



FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

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RICK SCOTT
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JONATHAN P. STEVERSON
SECRETARY

Sent by Electronic Mail – Received Receipt Requested

Mr. Ronald D. Bishop, Director
Tampa Electric Company
Post Office Box 111
Tampa, Florida 33601-0111

Re: Exemption from the Requirement to Obtain an Air Construction Permit
Tampa Electric Company, Big Bend Station
Project No. 0570039-077-AC
Temporary Unloading of New Limestone

Dear Mr. Bishop:

On February 9, 2015, Tampa Electric Company (TEC) submitted a request to unload limestone transported by railcar and/or sea vessel at the Big Bend Station located in Hillsborough County at 13031 Wyandotte Road in Apollo Beach, Florida.

The purpose of this project is to explore a higher quality of limestone from other sources to test in the existing wet flue gas desulfurization (FGD) systems. Currently, the quality of the limestone has been inconsistent and appears to be impacting the performance of the FGD systems at the Big Bend Station. The limestone will need to be transported and unloaded by trucks, railcars or sea vessels depending on the location of the sources that produce limestone. TEC is currently authorized to receive limestone via truck unloading. Therefore, TEC is requesting to temporarily unload limestone transported by railcar and/or sea vessel while evaluating other sources of limestone.

If it is determined that new limestone will be transported by railcar or sea vessel, TEC will submit an application to obtain an air construction permit. The project is planned to commence in late February 2015.

Determination: A complete review of this project is summarized in the attached Technical Evaluation.

Wet FGD systems are primarily used to reduce emission of sulfur dioxide (SO₂) from exhaust flue gasses and to produce a gypsum by-product. The existing wet scrubbers use limestone to provide alkalinity to scrub gases to remove SO₂. FGD systems can remove up to 95% or more of SO₂ in the flue gases.

The quality of the limestone used at the Big Bend Station has been inconsistent and is impacting the performance of the FGD systems. Limestone is a sedimentary rock composed largely of the minerals calcite and aragonite, which are different crystal forms of calcium carbonate. Problems that can result in low quality limestone used in the FGD systems can consist of: scaling and solids buildup; mist eliminator pluggage; limestone blinding; poor SO₂ removal; poor reagent utilization; and poor gypsum by-product quality. To address the problems occurring with the existing wet scrubbers, TEC is requesting to test various types of limestone from other sources in the FGD systems. Due to the various locations of the sources that produce limestone, some of the new limestone will need to be delivered to the Big Bend Station by railcar and/or sea vessel.

No new equipment will be needed to temporarily unload the limestone from the railcar or sea vessels. TEC proposes to utilize the existing solids fuel yard and conveying systems to unload limestone by truck, railcar and/or sea vessel. The following engineering controls and best management practices used to minimize fugitive dust emissions in the material handling operations consists of: covered conveyors; totally enclosed transfers points; and water sprays/chemical surfactants are used to minimize fugitive emissions from truck traffic, transfer points, open conveyors, and storage piles.

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The project will result in the following approximate potential emissions: 4.4 tons/year of particulate matter (PM); and 1.7 tons/year of PM with a mean diameter of 10 microns or less (PM₁₀). These estimated potential fugitive emissions were based on the handling and storage of the limestone and vehicle traffic.

Pursuant to Rule 62.4.040(1)(b) of the Florida Administrative Code (F.A.C.) and for the reasons stated in the Technical Evaluation, the Office of Permitting and Compliance determines that the activity will not emit air pollutants, “... *in sufficient quantity, with respect to its character, quality or content, and the circumstances surrounding its location, use and operation, as to contribute significantly to the pollution problems within the State, so that the regulation thereof is not reasonably justified.*” Therefore, the project is exempt from the requirement to obtain an air construction permit provided that the following conditions are met:

- Without prior permission from the Department, the permittee shall not exceed 105,000 tons of new limestone received by railcar and sea vessel, combined.
- The permittee shall observe and record the total amount of limestone received from each shipment of limestone from the railcars and sea vessels. Following each shipment of limestone by railcar or sea vessel, the permittee shall calculate a rolling total of the amount of limestone received to demonstrate compliance with the maximum permitted amount of limestone delivered by railcar and sea vessel, combined.
- The permittee shall notify the Compliance Authority in writing at least 15 days, or as soon as practical, prior to receiving the initial shipment of limestone by railcar and by sea vessel.

This determination may be revoked if the proposed activities are substantially modified or the basis for the exemption is determined to be materially incorrect. A copy of this letter shall be maintained at the site of the proposed activity. This permitting decision is made pursuant to Chapter 403, Florida Statutes.

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, F.A.C. The Permitting Authority responsible for making a permit determination for this project is the Office of Permitting and Compliance in the Department of Environmental Protection’s Division of Air Resource Management. The Permitting Authority’s physical address is: 2600 Blairstone Road, Tallahassee, Florida 32301. The Permitting Authority’s mailing address is: 2600 Blairstone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority’s telephone number is 850/717-9000.

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 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 must be filed within 21 days of receipt of this exemption from air permitting requirements. 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 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

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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 permitting action. 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.

Effective Date: This permitting decision is final and effective on the date filed with the clerk of the Permitting Authority unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition pursuant to Rule 62-110.106, F.A.C., and the petition conforms to the content requirements of Rules 28-106.201 and 28-106.301, F.A.C. Upon timely filing of a petition or a request for extension of time, this action will not be effective until further order of the Permitting Authority.

Judicial Review: Any party to this permitting decision (order) has the right to seek judicial review of it under Section 120.68, F.S., 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

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

JFK/dr/tm

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CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Letter of Exemption and the Technical Evaluation 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 the date indicated below to the following persons.

Mr. Ronald D. Bishop, Director, TEC: rdbishop@tecoenergy.com
Mr. Byron Burrows, P.E., Manager-Air Programs, TEC: btburrows@tecoenergy.com
Mr. Robert Velasco, P.E., Air Programs EHS, TEC: ravelasco@tecoenergy.com
Ms. Diana M. Lee, P.E., EPCHC: lee@epchc.org
Mr. Jason Waters, P.E., EPCHC: watersj@epchc.org
Ms. Justin Green, DEP Siting Office: justin.b.green@dep.state.fl.us
Ms. Alisa Coe, Earth Justice: acoe@earthjustice.org
Ms. Lorinda Shepherd, EPA Region 4: shephard.lorinda@epa.gov
Ms. Heather Ceron, US EPA Region 4: ceron.heather@epa.gov
Ms. Lynn Searce, DEP OPC: lynn.searce@dep.state.fl.us

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.