

YBW 10/28/02



# Department of Environmental Protection

Jeb Bush  
Governor

Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

David B. Struhs  
Secretary

October 28, 2002

CERTIFIED MAIL – Return Receipt Requested

Mr. Gene L. Ussery  
V.P. of Power Generation/Transmission  
Gulf Power Company  
One Energy Place  
Pensacola, Florida 32520-0328

Dear Mr. Ussery:

RE: Additional Time Authorization to Conduct Pollutant Testing and Parameter Measurements for the Development of a Compliance Assurance Monitoring (CAM) Protocol for the Gulf Power Company's Lansing Smith Electric Generating Plant's Units Nos. 1 & 2's Electrostatic Precipitator (ESP) 0050014-004-AC

The Department has reviewed the request that you provided on June 5, 2002; and, the request for additional time authorization received October 24, 2002. We have considered the Department's legal authority to allow Gulf Power Company to conduct the requested testing and measurements on its Lansing Smith Electric Generating Plant's Units Nos. 1 & 2's ESP (electrostatic precipitator) located in Lynn Haven, Bay County. The purpose is to help the company address Compliance Assurance Monitoring (CAM), which will have to be addressed regarding the ESP upon renewal of their Title V Operation Permit. Paragraph 403.061(16), Florida Statutes (F.S.), authorizes the Department to encourage voluntary cooperation by persons in order to achieve the purposes of the state environmental control act. Paragraph 403.061(18), F.S., authorizes the Department to encourage and conduct studies, investigations, and research relating to the causes and control of pollution. Rule 62-210.700(5), Florida Administrative Code (F.A.C.), authorizes the Department to consider variation in industrial equipment and make allowances for excess emissions that provide reasonable and practical regulatory controls consistent with public interest.

In accordance with the provisions of Paragraphs 403.061(16) and (18), F.S., and Rule 62-210.700(5), F.A.C., you are hereby authorized to conduct pollutant testing and parameter measurements for the development of a CAM protocol for the Gulf Power Company's Lansing Smith Electric Generating Plant's Units Nos. 1 & 2's ESP. This evaluation will require Gulf Power Company to vary the collection efficiency of the ESP to establish a performance curve between opacity, particulate matter emissions and ash resistivity, thus creating an operational condition near or in excess of the Florida particulate matter emissions and opacity standards. The data gathered will allow the calibration of an EPRI (Electrical Power Research Institute) computer model to evaluate the performance of the Lansing Smith Units Nos. 1 & 2's ESP. The pollutants and or parameters to be measured or monitored will include sulfur dioxide [CEM (continuous emission monitor)], nitrogen oxides (CEM), particulate matter, carbon dioxide (CEM), ash content of the fuel, ultimate fuel analyses, unit operational parameters including load, fuel flow, excess air, flue gas temperature, and other unit specific parameters that are needed for the EPRI computer model. Particulate size distribution may be evaluated also.

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OCT 30 2002

NORTHWEST FLORIDA  
DEP

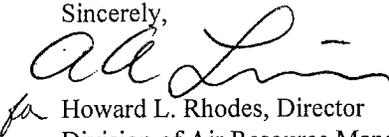
The performance tests and parameter measurements or monitoring shall be subject to the following conditions:

1. Unless waived, the permittee shall notify the Department's Northwest District Office, Northwest District Branch Office - Panama City, and Bureau of Air Regulation Office at least 15 days prior to commencement of the performance tests and parameter measurements or monitoring. A written report shall be submitted to these offices within 45 days upon completion of the last test run and parameter measurements and monitoring.
2. The authorized testing and measurement and monitoring schedule is from October 28, 2002, through June 30, 2003. If additional time is needed, the permittee shall provide the Department with documentation of the progress accomplished to date and shall identify what is left to be done to complete the testing and measurements or monitoring.
3. The parameters to be measured or monitored are sulfur dioxide [CEM (continuous emission monitor)], nitrogen oxides (CEM), particulate matter, carbon dioxide (CEM), ash content of the fuel, ultimate fuel analyses, unit operational parameters including load, fuel flow, excess air, flue gas temperature, and other unit specific parameters that are needed for the EPRI computer model. Particulate size distribution may be evaluated also.
4. Emissions testing shall be conducted concurrently for the following pollutants and using the following test methods:
  - a. Particulate matter                   EPA Test Method 17 (including EPA Test Methods 1 thru 4)
  - b. Visible emissions                   EPA Test Method 9
5. The performance test plans are as follows:
  1. Conduct a performance test (three 1-hour runs) using EPA Method 17 at "normal" operations;
  2. Conduct a performance test (three 1-hour runs) using EPA Method 17 at a reduction in the ESP efficiency; and,
  - 3.a. If the test results show that the PM allowable limit was exceeded; then the ESP's efficiency will be increased and a third performance test using EPA Method 17 will be conducted (supposedly between "normal" and "at the reduced efficiency"); or,
  - b. If the test results show that the PM allowable limit was not exceeded; then the ESP's efficiency will be further decreased and a third performance test using EPA Method 17 will be conducted in an attempt to define the outer range of the ESP's efficiency at which the PM allowable limit will be exceeded; and,
  - c. If the outer range is not established by the 2<sup>nd</sup> and 3<sup>rd</sup> performance tests, then the performance testing is ended for that emissions unit; and, Gulf Power Company will use the data to help define their CAM Plan for that emissions unit tested.
6. The release of objectionable odors pursuant to Rule 62-296.320(2), F.A.C., is not authorized for this activity.
7. Performance testing shall immediately cease upon the occurrence of a valid environmental complaint by a citizen or other party, or a nuisance or danger to the public health or welfare. Performance testing shall not resume until appropriate measures to correct the problem have been implemented.

Mr. Gene L. Ussery  
Gulf Power Company  
Lansing Smith Electric Generating Plant: Units Nos. 1 & 2  
0050014-004-AC  
Page Three

8. The performance tests and parameter measurements and monitoring shall be under the direct supervision and responsible charge of a professional engineer registered in Florida.
9. This Department action is just to authorize the performance testing and parameter measurements and monitoring for the Lansing Smith Units Nos. 1 & 2's ESP for the purpose of developing a CAM protocol.
10. Complete documentation of the activity shall be kept on file for at least 5 (five) years.
11. The Department shall be notified in writing on the date of the last test run and parameter measurement and monitoring completion. If after work hours, notification shall occur on the next work day.
12. Attachment Section.
  - a. Mr. G. Dwain Waters's letter received June 5, 2002.
  - b. Final Determination.
  - c. Mr. G. Dwain Waters's letter received October 24, 2002.
  - d. Additional time authorization letter dated October 28, 2002.

The Department has relied on the information referenced in the Attachment Section and conversations with representatives of Gulf Power Company in authorizing this activity.

Sincerely,  
  
for Howard L. Rhodes, Director  
Division of Air Resource Management

HLR/rbm

Enclosures

cc: Scott Sheplak, DEP - BAR  
Sandra Veazey, DEP - NWD  
Kevin White, DEP - NWD  
Gary Shaffer, DEP - NWDB  
Joe Kahn, DEP - BAMMS  
G. Dwain Waters, Q.E.P., GPC  
Gregory N. Terry, P.E., GPC

One Energy Place  
Pensacola, Florida 32520

Tel 850.444.6111

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OCT 24 2002

DIVISION OF AIR  
RESOURCES MANAGEMENT

Certified Mail



October 21, 2002

R. Bruce Mitchell  
Title V Section – Bureau of Air Regulation  
Florida Department of Environmental Protection  
2600 Blair Stone Road  
Mail Station #5510  
Tallahassee, Florida 32399-2400

Dear Mr. Mitchell:

RE: LANSING SMITH ELECTRIC GENERATING PLANT  
AUTHORIZATION TO EXTEND CAM PROTOCOL TESTING  
PERMIT No: 0050014-004-AC

Thanks again for meeting with Mike Markey and me last week regarding our continuing efforts to prepare protocols for Compliance Assurance Monitoring (CAM). As outlined in our meeting, Gulf Power is requesting the construction permit for conducting CAM testing at Plant Lansing Smith be extended until June 30, 2003. This request is pursuant to budgetary constraints facing Gulf Power in 2002 and due to the unexpected waterwall replacement project on Unit 2 permitted to begin in January, 2003. CAM testing will need to be conducted after the completion of this project.

Attached is an authorization statement by Gene L. Ussery, Jr., the Responsible Official outlining his approval of this permit extension request.

If you have any questions or need further information regarding the test procedures or CAM protocol development for Plant Lansing Smith, please call me at (850) 444.6527.

Sincerely,

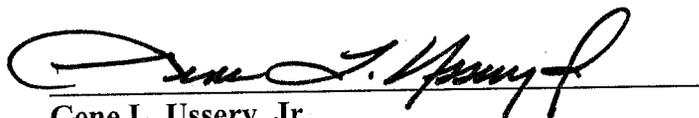
G. Dwain Waters, Q.E.P.  
Air Quality Programs Supervisor

cc: w/att: Jim. Vick, Gulf Power Company  
Trey Hall, Gulf Power Company  
Marie Largilliere, Gulf Power Company  
Kevin Beaty, Gulf Power Company  
Clark Mitchell, Southern Company Services  
Gary Perko, HGSS  
Ms. Sandra Veazey, FDEP Northwest District Office, Pensacola, Florida

**CERTIFICATION BY RESPONSIBLE OFFICIAL  
LANSING SMITH UNITS 1 & 2 COMPLIANCE ASSURANCE  
MONITORING TEST PERMIT EXTENSION REQUEST**

**“I, the undersigned, am the responsible official, as defined in Chapter 62-210.200, F.A.C., for the Lansing Smith Electric Generating Plant for which this permit extension is being submitted. I hereby certify, based on information and belief formed after reasonable inquiry, that the statements made and data contained in this request are true, accurate and complete.”**

**Responsible Official Signature:**



**Gene L. Ussery, Jr.  
Vice-President of Power Generation**



**Date:**

Kuo 7/1/02



# Department of Environmental Protection

Jeb Bush  
Governor

Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

David B. Struhs  
Secretary

## P.E. Certification Statement

**Permittee:**  
Gulf Power Company  
Smith Plant

**Draft Permit No.:** 0050014-004-AC  
**Facility ID No.:** 0050014

**Project type:** CAM Testing Authorization

*I HEREBY CERTIFY that the engineering features described in the above referenced application and subject to the proposed permit conditions provide reasonable assurance of compliance with applicable provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Chapters 62-4 and 62-204 through 62-297. However, I have not evaluated and I do not certify aspects of the proposal outside of my area of expertise (including but not limited to the electrical, mechanical, structural, hydrological, and geological features).*

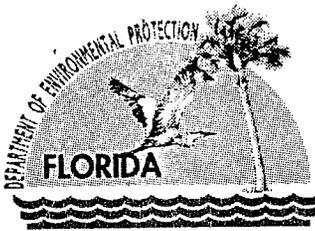
Scott M. Sheplak      06/25/02  
Scott M. Sheplak, P.E.      date  
Registration Number: 48866

Permitting Authority:  
Department of Environmental Protection  
Bureau of Air Regulation  
111 South Magnolia Drive, Suite 4  
Tallahassee, Florida 32301  
Telephone: 850/921-9532  
Fax: 850/922-6979

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JUN 28 2002  
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# Department of Environmental Protection

Jeb Bush  
Governor

Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400  
June 25, 2002

David B. Struhs  
Secretary

CERTIFIED MAIL – Return Receipt Requested

Mr. Gene L. Ussery  
V.P. of Power Generation/Transmission  
Gulf Power Company  
One Energy Place  
Pensacola, Florida 32520-0328

Re: Request for Authorization to Conduct Pollutant Testing and Parameter Measurements for the Development of a Compliance Assurance Monitoring (CAM) Protocol for the Gulf Power Company's Smith Units Nos. 1 & 2's Electrostatic Precipitator (ESP)  
0050014-004-AC

Dear Mr. Ussery:

Attached is one copy of the proposed authorization, 0050014-004-AC, to conduct pollutant testing and parameter measurements for the development of a CAM protocol for the Gulf Power Company's Smith Units Nos. 1 & 2's ESP, which is located at the Smith Electric Generating Plant in Panama City, Bay County. This evaluation will require Gulf Power Company to vary the collection efficiency of the ESP to establish a performance curve between opacity, particulate matter emissions and ash resistivity, thus creating an operational condition near or in excess of the Florida particulate matter emissions standard. The data gathered will allow the calibration of an EPRI (Electrical Power Research Institute) computer model to evaluate the performance of the Smith Units Nos. 1 & 2's ESP. The pollutants and or parameters to be measured or monitored will include sulfur dioxide [CEM (continuous emission monitor)], nitrogen oxides (CEM), particulate matter, carbon dioxide (CEM), ash content of the fuel, ultimate fuel analyses, unit operational parameters including load, fuel flow, excess air, flue gas temperature, and other unit specific parameters that are needed for the EPRI computer model. Particulate size distribution may be evaluated also. The development testing is scheduled to run from September 1 through November 30, 2002.

The permitting authority's "INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT" and the "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT" are also included. The "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT" must be published as soon as possible. Proof of publication, i.e., newspaper affidavit, must be provided to the permitting authority's office within 7 (seven) days of publication pursuant to Rule 62-110.106(5), F.A.C. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit pursuant to Rule 62-110.106(11), F.A.C.

Please submit any written comments you wish to have considered concerning the permitting authority's proposed action to Scott M. Sheplak, P.E., at the above letterhead address. If you have any other questions, please contact Bruce Mitchell at 850/413-9198.

Sincerely,

C. H. Fancy, P.E.  
Chief  
Bureau of Air Regulation

CHF/BM/m

Enclosures

"More Protection, Less Process"

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In the Matter of an  
Application for Permit by:

Gulf Power Company  
One Energy Place  
Pensacola, Florida 32520-0328

Air Construction Permit No.: 0050014-004-AC  
Smith Electric Generating Plant  
Bay County

**INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT**

The Department of Environmental Protection (permitting authority) gives notice of its intent to issue an air construction permit (copy of draft permit enclosed) for the facility detailed in the application specified above, to authorize Gulf Power Company to conduct pollutant testing and parameter measurements for the development of a CAM protocol for the Gulf Power Company's Smith Units Nos. 1 & 2's electrostatic precipitator (ESP), which is located at the Smith Electric Generating Plant in Panama City, Bay County.

The permittee, Gulf Power Company, applied on June 5, 2002, for authorization to conduct pollutant testing and parameter measurements for the development of a CAM protocol for the Gulf Power Company's Smith Units Nos. 1 & 2's ESP (electrostatic precipitator), which is located at the Smith Electric Generating Plant in Panama City, Bay County. This evaluation will require Gulf Power Company to vary the collection efficiency of the ESP to establish a performance curve between opacity, particulate matter emissions and ash resistivity, thus creating an operational condition near or in excess of the Florida particulate matter emissions standard. The data gathered will allow the calibration of an EPRI (Electrical Power Research Institute) computer model to evaluate the performance of the Smith Units Nos. 1 & 2's ESP. The pollutants and or parameters to be measured or monitored will include sulfur dioxide [CEM (continuous emission monitor)], nitrogen oxides (CEM), particulate matter, carbon dioxide (CEM), ash content of the fuel, ultimate fuel analyses, unit operational parameters including load, fuel flow, excess air, flue gas temperature, and other unit specific parameters that are needed for the EPRI computer model. Particulate size distribution may be evaluated also. The development testing is scheduled to run from September 1 through November 30, 2002.

The permitting authority has permitting jurisdiction under the provisions of Chapter 403, Florida Statutes (F.S.), and Chapters 62-4 and 62-210, F.A.C. This source is not exempt from permitting procedures. The permitting authority has determined that an Air Construction Permit is required for the proposed activity.

The permitting authority intends to issue this Air Construction Permit based on the belief that reasonable assurances have been provided to indicate that operation of the source will not adversely impact air quality, and the source will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-256, 62-257, 62-281, 62-296, and 62-297, F.A.C.

Pursuant to Sections 403.815 and 403.0872, F.S., and Rules 62-110.106 and 62-210.350(3), F.A.C., you (the applicant) are required to publish at your own expense the enclosed "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT." The 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. For the purpose of these rules, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. Where there is more than one newspaper of general circulation in the county, the newspaper used must be one with significant circulation in the area that may be affected by the permit. If you are uncertain that a newspaper meets these requirements, please contact the permitting authority at the address or telephone number listed below. The applicant shall provide proof of publication to the Department's Bureau of Air Regulation, 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400 (Telephone: 850/488-1344; Fax: 850/922-6979), within 7 (seven) days of publication pursuant to Rule 62-110.106(5), F.A.C. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit pursuant to Rule 62-110.106(11), F.A.C.

The permitting authority will issue the Final Air Construction Permit in accordance with the conditions of the enclosed Draft Air Construction Permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The permitting authority will accept written comments concerning the proposed permit issuance action for a period of 14 (fourteen) days from the date of publication of "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT." Written comments should be provided to the permitting authority office. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this Draft Air Construction Permit, the permitting authority shall issue a Revised Draft Air Construction Permit and require, if applicable, another Public Notice.

The permitting authority will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, 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 (received) in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/488-9730; Fax: 850/487-4938). Petitions filed by the permit applicant or any of the parties listed below must be filed within 14 (fourteen) days of receipt of this notice of intent. Petitions filed by any other person must be filed within 14 (fourteen) days of publication of the public notice or within 14 (fourteen) days of receipt of this notice of intent, whichever occurs first. 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 28-5.207, F.A.C.

A petition must contain the following information:

- (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Permit File Number, and the county in which the project is proposed;
- (b) A statement of how and when each petitioner received notice of the permitting authority's action or proposed action;
- (c) A statement of how each petitioner's substantial interests are affected by the permitting authority's action or proposed action;
- (d) A statement of the material facts disputed by the petitioner, if any;
- (e) A statement of the facts that the petitioner contends warrant reversal or modification of the permitting authority's action or proposed action;
- (f) A statement identifying the rules or statutes that the petitioner contends require reversal or modification of the permitting authority's action or proposed action; and,
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the permitting authority to take with respect to the action or proposed action addressed in this notice of intent.

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 notice of intent. 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.

In addition to the above, a person subject to regulation has a right to apply to the Department of Environmental Protection for a variance from or waiver of the requirements of particular rules, on certain conditions, under Section 120.542, F.S. The relief provided by this state statute applies only to state rules, not statutes, and not to any federal regulatory requirements. Applying for a variance or waiver does not substitute or extend the time for filing a petition for an administrative hearing or exercising any other right that a person may have in relation to the action proposed in this notice of intent.

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. The petition must specify the following information:

- (a) The name, address, and telephone number of the petitioner;
- (b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any;
- (c) Each rule or portion of a rule from which a variance or waiver is requested;
- (d) The citation to the statute underlying (implemented by) the rule identified in (c) above;
- (e) The type of action requested;
- (f) The specific facts that would justify a variance or waiver for the petitioner;
- (g) The reason why the variance or waiver would serve the purposes of the underlying statute (implemented by the rule); and,
- (h) A statement whether the variance or waiver is permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

The Department will grant a variance or waiver when the petition demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of those terms is defined in Section 120.542(2), F.S., and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner.

Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable by the Administrator of the United States Environmental Protection Agency and by any person under the Clean Air Act unless and until the Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

Executed in Tallahassee, Florida.

**STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION**



C. H. Fancy, P.E.

Chief

Bureau of Air Regulation

**CERTIFICATE OF SERVICE**

The undersigned duly designated deputy agency clerk hereby certifies that this INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT (including the PUBLIC NOTICE and the Draft Permit) and all copies were sent by certified mail before the close of business on 6/26/02 to the person(s) listed:

Mr. Gene L. Ussery, Responsible Official and V.P. of Power Generation/Transmission, GPC

In addition, the undersigned duly designated deputy agency clerk hereby certifies that copies of this INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT (including the PUBLIC NOTICE and the Draft Permit) were sent by U.S. mail on the same date to the person(s) listed:

- Mr. G. Dwain Waters, QEP, Air Quality Programs Supervisor, GPC
- Mr. Gregory N. Terry, P.E., GPC
- Ms. Sandra Veazey, DEP - NWD
- Mr. Kevin White, DEP - NWD
- Mr. Gary Shaffer, DEP - NWDB
- Mr. Joe Kahn, DEP - BAMMS

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.

Paulina J. Friday 6/26/02  
(Clerk) (Date)

**PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT**

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Draft Air Construction Permit No.: 0050014-004-AC  
Gulf Power Company  
Smith Electric Generating Plant  
Bay County

The Department of Environmental Protection (permitting authority) gives notice of its intent to issue an air construction permit to Gulf Power Company for its Smith Electric Generating Plant located in Panama City, Bay County. The applicant's name and address are: Gene L. Ussery, V.P. of Power Generation/Transmission, Gulf Power Company, One Energy Place, Pensacola, Florida 32520-0328.

The permittee, Gulf Power Company, applied on June 5, 2002, for authorization to conduct pollutant testing and parameter measurements for the development of a Compliance Assurance Monitoring (CAM) protocol for the Gulf Power Company's Smith Units Nos. 1 & 2's ESP (electrostatic precipitator), which is located at the Smith Electric Generating Plant in Panama City, Bay County. This evaluation will require Gulf Power Company to vary the collection efficiency of the ESP to establish a performance curve between opacity, particulate matter emissions and ash resistivity, thus creating an operational condition near or in excess of the Florida particulate matter emissions standard. The data gathered will allow the calibration of an EPRI (Electrical Power Research Institute) computer model to evaluate the performance of the Smith Units Nos. 1 & 2's ESP. The pollutants and or parameters to be measured or monitored will include sulfur dioxide [CEM (continuous emission monitor)], nitrogen oxides (CEM), particulate matter, carbon dioxide (CEM), ash content of the fuel, ultimate fuel analyses, unit operational parameters including load, fuel flow, excess air, flue gas temperature, and other unit specific parameters that are needed for the EPRI computer model. Particulate size distribution may be evaluated also. The development testing is scheduled to run from September 1 through November 30, 2002.

The permitting authority will issue the Air Construction Permit, and subsequent Final Air Construction Permit, in accordance with the conditions of the Draft Air Construction Permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The permitting authority will accept written comments concerning the proposed Draft Air Construction Permit issuance action for a period of 14 (fourteen) days from the date of publication of this Notice. Written comments should be provided to the Department's Bureau of Air Regulation, 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this Draft Air Construction Permit, the permitting authority shall issue a Revised Draft Air Construction Permit and require, if applicable, another Public Notice.

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 of the Florida Statutes (F.S.). The petition must contain the information set forth below and must be filed (received) in Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/488-9730; Fax: 850/487-4938). Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of the notice of intent, 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 fourteen 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 applicable 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, Florida Administrative Code (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(s) or identification number(s), if known;
- (b) The name, address and telephone number of the petitioner; 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 petitioner's substantial rights will be affected by the agency determination;
- (c) A statement of how and when the 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 state;
- (e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle petitioner to relief; and
- (f) A demand for relief.

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 notice of intent. 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 is not available for this proceeding.

A complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

Permitting Authority:  
Department of Environmental Protection  
Bureau of Air Regulation  
111 South Magnolia Drive, Suite 4  
Tallahassee, Florida 32301  
Telephone: 850/488-0114  
Fax: 850/922-6979

Affected District Office Authority:  
Department of Environmental Protection  
Northwest District Office  
Air Resources  
160 Governmental Place  
Pensacola, Florida 32520-0328  
Telephone: 850/595-8300  
Fax: 850/595-4417

Affected District Branch Office Authority:  
Department of Environmental Protection  
Northwest District Branch Office  
2353 Jenks Avenue  
Panama City, Florida 32405  
Telephone: 850/872-4375  
Fax: 850/872-7790

The complete project file includes the Draft Air Construction Permit, the application/request, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact Scott M. Sheplak, P.E., at the above address, or call 850/921-9532 for additional information.



Jeb Bush  
Governor

# Department of Environmental Protection

Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

David B. Struhs  
Secretary

Month Day, 2002

CERTIFIED MAIL – Return Receipt Requested

Mr. Gene L. Ussery  
V.P. of Power Generation/Transmission  
Gulf Power Company  
One Energy Place  
Pensacola, Florida 32520-0328

**DRAFT**

Dear Mr. Ussery:

RE: **Draft** Authorization to Conduct Pollutant Testing and Parameter Measurements for the Development of a Compliance Assurance Monitoring (CAM) Protocol for the Gulf Power Company's Smith Electric Generating Plant's Units Nos. 1 & 2's Electrostatic Precipitator (ESP)  
0050014-004-AC

The Department has reviewed the request that you provided on June 5, 2002. We have considered the Department's legal authority to allow Gulf Power Company to conduct the requested testing and measurements on its Smith Electric Generating Plant's Units Nos. 1 & 2's ESP (electrostatic precipitator) located in Panama City, Bay County. The purpose is to help the company address Compliance Assurance Monitoring (CAM), which will have to be addressed regarding the ESP upon renewal of their Title V Operation Permit. Paragraph 403.061(16), Florida Statutes (F.S.), authorizes the Department to encourage voluntary cooperation by persons in order to achieve the purposes of the state environmental control act. Paragraph 403.061(18), F.S., authorizes the Department to encourage and conduct studies, investigations, and research relating to the causes and control of pollution. Rule 62-210.700(5), Florida Administrative Code (F.A.C.), authorizes the Department to consider variation in industrial equipment and make allowances for excess emissions that provide reasonable and practical regulatory controls consistent with public interest.

In accordance with the provisions of Paragraphs 403.061(16) and (18), F.S., and Rule 62-210.700(5), F.A.C., you are hereby authorized to conduct pollutant testing and parameter measurements for the development of a CAM protocol for the Gulf Power Company's Smith Electric Generating Plant's Units Nos. 1 & 2's ESP. This evaluation will require Gulf Power Company to vary the collection efficiency of the ESP to establish a performance curve between opacity, particulate matter emissions and ash resistivity, thus creating an operational condition near or in excess of the Florida particulate matter emissions and opacity standards. The data gathered will allow the calibration of an EPRI (Electrical Power Research Institute) computer model to evaluate the performance of the Smith Units Nos. 1 & 2's ESP. The pollutants and or parameters to be measured or monitored will include sulfur dioxide [CEM (continuous emission monitor)], nitrogen oxides (CEM), particulate matter, carbon dioxide (CEM), ash content of the fuel, ultimate fuel analyses, unit operational parameters including load, fuel flow, excess air, flue gas temperature, and other unit specific parameters that are needed for the EPRI computer model. Particulate size distribution may be evaluated also.

*"More Protection, Less Process"*

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**DRAFT**

The performance tests and parameter measurements or monitoring shall be subject to the following conditions:

1. Unless waived, the permittee shall notify the Department's Northwest District Office, Northwest District Branch Office - Panama City, and Bureau of Air Regulation Office at least 15 days prior to commencement of the performance tests and parameter measurements or monitoring. A written report shall be submitted to these offices within 45 days upon completion of the last test run and parameter measurements and monitoring.
2. The authorized testing and measurement and monitoring schedule is from September 1 through November 30, 2002. If additional time is needed, the permittee shall provide the Department with documentation of the progress accomplished to date and shall identify what is left to be done to complete the testing and measurements or monitoring.
3. The parameters to be measured or monitored are sulfur dioxide [CEM (continuous emission monitor)], nitrogen oxides (CEM), particulate matter, carbon dioxide (CEM), ash content of the fuel, ultimate fuel analyses, unit operational parameters including load, fuel flow, excess air, flue gas temperature, and other unit specific parameters that are needed for the EPRI computer model. Particulate size distribution may be evaluated also.
4. Emissions testing shall be conducted concurrently for the following pollutants and using the following test methods:
  - a. Particulate matter                      EPA Test Method 17 (including EPA Test Methods 1 thru 4)
  - b. Visible emissions                        EPA Test Method 9
5. The performance test plans are as follows:
  1. Conduct a performance test (three 1-hour runs) using EPA Method 17 at "normal" operations;
  2. Conduct a performance test (three 1-hour runs) using EPA Method 17 at a reduction in the ESP efficiency; and,
  - 3.a. If the test results show that the PM allowable limit was exceeded; then the ESP's efficiency will be increased and a third performance test using EPA Method 17 will be conducted (supposedly between "normal" and "at the reduced efficiency"); or,
  - b. If the test results show that the PM allowable limit was not exceeded; then the ESP's efficiency will be further decreased and a third performance test using EPA Method 17 will be conducted in an attempt to define the outer range of the ESP's efficiency at which the PM allowable limit will be exceeded; and,
  - c. If the outer range is not established by the 2<sup>nd</sup> and 3<sup>rd</sup> performance tests, then the performance testing is ended for that emissions unit; and, Gulf Power Company will use the data to help define their CAM Plan for that emissions unit tested.
6. The release of objectionable odors pursuant to Rule 62-296.320(2), F.A.C., is not authorized for this activity.
7. Performance testing shall immediately cease upon the occurrence of a valid environmental complaint by a citizen or other party, or a nuisance or danger to the public health or welfare. Performance testing shall not resume until appropriate measures to correct the problem have been implemented.

**DRAFT**

Mr. Gene L. Ussery  
Gulf Power Company  
Smith Electric Generating Plant: Units Nos. 1 & 2  
0050014-004-AC  
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8. The performance tests and parameter measurements and monitoring shall be under the direct supervision and responsible charge of a professional engineer registered in Florida.
9. This Department action is just to authorize the performance testing and parameter measurements and monitoring for the Smith Units Nos. 1 & 2's ESP for the purpose of developing a CAM protocol.
10. Complete documentation of the activity shall be kept on file for at least 5 (five) years.
11. The Department shall be notified in writing on the date of the last test run and parameter measurement and monitoring completion. If after work hours, notification shall occur on the next work day.
12. Attachment Section.
  - a. Mr. G. Dwain Waters's letter received June 5, 2002.
  - b. Final Determination.

The Department has relied on the information referenced in the Attachment Section and conversations with representatives of Gulf Power Company in authorizing this activity.

Sincerely,

Howard L. Rhodes, Director  
Division of Air Resources Management

HLR/rbm

Enclosures

cc: Clair Fancy, DEP - BAR  
Scott Sheplak, DEP - BAR  
Sandra Veazey, DEP - NWD  
Kevin White, DEP - NWD  
Gary Shaffer, DEP - NWDB  
Joe Kahn, DEP - BAMMS  
G. Dwain Waters, Q.E.P., GPC  
Gregory N. Terry, P.E., GPC