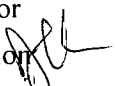



Memorandum

Florida Department of Environmental Protection

To: Trina Vielhauer, DARM Deputy Director
Through: Jeff Koerner, New Source Review Section 
From: Bobby Bull, New Source Review Section 
Date: May 11, 2011
Subject: Air Permit Exemption
Project No. 0170004-029-AC
Progress Energy Florida Inc., Crystal River Fossil Plant
Temporary Use of Sodium Bicarbonate Storage and Transport System, Units 4 and 5

Attached for your review is an Exemption Letter for the Crystal River Fossil Plant, which is located in Citrus County at 15760 West Powerline Road in Crystal River, Florida. Briefly, the exemption letter authorizes the temporary storage containment vessels capable of storing and transporting sodium bicarbonate to the fly ash collection and storage system for Units 4 and 5. Sodium bicarbonate is used to mitigate ammonia levels in the fly ash collection and storage system. The facility is currently applying the sodium bicarbonate manually by plant personnel. Emissions from the temporary system are minimal and emissions will be controlled with a baghouse. I recommend your approval of the exemption letter.

Attachments

TLV/jfk/rlb



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

May 11, 2011

Sent by Electronic Mail – Received Receipt Requested

Robby A. Odom, Manager
Crystal River Fossil Plant and Fuel Operations
Progress Energy Florida, Inc.
15760 West Powerline Street
CN 77
Crystal River, FL 34428

Re: Exemption from the Requirement to Obtain an Air Permit
Progress Energy Florida, Inc., Crystal River Fossil Plant
Project No. 0170004-029-AC
Temporary Use of Sodium Bicarbonate Storage and Transport System

Dear Mr. Odom:

On May 6, 2011, Progress Energy Florida, Inc. submitted a request to bring onsite temporary storage containment vessels capable of storing and transporting sodium bicarbonate to the fly ash collection and storage system for the plant's existing Units 4 and 5. The existing Crystal River Fossil Plant is located in Citrus County at 15760 West Powerline Street in Crystal River, Florida. The facility currently applies the sodium bicarbonate to the system manually by plant personnel to mitigate ammonia levels in the fly ash collection and storage system. Emissions from the temporary storage and transport systems will be controlled by fabric filters resulting in minimal particulate emissions impacts of less than 0.1 tons per year per system.

Determination: Pursuant to Rule 62.4.040(1)(b) of the Florida Administrative Code (F.A.C.) and for the reasons stated above, the Bureau of Air Regulation 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. This determination may be revoked if the proposed activity is 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 Bureau of Air Regulation in the Department of Environmental Protection's Division of Air Resource Management. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, 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. The petition must contain the information set forth below and must be filed with (received by) the agency clerk in the Office of General

EXEMPTION FROM AIR CONSTRUCTION PERMITTING

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 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.

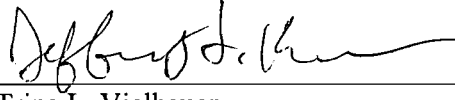
Mediation: Mediation is not available in this proceeding.

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.

EXEMPTION FROM AIR CONSTRUCTION PERMITTING

Executed in Tallahassee, Florida.



Trina L. Vielhauer
Deputy Director
Division of Air Resource Management

For

TLV/jfk/rlb

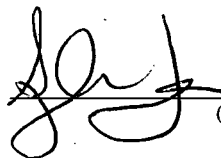
CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Exemption from Air Construction Permitting 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 5/11/11 to the persons listed below.

Robby A. Odom, Progress Energy Florida, Inc. (Robby.Odom@pgnmail.com)
Jamie Hunter, Progress Energy Florida, Inc. (John.Hunter@pgnmail.com)
Chris Bradley, Progress Energy Florida, Inc. (Chris.Bradley@pgnmail.com)
Kim McDaniel, Progress Energy Florida, Inc. (Kim.McDaniel@pgnmail.com)
Cindy Zhang-Torres, Southwest District Office (Cindy.Zhang-Torres@dep.state.fl.us)
Ms. Vickie Gibson, DEP BAR Reading File (victoria.gibson@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.



(Clerk)

5/11/11
(Date)

CONDITIONS OF EXEMPTION

Subject to the following provisions and restrictions, the Crystal River Fossil Plant and Fuel Operations is authorized to install and operate temporary storage containment vessels capable of storing and transporting sodium bicarbonate to the fly ash collection and storage system in accordance with the following conditions.

1. Equipment: The permittee requested the ability to choose between one of two storage options. Option one is a 100 ton storage "pig" (silo) and the second option will use two 49 ton silos in tandem. Capacities are approximate. The permittee shall notify the Department of the option selected. [Application No. 0170004-029-AC and Rule 62-4.070(3), F.A.C.]
2. Dust Collectors: A dust collector shall be installed to control emissions during the loading process and the dust collector will have a flow rate of approximately 375 actual cubic feet per minute (acfm) during the loading operation. The dust collector will be attached to the storage silo.

A separate dust collector shall be installed to control material being transferred from the metering silo to the fly ash collection system. The dust collector will have a flow rate of approximately 350 acfm during transfer operations.

Each dust collector shall be designed for a dust outlet specification of 0.01 grains/dry standard cubic foot (dscf) and implement best management practices (BMP) to control particulate matter emissions. [Application No. 0170004-029-AC and Rule 62-4.070(3), F.A.C.]

3. Opacity Work Practice Standard – Temporary Dust Collectors: As determined by EPA Method 9, visible emissions from each temporary dust collector exhaust shall not exceed 5% opacity based on a 6-minute average. No periodic test is required. This visible emissions limit is a work practice standard to prevent circumvention of the control devices and ensure proper operation. If visible emissions in excess of this standard occur, the permittee shall investigate the cause and take corrective action to regain operation below the standard (e.g., cause: bag failure / corrective action: replaced bags). For this temporary equipment, visible emissions in excess of the opacity standard are not necessarily a violation of this permit; however, failure to investigate excess emissions and take corrective action to minimize emissions may be considered circumvention of a control device. [Application No. 0170004-029-AC and Rule 62-4.070(3), F.A.C.]
4. Fugitive Dust Control: To the extent practicable, the material handling and storage operations shall be enclosed and confined to prevent fugitive dust emissions. The permittee shall take reasonable precautions (as specified in the current Title V air operation permit) to prevent fugitive dust emissions from the unloading, storage and handling of the materials. [Application No. 0170004-029-AC; Rules 62-4.070(3) and 62-210.200(PTE), F.A.C.]

Livingston, Sylvia

From: Livingston, Sylvia
Sent: Wednesday, May 11, 2011 4:21 PM
To: 'robby.odom@pgnmail.com'
Cc: 'john.hunter@pgnmail.com'; 'chris.bradley@pgnmail.com'; 'kim.mcdaniel@pgnmail.com'; Zhang-Torres; Gibson, Victoria; Bull, Robert; Walker, Elizabeth (AIR)
Subject: Progress Energy Florida, Inc. - Crystal River Fossil Plant - Exemption
Attachments: 0170004-029-AC_Exemption.pdf

Dear Sir/Madam:

Please send a "reply" message verifying receipt of the attached document(s); this may be done by selecting "Reply" on the menu bar of your e-mail software, *noting that you can view the documents*, and then selecting "Send". We must receive verification of receipt and your reply will preclude subsequent e-mail transmissions to verify receipt of the document(s).

The document(s) may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible.

The document is in Adobe Portable Document Format (pdf). Adobe Acrobat Reader can be downloaded for free at the following internet site: [<http://www.adobe.com/products/acrobat/readstep.html>](http://www.adobe.com/products/acrobat/readstep.html) .

The Bureau of Air Regulation is issuing electronic documents for permits, notices and other correspondence in lieu of hard copies through the United States Postal System, to provide greater service to the applicant and the engineering community. Please advise this office of any changes to your e-mail address or that of the Engineer-of-Record.

Sylvia Livingston
Division of Air Resource Management (DARM)
Department of Environmental Protection
850/717-9043 (New Phone)
sylvia.livingston@dep.state.fl.us

Livingston, Sylvia

From: Odom, Robby A [Robby.Odom@pgnmail.com]
Sent: Thursday, May 12, 2011 3:36 PM
To: Livingston, Sylvia
Cc: Hunter, John J (Jamie); Bradley, Chris; McDaniel, Kim; Zhang-Torres; Gibson, Victoria; Bull, Robert; Walker, Elizabeth (AIR)
Subject: RE: Progress Energy Florida, Inc. - Crystal River Fossil Plant - Exemption

I have received and can view this document.

Thanks,

Robb Odom

Plant Manager
Crystal River Steam Plant
p. 352-563-4910
c. 352-464-7003

From: Livingston, Sylvia [mailto:Sylvia.Livingston@dep.state.fl.us]
Sent: Wednesday, May 11, 2011 4:21 PM
To: Odom, Robby A
Cc: Hunter, John J (Jamie); Bradley, Chris; McDaniel, Kim; Zhang-Torres; Gibson, Victoria; Bull, Robert; Walker, Elizabeth (AIR)
Subject: Progress Energy Florida, Inc. - Crystal River Fossil Plant - Exemption

Dear Sir/Madam:

Please send a "reply" message verifying receipt of the attached document(s); this may be done by selecting "Reply" on the menu bar of your e-mail software, *noting that you can view the documents*, and then selecting "Send". We must receive verification of receipt and your reply will preclude subsequent e-mail transmissions to verify receipt of the document(s).

The document(s) may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible.

The document is in Adobe Portable Document Format (pdf). Adobe Acrobat Reader can be downloaded for free at the following internet site: <http://www.adobe.com/products/acrobat/readstep.html> .

The Bureau of Air Regulation is issuing electronic documents for permits, notices and other correspondence in lieu of hard copies through the United States Postal System, to provide greater service to the applicant and the engineering community. Please advise this office of any changes to your e-mail address or that of the Engineer-of-Record.

Sylvia Livingston
Division of Air Resource Management (DARM)
Department of Environmental Protection
850/717-9043 (New Phone)
sylvia.livingston@dep.state.fl.us

Livingston, Sylvia

From: Hunter, John J (Jamie) [John.Hunter@pgnmail.com]
Sent: Monday, May 16, 2011 9:43 AM
To: Livingston, Sylvia
Subject: RE: Progress Energy Florida, Inc. - Crystal River Fossil Plant - Exemption

Received

From: Livingston, Sylvia [mailto:Sylvia.Livingston@dep.state.fl.us]
Sent: Wednesday, May 11, 2011 4:21 PM
To: Odom, Robby A
Cc: Hunter, John J (Jamie); Bradley, Chris; McDaniel, Kim; Zhang-Torres; Gibson, Victoria; Bull, Robert; Walker, Elizabeth (AIR)
Subject: Progress Energy Florida, Inc. - Crystal River Fossil Plant - Exemption

Dear Sir/Madam:

Please send a "reply" message verifying receipt of the attached document(s); this may be done by selecting "Reply" on the menu bar of your e-mail software, *noting that you can view the documents*, and then selecting "Send". We must receive verification of receipt and your reply will preclude subsequent e-mail transmissions to verify receipt of the document(s).

The document(s) may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible.

The document is in Adobe Portable Document Format (pdf). Adobe Acrobat Reader can be downloaded for free at the following internet site: <http://www.adobe.com/products/acrobat/readstep.html> .

The Bureau of Air Regulation is issuing electronic documents for permits, notices and other correspondence in lieu of hard copies through the United States Postal System, to provide greater service to the applicant and the engineering community. Please advise this office of any changes to your e-mail address or that of the Engineer-of-Record.

Sylvia Livingston
Division of Air Resource Management (DARM)
Department of Environmental Protection
850/717-9043 (New Phone)
sylvia.livingston@dep.state.fl.us

The Department of Environmental Protection values your feedback as a customer. DEP Secretary Herschel T. Vinyard Jr. is committed to continuously assessing and improving the level and quality of services provided to you. Please take a few minutes to comment on the quality of service you received. Simply click on [this link to the DEP Customer Survey](#). Thank you in advance for completing the survey.