



# 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. Edward Garcia, Director of Generation  
Keys Energy Services  
P.O. Box 6100  
Key West, Florida 33041-6100

Re: Project No. 0870003-015-AC  
Stock Island Power Plant, Units 5 and 6  
Letter of Authorization, Installation of Control Equipment to Comply with RICE MACT

Dear Mr. Garcia:

On July 2, 2012, the Department received a letter from you which requests an exemption from the requirement to obtain an air construction permit prior to installing control equipment on units 5 and 6 necessary to comply with the upcoming requirements of 40 CFR 63, Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (RICE).

Units 5 and 6 are existing non-emergency, non-black start compression ignition (CI) stationary RICE (constructed in 1991) greater than 500 horsepower (8.8 MW) at an area source of hazardous air pollutants (HAP) and are subject to the requirements of 40 CFR 63, Subpart ZZZZ. Specifically, the requirements listed in Table 2d of Subpart ZZZZ require reduction of carbon monoxide emissions by 70 percent or an emission limit of 23 parts per million by volume on a dry basis (ppmvd) at 15% oxygen. Keys Energy Services intends to install catalytic oxidizers to meet this requirement. The rule also requires reduction of metallic HAP emissions. If the units do not already have a closed crankcase ventilation system, then either a closed crankcase ventilation system must be installed or an open crankcase filtration emission control system must be installed. The existing Units 5 and 6 have open crankcase ventilation systems with filtration already in place. Keys Energy Services expects to begin the installation of the catalytic oxidizers in time to meet the compliance date of May 3, 2013.

Considering that the addition of the catalytic oxidizers is solely for the purpose of reducing emissions to comply with the RICE rules, the Department grants an exemption from the requirement to obtain an air construction permit for the physical changes related to installing the necessary control devices. This exemption is granted provided that Keys Energy Services submits a Title V revision application to incorporate all of the applicable requirements from Subpart ZZZZ for units 5 and 6 no later than October 31, 2012, and works closely with the Department to ensure that the revised permit containing the new lower emissions limits is final and effective prior to May 3, 2013.

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

## Letter of Authorization

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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, 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.

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

JFK/jh

## Letter of Authorization

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### CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this authorization, or a link to this document available electronically on a publicly accessible server, was sent by electronic mail with received receipt requested before the close of business on the date shown in the Clerk's stamp to the persons listed below.

Edward Garcia, Director of Generation, Keys Energy Services: [edward.garcia@keysenergy.com](mailto:edward.garcia@keysenergy.com)

Amy Deese, Florida Municipal Power Agency: [amy.deese@fmpa.com](mailto:amy.deese@fmpa.com)

Jerome Guidry, P.E., Perigee Technical Services, Inc.: [jerome.guidry@att.net](mailto:jerome.guidry@att.net)

Ajaya Satyal, DEP South District Office: [ajaya.satyal@dep.state.fl.us](mailto:ajaya.satyal@dep.state.fl.us)

Barbara Nevins, DEP Marathon Branch Office: [barbara.nevins@dep.state.fl.us](mailto:barbara.nevins@dep.state.fl.us)

Heather Ceron, EPA Region 4: [ceron.heather@epa.gov](mailto:ceron.heather@epa.gov)

Kathleen Forney, EPA Region 4: [forney.kathleen@epa.gov](mailto:forney.kathleen@epa.gov)

Lynn Scarce, DEP Office of Air Permitting and Compliance: [lynn.scarce@dep.state.fl.us](mailto:lynn.scarce@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.