



# Department of Environmental Protection

Jeb Bush  
Governor

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

Colleen M. Castille  
Secretary

February 22, 2006

Mr. Bernie Cumbie, Plant Manager  
Progress Energy Florida  
Crystal River Units 1&2  
100 Central Ave. CN77  
St. Petersburg, Florida 33701

Re: DEP File No. PSD-FL-370, 0170004-010-AC, 0170004-011-AV  
Portable Cooling Towers  
Crystal River Power Plant / Citrus County

Dear Mr. Cumbie:

On February 6, 2006, the Department received your application to install portable cooling towers at the above facility, which is located in Citrus County. Enclosed are the following related documents: "Technical Evaluation Preliminary BACT Review" and "Draft Permit Revision". The "Technical Evaluation Preliminary BACT Review" summarizes the Permitting Authority's technical review of the application and provides the rationale for making the preliminary determination to issue the permit. The "Draft Permit" includes the specific changes to the above permit conditions that the Department intends to make.

The Department is providing its preliminary determination to issue revisions to these permits at the same time. Enclosed are the following combined documents related to these projects: "Written Notice of Intent to Issue Air Construction Permit/Title V Air Operation Permit Revision" and "Public Notice of Intent to Issue Air Construction Permit/Title V Air Operation Permit Revision". These documents revise both permits, allowing for a single Public Notice. The "Written Notice" provides important information regarding: the Permitting Authority's intent to issue the permits; the requirements for publishing the Public Notice of the Permitting Authority's intent to issue the air permits; the procedures for submitting comments on the Draft Permits; the requirements for requesting a public meeting; the process for filing a petition for an administrative hearing; and the availability of mediation. The "Public Notice" 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, Michael P. Halpin, P.E., at 850/921-9519.

Sincerely,

Trina Vielhauer, Chief  
Bureau of Air Regulation

Enclosures

"More Protection, Less Process"

Printed on recycled paper.

**WRITTEN NOTICE OF INTENT TO ISSUE  
AIR CONSTRUCTION PERMIT/TITLE V AIR OPERATION PERMIT REVISION**

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*In the Matter of an  
Application for Title V Air Operation Permit by:*

Mr. Bernie Cumbie, Plant Manager  
Crystal River Power Plant  
100 Central Ave. CX1B  
St. Petersburg, Florida 33701

Project No. 0170004-010-AC, 0170004-011-AV  
Air Construction Permit  
Title V Air Operation Permit Revision  
Duval County, Florida

**Facility Location:** The Crystal River Power Plant is located north of Crystal River, on Power Line Rd., West of U.S. 19, Citrus County, Florida.

**Air Construction Permit Project:** This permit allows for the construction and initial operation of the portable cooling towers. Details are provided in the in the application and the enclosed "Technical Evaluation and Preliminary BACT Review".

**Title V Air Operation Permit Revision Project:** The Draft Title V Air Operation permit revision incorporates the air construction permit for this facility.

**Permitting Authority:** Applications for these permitting actions are subject to review in accordance with the provisions of Chapter 403 of the Florida Statutes (F.S.) and Chapters 62-4, 62-210, 62-212, 62-213 and 62-214 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and air permits are required for the air construction permit and to operate the facility. The Florida Department of Environmental Protection's Bureau of Air Regulation is the Permitting Authority responsible for making permit determinations regarding these projects. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, in 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 850/488-0114 and facsimile number is 850/922-6979.

**Project Files:** Complete project files are 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 address indicated above for the Permitting Authority. For the Air Construction Permit Project, the complete project file includes the Draft Permit, the Technical Evaluation and Preliminary BACT Review, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. For the Title V Air Operation Permit Revision Project, 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 view the Draft Permit and file electronic comments by visiting the following website: <http://www.dep.state.fl.us/air/eproducts/ards/>. Copies of the complete project files are also available at the Air Resources Section of the Department's Southwest District Office at 13051 N. Telecom Parkway, Temple Terrace; Phone Number 813-632-7600.

**Notice of Intent to Issue Air Permits:** The Permitting Authority gives notice of its intent to issue the Draft Air Construction Permit and the Draft Title V Air Operation Permit Revision to the applicant for the projects described above. The applicant has provided reasonable assurance that operation of the facility will not adversely impact air quality and that the projects will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-214, 62-256, 62-257, 62-281, 62-296, and 62-297, F.A.C. For the Draft Air Construction Permit, the Permitting Authority will issue a Final Permit in accordance with the conditions of the Draft Permit unless a response received in accordance with the following procedures results in a different decision or a significant change of terms or conditions. For the Draft Title V Air Operation Permit Revision, the Permitting Authority will issue PROPOSED Permit conditions and subsequent FINAL Permit conditions in accordance with the conditions of the Draft Permit unless a response received in accordance with the following procedures 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 Construction Permit/Title V Air Operation Permit Revision" (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), F.A.C., the applicant shall provide proof of publication to the Permitting Authority at the above address within seven (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.



**WRITTEN NOTICE OF INTENT TO ISSUE  
AIR CONSTRUCTION PERMIT/TITLE V AIR OPERATION PERMIT REVISION**

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**Comments on the Air Construction Permit Project:** The Permitting Authority will accept written comments concerning the Draft Air Construction Permit for a period of thirty (30) days from the date of publication of the Public Notice. Written comments must be post-marked, and all e-mail or facsimile comments must be received by the close of business (5:00 p.m.), on or before the end of this 30-day period by the Permitting Authority at the above address, email or facsimile. If written comments result in a significant change to the Draft Permit, the Permitting Authority will issue a Revised Draft Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

**Comments on the Draft Title V Air Operation Permit Revision Project:** The Permitting Authority will accept written comments concerning the Draft Permit for a period of thirty (30) days from the date of publication of the Public Notice. Written comments must be post-marked, and all e-mail or facsimile comments must be received by the close of business (5:00 p.m.), on or before the end of this 30-day period by the Permitting Authority at the above address, email or facsimile. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location on the Department's official web site for notices at <http://tlhora6.dep.state.fl.us/onw> and in a newspaper of general circulation in the area affected by the permitting action. For additional information, contact the Permitting Authority at the above address or phone number. If written comments or comments received at a public meeting result in a significant change to the Draft Permit, the Permitting Authority will issue a Revised 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 decisions 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. Petitions filed by the applicant or any of the parties listed below must be filed within fourteen (14) days of receipt of this "Written Notice of Intent". Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within fourteen (14) days of publication of the attached "Public Notice" or within fourteen (14) days of receipt of this "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 fourteen (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 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 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 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; 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 these applications 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.

**Objections to the FINAL Title V Permit:** Finally, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within sixty (60) days of the expiration of the Administrator's 45 (forty-

**WRITTEN NOTICE OF INTENT TO ISSUE  
AIR CONSTRUCTION PERMIT/TITLE V AIR OPERATION PERMIT REVISION**

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five) day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to the issuance of any Title V air operation permit. Any petition shall be based only on objections to the Permit that were raised with reasonable specificity during the thirty (30) day public comment period provided in the Public Notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460. For more information regarding EPA review and objections, visit EPA's Region 4 web site at <http://www.epa.gov/region4/air/permits/Florida.htm>.

Executed in Tallahassee, Florida.



Trina Vielhauer, Chief  
Bureau of Air Regulation

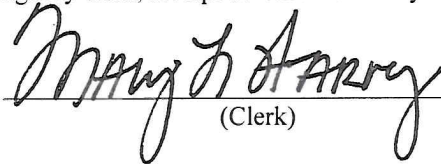
**CERTIFICATE OF SERVICE**

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, the Public Notice, the "Technical Evaluation, Preliminary BACT Review", the Draft Air Construction and Draft Title V Air Operation Permit Revision was sent by certified mail (\*) and copies were mailed by U.S. Mail before the close of business on 2/22/06 to the persons listed below.

Bernie Cumbie, Progress Energy Florida\*  
Dave Meyer, Progress Energy Florida  
Scott Osbourn, P.E., Golder Associates  
Joel Smolen, DEP-SWD  
Doug Neeley, EPA  
John Bunyak, NPS

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.

  
(Clerk)

2/22/06  
(Date)



**PUBLIC NOTICE OF INTENT TO ISSUE  
AIR CONSTRUCTION PERMIT/TITLE V AIR OPERATION PERMIT REVISION**

Florida Department of Environmental Protection  
Draft Air Construction Permit No. 0170004-010-AC (PSD-FL-370)  
Draft Title V Air Operation Permit Revision No. 0170004-011-AV  
Crystal River Power Plant  
Citrus County, Florida

**Applicant:** The applicant for this project is Progress Energy Florida. The facility responsible official is Bernie Cumbie, Plant Manager.

**Facility Location:** The applicant's address is 100 Central Ave. CX1B, St. Petersburg, Florida 33701.

**Air Construction Permit:** This project allows for installation of portable cooling towers at the facility. The permit incorporates new conditions but does not alter existing permit conditions. Calculated emission increases exceed the PSD significance threshold for PM (25 TPY). The project is subject to PSD preconstruction review for PM and the draft permit includes a Best Available Control Technology (BACT) Determination based upon the drift rate of the circulating water.

**Title V Air Operation Permit Revision:** This project is to incorporate the above, applicable revisions to the Title V Air Operation permit for the facility.

**Permitting Authority:** Application for these permitting actions are subject to review in accordance with the provisions of Chapter 403 of the Florida Statutes (F.S.) and Chapters 62-4, 62-210, 62-212, 62-213 and 62-214 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and air permits are required for the air construction permit and to operate the facility. The Florida Department of Environmental Protection's Bureau of Air Regulation is the Permitting Authority responsible for making permit determinations regarding these projects. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, in 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 850/488-0114 and facsimile number is 850/922-6979.

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**Comments on the Air Construction Permit Project:** The Permitting Authority will accept written comments concerning the Draft Air Construction Permit for a period of thirty (30) days from the date of publication of the Public Notice as well as requests for a public meeting concerning the permit issuance action for a period of 30 (thirty) days from the date of publication of the Public Notice. Written comments must be post-marked, and all e-mail or facsimile comments must be received by the close of business (5:00 p.m.), on or before the end of this 30-day period by the Permitting Authority at the above address, email or facsimile. If written comments result in a significant change to the Draft Permit, the Permitting Authority will issue a Revised Draft Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

**Comments on the Draft Title V Air Operation Permit Project:** The Permitting Authority will accept written comments concerning the Draft Permit for a period of thirty (30) days from the date of publication of the Public Notice. Written comments must be post-marked, and all e-mail or facsimile comments must be received by the close of business (5:00 p.m.),

**(Public Notice to be Published in the Newspaper)**



**PUBLIC NOTICE OF INTENT TO ISSUE  
AIR CONSTRUCTION PERMIT/TITLE V AIR OPERATION PERMIT REVISION**

on or before the end of this 30-day period by the Permitting Authority at the above address, email or facsimile. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location on the Department's official web site for notices at <http://tlhora6.dep.state.fl.us/onw> and in a newspaper of general circulation in the area affected by the permitting action. For additional information, contact the Permitting Authority at the above address or phone number. If written comments or comments received at a public meeting result in a significant change to the Draft Permit, the Permitting Authority will issue a Revised Draft Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

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**Mediation:** Mediation is not available in this proceeding.

**Objections to the FINAL Title V Permit:** Finally, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within sixty (60) days of the expiration of the Administrator's 45 (forty-five) day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to the issuance of any Title V air operation permit. Any petition shall be based only on objections to the Permit that were raised with reasonable specificity during the thirty (30) day public comment period provided in the Public Notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460. For more information regarding EPA review and objections, visit EPA's Region 4 web site at <http://www.epa.gov/region4/air/permits/Florida.htm>.