



Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Jonathan P. Steverson
Secretary

Sent by Electronic Mail – Received Receipt Requested

Ms. Karen Sheffield, Director
Tampa Electric Company (TEC)
Post Office Box 111
Tampa, Florida 33600-0111

Re: Extension of Air Construction Permit Expiration Date
TEC, Polk Power Station (PPS)
Project No. 1050233-041-AC
Extension of Original Air Permit No. 1050233-027-AC
High Temperature Syngas Cleanup (HTSC) Demonstration Project

Dear Ms. Sheffield:

On October 21, 2015, TEC requested an extension of the expiration date of air construction Permit No. 1050233-027-AC and the shakedown period for the HTSC system for the Polk Power Station located in Polk County at 9995 State Road 37 South, in Mulberry, Florida. In addition, TEC notified the Department that due to moisture present in the high temperature desulfurization process (HTDP) regenerator offgas, routing this offgas to the existing flare could result in corrosion of the flare piping system. For this reason, during startups the HTDP regenerator offgas, containing primarily nitrogen and some sulfur dioxide (SO₂) due to partial oxidation of sulfur that is present on the regenerator sorbent, is vented through a newly constructed 150 foot stack rather than through the flare. The minor design change will result in a minimal increase of SO₂ (0.069 tons/year). The HTSC system meets the exemption criteria in accordance with Rule 62-210.300(3)(b), F.A.C. The HTSC system is not subject to any unit-specific limitation or requirement and does not emit 5 tons/year or more of any regulated air pollutant.

The Department acknowledges that the 150 foot SO₂ stack is an insignificant emission unit. Based on the circumstances and information provided, the Department approves this request for an extension to the shakedown period for the HTSC system and Permit No. 1050233-027-AC expiration date from December 31, 2015 to December 31, 2016 to provide the necessary time to complete HTSC demonstration project. This additional shakedown period to December 31, 2016 is authorized so long as the following conditions continue to be met:

1. That during the additional shakedown period, monthly status reports continue to be submitted to the Compliance Authority, Southwest District Office (SWD), no later than the 10th day of the following month. The status reports should continue indicate how the shakedown period was progressing, any problems that have been encountered and corrective actions taken to resolve the problems. The status report must still include the number and duration the gases are exhausted through the 150 foot SO₂ stack that is attributed to the shakedown of the HTSC system. Also included in the report, the anticipated end of the shakedown period.
2. The monthly compliance reports shall be sent to:
 - Ms. Danielle Henry of the SWD:
Phone: 813-470-5901, email: Danielle.D.Henry@dep.state.fl.us)
 - Mr. Amaury Betancourt of the SWD:
Phone: 813 470-5905, email: Amaury.Betancourt@dep.state.fl.us; and

EXTENSION OF AIR CONSTRUCTION PERMIT EXPIRATION DATE

- Ms. Cynthia Falandysz of the SWD:
Phone: 813-470-5791, email: Cynthia.Falandysz@dep.state.fl.us.

A copy of this letter shall be filed with the referenced permit and shall become part of the permit. This permitting decision is issued 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 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 Department of Environmental Protection's Office of Permitting and Compliance is the Permitting Authority responsible for making a determination for this project. The Permitting Authority's physical address is: 2600 Blair Stone Road, Tallahassee, Florida 32301. 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.

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. Petitions must be filed within 14 days of receipt of this permit extension. 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; (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 written 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.

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 Department 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 Department.

EXTENSION OF AIR CONSTRUCTION PERMIT EXPIRATION DATE

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, Agency_Clerk@dep.state.fl.us, 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.

David L. Read, PE, Environmental Administrator
Office of Permitting and Compliance
Division of Air Resource Management

DLR/ttm

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this extension of air construction permit expiration date 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.

Ms. Karen Sheffield, Director, TEC: kasheffield@tecoenergy.com
Mr. Bryon T. Burrows, TEC: BTBurrows@tecoenergy.com
Ms. Lyndsey M. Figler, TEC: LFigler@tecoenergy.com
Ms. Danielle Henry, SWD: Danielle.D.Henry@dep.state.fl.us
Mr. Amaury Betancourt, SWD: Amaury.Betancourt@dep.state.fl.us
Ms. Cynthia Falandysz, SWD: Cynthia.Falandysz@dep.state.fl.us
DEP Siting Office: SCO@dep.state.fl.us
Ms. Alisa Coe, Earth Justice: acoe@earthjustice.org
Ms. Lynn Scarce, DEP OPC, lynn.scarce@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.