florida Power & Light Company (FPL). The applicant's authorized representative and mailing address is: Mr. Brad Williams, Martin Plant General Manager, FPL, 700 Universe Boulevard, Juno Beach, Florida 33408.

Facility Location: FPL operates the Martin Power Plant, which is located 21900 Southwest Warfield Boulevard in Martin County, Florida.

Project: Unit 8 is a nominal 1,150 megawatts natural gas-fueled combined cycle unit including four General Electric (GE) Model 7FA.03 combustion turbine-electric generators (CT), four supplementary-fired heat recovery steam generators (HRSG) and a single steam turbine-electric generator. The applicant proposes to improve the four CT associated with Unit 8 during an otherwise routine maintenance outage. The changes will increase the efficiency and power output of the CT by replacing certain hot gas path components in the GE Model 7FA.03 CT with those of the newer GE Model 7FA.04 CT. Specifically, the improvements include the installation of improved combustion liners and flow sleeves to increase firing temperature. Details of the project are provided in the application and the Technical Evaluation and Preliminary Determination available at the web link indicated further below.

The project will result in an increase in permitted fuel heat input to each CT from 1,600 to 1,660 million BTU per hour (mmBtu/hr), lower heating value (LHV), at a compressor air inlet temperature of 59 degrees Fahrenheit (°F) when burning natural gas and from 1,811 to 1,885 mmBtu/hr (LHV, 59°F) when burning backup fuel oil. Any increases in annual emissions will be less than the respective significant emission rates established in Rule 62-210.200, Florida Administrative Code (F.A.C.). A review for the Prevention of Significant Deterioration (PSD) and a new Best Available Control Technology (BACT) determination were not required pursuant to Rule 62-212.400, F.A.C.

There will be no change in the previous BACT determinations conducted for Unit 8 in 2003. Unit 8 uses inherently clean fuels and is subject to nitrogen oxides (NO_X) concentration limits of 2.5 and 10 parts per million by volume, dry at 15% oxygen when firing natural gas and fuel oil, respectively. The NO_X emissions are controlled by an ammonia-based selective catalytic reduction system. The previous BACT determination also established stringent limits for emissions of carbon monoxide, particulate matter, volatile organic compounds, sulfur dioxide and sulfuric acid mist.

There may or may not be a small increase in short-term mass emission rates of NO_X, which will be determined by comparing emissions before and after the project in accordance with 40 Code of Federal Regulation, Part 60 (40 CFR 60), Appendix C – Determination of Emission Rate Change. If short-term mass emission rate increases occur, then Unit 8 will be subject to the requirements of 40 CFR 60, Subpart KKKK - Standards of Performance for Stationary Combustion Turbines. The emission limits given therein are less stringent than those already applicable to Unit 8 pursuant to the earlier BACT determination (which will remain in effect).

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 Office of Permitting and Compliance is the Permitting Authority responsible for making a permit determination for this project. 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 Technical Evaluation and Preliminary Determination, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111,

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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 by entering 0850001-026-AC in the permit number panel at the following web site: http://appprod.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 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 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 14 days from the date of publication of the Public Notice. Written comments must be postmarked by the Permitting Authority by close of business (5:00 p.m.) on or before the end of this 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. 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 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 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.

(Public Notice to be Published in the Newspaper)