UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

November 1, 1999

4APT-ARB

Howard L. Rhodes, Director
Air Resources Management Division
Florida Department of Environmental Management
Mail Station 5500
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

SUBJ: EPA's Review of Proposed Title V Permit No. 0170004-004-AV
Florida Power Corporation Crystal River Plant

Dear Mr. Rhodes:

The purpose of this letter is to notify the Florida Department of Environmental Protection (FDEP) that the U.S. Environmental Protection Agency (EPA) formally objects to the issuance of the above referenced proposed title V operating permit for the Florida Power Corporation (FPC) Crystal River Plant in Citrus County, Florida, which was received by EPA, via e-mail notification and FDEP's web site, on September 17, 1999. This letter also provides our general comments on the proposed permit.

Based on EPA's review of the proposed permit and the supporting information received for this facility, EPA objects, under the authority of Section 505(b) of the Clean Air Act ("the Act") and 40 C.F.R. § 70.8(c) (see also Florida Regulation 62-213.450), to the issuance of the proposed title V permit for this facility. The basis for EPA's objection is that the permit does not assure compliance with all applicable requirements as required by 40 C.F.R. § 70.1(b) and 40 C.F.R. § 70.6(a)(1). Specifically, the permit does not contain terms or conditions assuring compliance with Prevention of Significant Deterioration requirements applicable to this facility under the Clean Air Act, the Florida State Implementation Plan, and 40 C.F.R. part 70. In addition, the permit does not fully meet the periodic monitoring requirements of 40 C.F.R. § 70.6(a)(3)(i), and the permit does not assure compliance with the requirements of 40 C.F.R. § 70.6(a)(1). Pursuant to 40 C.F.R. § 70.8(c), this letter and its enclosure contain a detailed explanation of the objection issues and the changes necessary to make the permit consistent with the requirements of 40 C.F.R. part 70 and assure compliance with applicable requirements of the Clean Air Act. The enclosure also contains general comments applicable to the permit.

Section 70.8(c) requires EPA to object to the issuance of a proposed permit in writing within 45 days of receipt of the proposed permit (and all necessary supporting information) if

EPA determines that the permit is not in compliance with the applicable requirements under the Act or the requirements of 40 C.F.R. Part 70. Section 70.8(c)(4) of the title V regulations and Section 505(c) of the Act further provide that if the State fails to revise and resubmit a proposed permit within 90 days to satisfy the objection, the authority to issue or deny the permit passes to EPA, and EPA will act accordingly. Because the objection issues must be fully addressed within the 90 days, we suggest that the revised permit be submitted in advance in order that any outstanding issues may be resolved prior to the expiration of the 90-day period.

If you have any questions or wish to discuss this further, please contact Mr. Gregg Worley, Chief, Operating Source Section at (404) 562-9141. Should your staff need additional information, they may contact Ms. Kelly Fortin, Environmental Engineer, at (404) 562-9117 or Ms. Lynda Crum, Associate Regional Counsel, at (404) 562-9524.

Sincerely,

James D. Kutzman for

Winston A. Smith
Director
Air, Pesticides & Toxics
Management Division

Enclosure

cc: Joseph H. Richardson, President & CEO, FPC
W. Jeffery Pardue, Director Env. Services, FPC
Clair Fancy, P.E., FDEP
✓A. A. Linero, FDEP

Enclosure

U.S. EPA Region 4 Objection
Proposed Part 70 Operating Permit
Florida Power Corporation Crystal River Plant
Permit No. 0170004-004-AV
November 1, 1999

I. EPA Objection Issues

1. Applicable Requirements - Based on our review of the proposed permit, the title V permit application, and supplemental materials, EPA has determined that the proposed permit for the FPC Crystal River facility does not assure compliance with all applicable requirements under the Clean Air Act (CAA or the Act), the Florida State Implementation Plan (SIP), and state and federal title V regulations. Specifically, the permit does not contain terms and conditions assuring compliance with applicable Prevention of Significant Deterioration (PSD) requirements of the Act, the Florida SIP, and 40 C.F.R. part 70 for a proposed major modification to allow the facility to burn petroleum coke ("petcoke").

   Pursuant to CAA § 504(a), title V permits are to include, among other conditions, "enforceable emission limitations and standards, . . . and such other conditions as are necessary to assure compliance with applicable requirements of [the Act], including the requirements of the applicable implementation plan." "Applicable requirements" are defined in 40 C.F.R. § 70.2 to include: "(1) any standard or other requirement provided for in the applicable implementation plan approved or promulgated by EPA through rulemaking under title I of the Act..." As you know, FDEP defines "applicable requirement" in a similar fashion to include, among other requirements, "any standard or other requirement provided for in the state implementation plan" 62-210.200(31)(a)(1) Florida Administrative Code (F.A.C.).

   Applicable requirements include the requirement to obtain preconstruction permits that comply with applicable preconstruction review requirements under the Clean Air Act, EPA regulations, and SIPs. See generally CAA §§ 110(a)(2)(C), 160-69, & 173; 40 C.F.R. §§ 51.160-66 & 52.21; see also Order In re Roosevelt Regional Landfill, at 2, 8 (May 4, 1999); Order In re Monroe Electric Generating Plant Entergy Louisiana, Inc., at 2 (June 11, 1999). Such applicable requirements include the requirement to obtain a PSD permit that in turn complies with applicable PSD requirements. See CAA § 165; 40 C.F.R. §§ 51.160, 51.166 & 52.21; 48 FR 52,713 (November 22, 1983); Rule 62-212.400 F.A.C. Those requirements include, but are not limited to: the use of best available control technology (BACT) for each regulated pollutant that would be emitted in significant amounts, at each emissions unit at which the increase would occur;

associated emission limitations; and any additional requirements resulting from the PSD review, such as those that are necessary to afford protection to any Class I area air quality related values.[1]

The *FPC Crystal River Facility Title V Air Operating Permit Application*, signed June 12, 1996, indicates that on December 26, 1995, FPC submitted to FDEP a request to allow the Crystal River facility to burn a blend of petroleum coke and coal in Units 1 & 2.[2] This proposed modification would result in an actual emissions increase of approximately 9,400 tons per year of sulfur dioxide and a corresponding increase in the potential emissions of sulfur dioxide of approximately 18,700 tons per year. There are no scrubbers present or planned for Units 1 & 2 to abate this emissions increase.

As you are aware, a major source is subject to PSD requirements if the proposed modification will result in a significant net emissions increase of 40 tons or more per year of sulfur dioxide.[3] See 40 C.F.R. §§ 51.166(b)(2), 51.166(b)(23) & 51.166(i); see also 62-212.400(2)(e)2 F.A.C. Hence, it is our determination that the proposed modification is a major modification subject to PSD review.

FPC's application, however, did not address PSD requirements, because FPC contended that it qualified for an exemption from PSD permitting requirements under Rule 62-212.400(2)(c)4 F.A.C. This FDEP rule, as well as federal PSD requirements at 40 C.F.R. § 51.166(b)(2)(iii)*(e)(1)*, exclude from the definition of major modification the use of an alternative fuel or raw material which:

> the source was capable of accommodating before January 6, 1975, unless such change would be prohibited under any federally enforceable permit condition which was established after January 6, 1975. . . .

We are aware that after reviewing FPC's application to burn petcoke, FDEP originally issued an Intent to Deny the permit on June 25, 1996. Following an administrative hearing and a series of procedural events, FDEP issued a Final Order denying the permit on March 2, 1998. FPC appealed this decision to the Fifth District Court of Appeal of Florida (5th DCA). However, following negotiations with FPC, FDEP agreed to vacate

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[1]This facility is located within 15 km of the Chassahowitzka Wilderness Area.

[2]Units 1 and 2 are coal-fired fossil fuel steam generating boiler with associated coal handling and conveying equipment and electrostatic precipitators. They have generator ratings of 440.5MW and 523.8MW respectively.

[3]Pursuant to the "WEPCO" rulemaking, a utility may use an "actual to future actual test," rather than an "actual to potential test," for calculating the future emissions increase 40 C.F.R. § 51.166(b)(32) (See FR 32314, July 21, 1992). Under either test, the proposed modification will result in a net emissions increase substantially above the major modification significance threshold for sulfur dioxide.

the Final Order and joined with FPC in filing a Joint Motion for Relinquishment of Jurisdiction with the 5th DCA. On January 11, 1999, FDEP granted FPC a final state construction permit to authorize the burning of a petcoke-coal blend in Units 1 and 2. This permit was not issued pursuant to the State PSD regulations, and hence, does not meet the requirements of the CAA, Federal PSD Regulations or the Florida SIP. In addition, this permit was issued without an opportunity for public or EPA review. The proposed title V permit is, thus, the first opportunity for EPA to comment on the permit conditions related to the proposed modification. It is our understanding that the facility has not commenced burning of petcoke.

EPA has reviewed the supporting information related to the above proceedings, including, but not limited to: supplemental information submitted by FPC to EPA on January 6, 1997, February 11, 1997, February 18, 1997, February 21, 1997, February 28, 1997, and May 21, 1997; information submitted by FDEP to EPA on December 24, 1996 and May 13, 1997; the Recommended Order of the administrative law judge (ALJ) following the FDEP's administrative hearing (September 23, 1977); the FDEP's Final Order to Deny the permit (March 2, 1998); and the subsequent vacature of that order (January 4, 1999). As communicated in our letters to Howard L. Rhodes, dated June 2, 1997 and July 30, 1997, and for the reasons outlined below, EPA continues to maintain that the exemption for alternative fuels given in 40 C.F.R. § 51.166(b)(2)(iii)*(e)(1)* and as incorporated into the SIP at 62-212.400(2)(c)4 F.A.C., is not applicable for the purpose of the proposed petroleum coke modification, and thus, the proposed modification is major modification subject to PSD review.

A. <u>The facility was not capable of accommodating petroleum coke as of January 6, 1975</u>

The administrative hearing record and other supporting information submitted by FPC and FDEP, including discussion of a facility inspection by FDEP on December 16, 1996, indicate that Unit 2 was physically unable to burn solid fuel as of January 6, 1975. Only through substantial modifications made during the late 1970's to reconvert Units 1 and 2[4] to coal-fired facilities, did Unit 2 regain the ability to burn coal. The record is unclear as to whether the Unit 1 boiler remained capable of burning coal during the time that it burned fuel oil. However, during the "reconversion" process, modifications to Unit 1 included replacement of most of the waterwall, addition of induced draft fans, replacement of pollution control

[4]EPA intends for references to "Units 1 & 2" to mean all associated equipment necessary for operating coal-fired boilers 1 & 2, including, but not limited to, the heat recovery steam generators, coal handling, conveying and pulverizing systems, and ash handling equipment. Use of the term "facility" would be inappropriate in the case, since the Crystal River Plant is also comprised of two additional coal-fired units and a nuclear unit.

equipment, and addition of railroad tracks to the area. According to the hearing witness for FDEP, the physical alterations were required to make the units capable of accommodating coal. Further, it is not clear that the blending capability to co-fire coal and petcoke was present prior to 1975.

Some of the physical modifications, as documented by FPC, necessary to convert the units back to coal include changes or additions of coal burners; piping for sootblowers, service air, flame scanners, drip drain vents, precipitators, ash water, pyrites, and fluidizing air; coal transport piping, pulverizers and motors; coal feeders; ignitor horns, soot blowers, and flame scanner systems; bottom ash hopper and clinker grinders; ash pond, ash sluice system, and flyash removal system, etc. These modifications were documented to cost over 17 million dollars (past value), and it appears that many of these modifications were necessary to convert the facilities to coal-fired units, rather than to simply bring the units into compliance while burning coal, as characterized by FPC (Letter to Mr. Brian Beals, EPA, December 24, 1996).

As discussed in FDEP's Final Order of March 2, 1997, the ALJ's determination in this matter was flawed and in fact contradictory. Based upon EPA's review of the record, we concur with FDEP's finding in this Order that there was no substantiated evidence to support the assertion that the facility remained capable of co-firing petcoke during the 1970's when the facility fired fuel oil. In fact, the evidence, as well as the ALJ's findings themselves, support the contrary determination that the facility was "converted" from firing liquid fuel to firing solid fuel during the late 1970's, well after the 1975 date in the exemption invoked by FPC.

B. <u>The use of petroleum coke was not designed and built into Units 1 and 2</u>

The alternative fuels exemption is not contained in the Act, but was added to the PSD regulations in 1974 (the current version being codified in 1978) such that the definition of modification would be consistent with that used under the New Source Performance Standards (NSPS), as intended by Section 169(2)(C) of the Act. The stated intent of the NSPS exemption was to "eliminate inequities where equipment had been put into partial operation prior to the proposal of the standards," 36 FR 15,704 (August 3, 1971). The current NSPS regulations, at 40 C.F.R. § 60.14(e)(4), contain an analogue to the PSD alternatives fuel exemption at 40 C.F.R. §52.21(b)(2)(ii)(e), which provides that the use of an alternative fuel or raw material shall not be considered a modification if:

> . . . the existing facility was designed to accommodate the alternative use. A facility shall be considered to accommodate an alternative

> fuel or raw material if that use could be accomplished under the facility's construction specifications as amended prior to the change. . .

While the original NSPS exemption was changed slightly to allow for changes to the "original" design specification (40 FR 58,416 (December 16,1975)), the alterations did not change the intent of the exemption --- to grandfather voluntary fuel switches that a facility had designed for and built into its system prior to January 6, 1975.

The only fuels contemplated in the design and construction of Units 1 And 2 were coal and oil. Nothing in the design or construction documents for Units 1 and 2 suggests that FPC considered petcoke as a fuel for these units, nor does anything in those documents suggest that the design or construction was intended to accommodate the potential use of petcoke as a fuel. For example, the facility's 1971 operating permit application for Unit 2 required the source to identify "fuels" by type, and required that such identification "be specific." FPC identified only coal as the fuel type in this document and all other pre-1975 documents made available to EPA.

As discussed above, the purpose of the alternative fuels exemption was to eliminate any inequity faced by utilities which designed and constructed units to burn more than one fuel, but which were not burning all of those fuels as of January 6, 1975. For example, absent the exemption, a facility equipped to burn coal and oil, but which was only burning oil at the time the NSPS were adopted, would be subject to the NSPS and subsequently PSD review merely by switching back to coal. Therefore, EPA believes it is reasonable to interpret the alternative fuels exemption to apply only to fuels which were contemplated in the design and construction of a unit prior to January 6, 1975 and which the unit remained continuously able to burn. Units 1 and 2 do not meet these criteria, as they were never designed for petcoke and, through conversion to oil, lost the ability to burn solid fuel prior to January 6, 1975. Furthermore, in the burning of petcoke, FPC does not face the inequity remedied by the alternative fuels exemption.

To interpret this provision as allowing a facility to use "any" fuel that it could possibly burn prior to January 6, 1997, regardless of whether such fuels were originally contemplated or included in the original design, improperly expands the availability of the intended PSD exemption.[5] To do so would also establish an obvious inequity, neither intended nor likely to be overlooked by EPA in crafting

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[5]Exceptions to the CAA are meant to be narrowly construed and provisions intended to "grandfather" existing facilities are not meant to constitute a perpetual immunity from all standards under the PSD program. Alabama Power Co. v. Costle, 636 f.2d 323, 354, 358, 400 (D.C. Cir, 1979).

the exemption, whereby facilities constructed prior to 1975 would be able to burn any number of fuels without complying with PSD or NSPS requirements and those constructed after this date would be subject to review and substantive requirements.

C. The proposed petroleum coke-coal fuel blend is not an "alternative fuel" within the meaning of the exemption.

As discussed in Alabama Power Co. v. Costle, the PSD exemption at 40 C.F.R. §52.21(b)(2)(iii)(e) and the corresponding Florida provision at 62-212.400(2)(c)4 F.A.C. were intended to grandfather "voluntary fuel switches by emission sources which were designed to accommodate the alternative fuels prior to January 6, 1975." The provision was not intended to provide a loop-hole by which facilities may add various substances, such as waste products or waste fuels, to their primary fuels without being subject to PSD review. The Federal Register notices and background information documents that speak to this particular exemption only reference primary fuels, such as coal, oil and gas. At the time the alternative fuel exemption was promulgated, EPA contemplated "switches" between primary fuels. Therefore, it is a reasonable interpretation of the regulations to limit this exemption to primary fuels and not to apply the exemption to fuel additives that the facility was neither designed nor built to use as a primary fuel. FPC is currently burning coal as their primary fuel. It is EPA's determination that burning a 95% coal, 5% petcoke blend does not constitute a "switch" to an "alternative" fuel as intended by the exemption. Rather, the blending in of
5% petcoke is a change in the current method of operation that is subject to PSD review.

The above interpretations are consistent with FDEP's and EPA's longstanding interpretations of the "capable of accommodating" exemption. As you are aware, there are several EPA guidance memoranda, including a June 7, 1983 document from this office to Mr. Steve Smallwood of FDEP, that interpret the exemption to require that the facility be "designed" and continuously able to accommodate the use of a specified alternative fuel. This guidance clearly states:

> In order for a plant to be capable of accommodating coal, the company must show not only that the design (i.e., construction specifications) for the source contemplated the equipment, but also that the equipment actually was installed and still remains in existence. Otherwise, it cannot reasonably be concluded that the use of coal was "designed into the source."

FDEP's past implementation of its new source review regulations has also been consistent

with this interpretation. According to FDEP's December 24, 1996 letter from C. H. Fancy, Bureau of Air Regulation, to Mr. Brian Beals, EPA, requesting assistance with the FPC PSD applicability determination, FDEP had treated as major modifications, the use of a petroleum coke-coal blend in five coal-fired units in Florida for the purposes of PSD permitting as of that date. As documented in FDEP's letter: "in each case, the proposals have been treated as changes in method of operation to which PSD is applicable unless they are able to 'net out' by demonstrating that there will be no significant increases in PSD pollutants."

To remedy the above identified deficiency, the title V permit must include a compliance schedule, consistent with 40 C.F.R. §70.5(c)(8)(iii), that requires FPC to obtain a PSD permit fulfilling State and federal PSD requirements and 40 C.F.R. §70.6(c)(3). Progress reports referenced under 40 C.F.R. §70.6(c)(4) must be required by the permit. Any additional requirements resulting from the PSD review, including requirements for control equipment and emission limitations, will have to be incorporated into the title V permit through permit modification. Alternatively, the State may concurrently issue proposed PSD and title V permits. As a third option, the State could issue a valid synthetic minor permit, limiting the emissions increase from the proposed change to less than the applicable PSD significance levels. As above, such conditions would need to be incorporated into the title V permit.

2. Periodic Monitoring - *Conditions A.14. and B.13.*, in conjunction with *Condition I.6.*, require that the source conduct annual testing for particulate matter whenever fuel oil is burned for more than 400 hours in the preceding year. The Statement of Basis states that this testing frequency "is justified by the low emission rate documented in previous emission tests while firing fuel oil" and that the "Department has determined that sources with emissions less than half of the effective standard shall test annually."

While EPA has in the past accepted this approach as adequate periodic monitoring for particulate matter, it has done so only for uncontrolled natural gas and fuel oil-fired units. The units addressed in *Conditions A.14. and B.13.*, primarily burn coal and use add-on control equipment (i.e., electrostatic precipitators) to comply with the applicable particulate matter standards. In order to provide reasonable assurance of compliance, the results of annual stack testing will have to be supplemented with additional monitoring. Furthermore, the results of an annual test alone would not constitute an adequate basis for the annual compliance certification that the facility is required to submit for these units in order to certify continuous compliance with the pound/hour particular matter limit.

The most common approach to addressing periodic monitoring for particulate emission limits on units with add-on controls is to establish either an opacity or a control device parameter indicator range that would provide evidence of proper control device operation. The primary goal of such monitoring is to provide reasonable assurance of compliance,

and one way of achieving this goal is to use opacity data or control device operating parameter data from previous successful compliance tests to identify a range of values that has corresponded to compliance in the past. Operating within the range of values identified in this manner would provide assurance that the control device is operating properly and would serve as the basis for an annual compliance certification. Depending upon the margin of compliance during the tests used to establish the opacity or control device parameter indicator range, going outside the range could represent either a period of time when an exceedance of the applicable standard is likely or it could represent a trigger for initiating corrective action to prevent an exceedance of the standard. In order to avoid any confusion regarding the consequences of going outside the indicator range, the permit should clearly state if doing so is evidence that a standard has been exceeded and should specify whether corrective action must be taken when a source operates outside the established indicator range.

3. Periodic Monitoring - *Conditions C.5. and D.4.* require that the source conduct Method 9 tests once annually for the fly ash handling system (Emission Units #006, #008, #009, and #010) and the bottom ash storage silo (Emission Unit #014), respectively. For units with control equipment (i.e., baghouses), this typically does not constitute adequate periodic monitoring to ensure continuous compliance with the visible emissions standards. It is also particularly important in this case to include adequate periodic monitoring with regard to the fly ash handling system since it has been limited to only 5 percent opacity in lieu of stack testing for particulate matter. Therefore, the permit needs to include provisions requiring that the source conduct qualitative observations of visible emissions on a daily basis (i.e., Method 22) and that Method 9 tests be conducted within 24 hours of any abnormal qualitative survey. As an alternative, since these units are controlled by baghouses, the source may opt to establish a parametric monitoring program. For instance, the permit could specify ranges for parameters, such as pressure drop, that would provide reasonable assurance that the source is in compliance with the applicable standards.

4. Periodic Monitoring - The material handling activities supporting the steam generating units (Emission Unit #016) are subject to a visible emissions limit of 20 percent opacity; however, the permit does not specify the frequency for testing. To certify compliance with the applicable opacity limit, the source should be required to conduct a Method 9 test at least once annually. To provide reasonable assurance of continuous compliance, the source needs to conduct (and record the results of) qualitative observations (i.e., Method 22) at least once daily with follow-up Method 9 tests within 24 hours of any abnormal visible emissions unless the statement of basis provides justification for reduced frequency.

5. Appropriate Averaging Times - *Conditions A.6., B.4.(a)(1), F.3., and G.2.* do not specify

averaging times for the respective particulate matter emission limits. Because the stringency of emission limits is a function of both magnitude and averaging time, appropriate averaging times must be added to the permit in order for the limits to be practicably enforceable. An approach that may be used to address this deficiency is to include a general condition in the permit stating that the averaging times for all specified emission standards are tied to or based on the run time of the test method(s) used for determining compliance.

6. Periodic Monitoring (Practical Enforceability) - *Conditions C.1. and D.1.* limit the mass flow rates of fly ash through the fly ash handling system and bottom ash through the bottom ash storage silo, respectively; however, the permit does not contain any provisions to practicably enforce such limits. The permit needs to include monitoring and/or recordkeeping requirements such as the maintenance of daily records of the mass throughputs for the affected units to provide reasonable assurance of compliance with the applicable limits.

7. Periodic Monitoring (Practical Enforceability) - *Conditions F.1. and G.1.* limit the volume flow rates of seawater through the cooling towers, Emission Units #013 and #015, respectively; however, the permit does not contain any provisions to practicably enforce such limits. The permit needs to include provisions requiring the source to monitor and record the flow of seawater through the cooling towers.

II General Comments

1. Compliance Certification - Facility-wide *Condition 11* of the permit should specifically reference the required components of Appendix TV-3, which lists the compliance certification requirements of 40 C.F.R. §70.6(c)(5)(iii), to ensure that complete certification information is submitted to EPA.

2. Acid Rain - The Phase II Acid Rain Application and Compliance Plan received on December 22, 1995, which are referenced as attachments made part of the permit (see page 1 of proposed permit), should also be referenced under Section IV, Subsection A.1.

3. Acid Rain - The NOx Early Election requirements and limits located in Subsection B (addressing Phase I Acid Rain) for Units 2, 4, and 5 of the Acid Rain part of the proposed title V permit should be moved to Subsection A (addressing Acid Rain, Phase II). Moving these requirements should clarify that FDEP is approving and incorporating the NOx Early Election requirements into the Phase II permit portion.

INTEROFFICE MEMORANDUM

Date: 02-Nov-1999 11:23am
From: J-Michael.Kennedy
J-Michael.Kennedy@fpc.com
Dept:
Tel No:

To: Ed.Svec (Ed.Svec@dep.state.fl.us)

Subject: Re: FWD: EPA Objection to FPC Crystal River Title V Permit

Thanks, Ed. A quick resolution will be a challenge because of EPA's inappropriate use of Title V to take another crack at the pet coke issue. They had their opportunity to comment previously, and the state issued the construction permit under its approved authority. As I understand it, EPA does not have the authority to revisit properly issued state construction permits through the Title V process. I know that FPC and the DEP disagreed on the pet coke issue specifically, but I think the broader concern here is the EPA's assertion that they can call your former permitting decisions into question through the operating permit process. Thanks again, and we'll be talking.

Mike

-----Original Message-----
From: Ed.Svec /internet/dd.RFC-822=Ed.Svec@dep.state.fl.us
[mailto:Ed.Svec@dep.state.fl.us]
Sent: Tuesday, November 02, 1999 8:29 AM
To: J-Michael.Kennedy /internet/dd.RFC-822=J-Michael.Kennedy@fpc.com
Cc: Ed.Svec /internet/dd.RFC-822=Ed.Svec@dep.state.fl.us
Subject: FWD: EPA Objection to FPC Crystal River Title V Permit

Mike:
I just received this from Scott Sheplak and wanted to give you a heads-up, I
assume you are still the point of contact for Crystal River. I look forward to
quickly resolving these objections so we can issue the FINAL permit.

If you need any thing or have any questions, please call me at 850/921-8985.

Ed Svec

Crystal River

Florida Power
CORPORATION

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AIR REGULATION

October 12, 1998

Mr. Scott Sheplak, P.E.
Bureau of Air Regulation
Florida Department of Environmental Protection
2600 Blair Stone Rd.
Tallahassee, Florida 32399-2400

Dear Mr. Sheplak:

Re: Status of Title V Permits

As you know, a meeting was held on August 28, 1998 between the Department and Mr. Scott Osbourn of my staff. The purpose of the meeting was to resolve several pending Title V issues in order to advance these permits to the "proposed" stage as expeditiously as possible. Based upon the meeting, the following is a brief summary of FPC's understanding and position regarding the status of several of FPC's Title V permits.

1. **Bartow facility** (DRAFT Title V Permit No. 1030011-002-AV)

FPC received the Intent to Issue Title V Air Operation Permit and draft Title V permit for the Bartow facility on October 6, 1997. Following several extensions of time and discussions with the Department, FPC filed a Petition for Administrative Hearing on April 30, 1998 (Petition). The primary issue involved in this Petition is whether FPC is required to retain an electrostatic precipitator (ESP) associated with Unit 1, although there are numerous other less contentious permit issues that also require resolution.

As detailed in FPC's November 11, 1997 comment letter and FPC's Petition filed April 30, 1998, FPC maintains that there is no factual or legal basis to require FPC to retain and operate the electrostatic precipitator (ESP) associated with Bartow Unit 1. However, in an effort to move the Title V permitting process forward, FPC is willing to accept a permit that requires that the ESP be retained and used. In exchange for accepting such a requirement, FPC requests the inclusion of additional permit language to clarify this unique situation. Specifically, the ESP utilized at the Bartow facility was not designed to be operated during fuel oil firing (i.e., the ESP was designed based on the use of a coal/oil mixture (COM) fuel). The ESP is also reaching the end of its anticipated design life. Therefore, significant capital investment will be required to continue its operation. Also, because this unit is oil-fired, the ESP is not needed to assure compliance with the applicable particulate matter limits. FPC requests that the statement of basis for the Bartow Title V

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permit recognize these facts, in order to ensure that the Credible Evidence rule and the Compliance Assurance Monitoring (CAM) rule, to the extent they may be triggered for Unit 1, are appropriately implemented. Specifically, the final CAM rule (40 CFR Part 64.2(b)(ii), Control Devices Criterion) applies only to pollutant-specific emissions units that rely on a control device to achieve compliance. In this regard, FPC requests that the description/statement of basis for Unit 1 be revised as follows:

> Unit 1 is a . . . . Particulate matter emissions are controlled by a General Electric Services, Inc. Model 1-BAB1.2X37(9)36.0-434-4.3P electrostatic precipitator (ESP) consisting of five fields in depth. This ESP was designed to operate when utilizing a coal/oil mixture, which is no longer burned by FPC. Moreover, because Unit 1 is oil-fired, this unit is capable of meeting the applicable particulate matter and opacity limits in Conditions A.7 and A.8 without the use of the ESP and, therefore, the provisions of 40 CFR Part 64 do not apply..

In addition, FPC submitted an application to the Department requesting a permit amendment for modification of the fly ash collection system associated with the ESP. The Department has responded that this request is acceptable and that operating permits AO52-233149 and -232464 (for Unit 1 and the fly ash system, respectively) will be amended. Therefore, several Title V conditions relating to operation of the fly ash system will need to be revised. The current request for an extension of time in which to file a petition for an administrative hearing expires on October 15, 1998. In order to properly address the above issues, FPC has requested a further extension until November 15, 1998.

2. **Anclote facility** (Draft Title V Permit No. 1010017-003-AV)

Although there are several issues involved with this permit, the provision regarding used oil appears to be the primary issue. This permit is under Petition for Administrative Hearing with DOAH, to which we currently have an extension of time until December 1, 1998. In order to withdraw its Petition for Administrative Hearing, FPC needs to receive a document from DEP reflecting revised language to which both parties agree.

In this regard, FPC has provided DEP with additional data regarding how other states have authorized facilities to utilize on-specification used oil. None of the examples found thus far have expressed any concern regarding lead emissions; in fact, the lead criteria for "on-specification" used oil was established at a level expressly designed to protect the National Ambient Air Quality Standard for lead.

3. **DeBary facility** (Draft Title V permit No. 1270028-001-AV)

FPC understands that the issues involved with this permit were resolved at our August 28, 1998 meeting. As requested by the Department during our meeting, attached is a summary of combustion turbine operating hours for 1997 and 1998. We appreciate the Department's efforts to reach this agreement and look forward to withdrawing our Petition for Administrative Hearing after receiving a document from the Department reflecting the revised conditions.

4. **Crystal River facility** (Draft TitleV Permit No. 1270020-001-AV)

FPC received a revised draft permit from the Department on October 5, 1998, and the issues involved with this permit have largely been resolved. The *Notice of Intent to Issue Title V Permit* was published on October 12, 1998. In order to properly review the revised draft permit, FPC has requested an extension of time in which to file a petition for an administrative hearing until November 12, 1998.

5. **Periodic Monitoring**

By letter dated August 27, 1998 (attached), FPC requested specific language to be added to FPC's permits regarding heat input. FPC specifically reiterates this request for the four permits discussed above. FPC has still not finalized its position on other periodic monitoring issues.

Thank you for your attention and cooperation in issuing Title V permits to FPC's facilities. If the above information is not consistent with your understanding, or we need to discuss any of these issues or deadlines further, please contact either Mr. Scott Osbourn at (727) 826-4258 or me at (727) 826-4301 at your earliest convenience. Again, it is FPC's desire to advance these Title V permits to the "final" stage as expeditiously as possible.

Sincerely,

W. Jeffrey Pardue, C.E.P.
Director, Environmental Services
FPC Responsible Official

Attachments

cc: Clair Fancy, DEP BAR
Robert Manning, Esq., HGS&S
Ken Kosky, P.E., Golder Assosiates

DeBary Operating Hours

Author: Wilson B. Hicks Jr. at east/o=FLORIDA POWER/c=US/a=MCI/p=FLPROG
Date: 8/31/98 12:08 PM
Priority: Normal
Receipt Requested
TO: Scott H. Osbourn at goc,openmail
Subject: DEBARY P7-P10 1997 AND 1998 OPERATING HOURS

---------- Message Contents ----------

SCOTT:

PER YOUR REQUEST, HERE ARE THE HOURS:

YEAR	1997	1998
P-7	1817	1453
P-8	870	673
P-9	1722	1393
P-10	822	676

IF YOU NEED ANY ADDITIONAL INFORMATION, PLEASE, LET ME KNOW.

WILSON

Heat Input Correspondence

bcc: J. M. Kennedy
J. L. Tillman

File: Title V Periodic Monitorin
k:\user\sosbourn\1998\heatinpu.doc
927-616000-AIR

Florida Power
CORPORATION

August 27, 1998

Mr. Clair Fancy, P.E.
Chief, Bureau of Air Regulation
Florida Department of Environmental Protection
2600 Blair Stone Rd.
Tallahassee, Florida 32399-2400

Dear Mr. Fancy:

Re: Periodic Monitoring in Title V Permits: Heat Input Limits

As you know, a meeting was held between the EPA, the Department and utility representatives at the Florida Electric Power Coordinating Group (FCG) offices on July 14, 1998. The purpose of the meeting was to discuss the periodic monitoring requirements of 40 CFR 70.6(a)(3)(i) as applied to Title V permits. The meeting presented an opportunity for all parties to represent their views, and it was clear that there remains considerable disagreement as to the proper application of the periodic monitoring guidance.

In addition to the July 14, 1998 meeting, FPC has also reviewed DEP's March 10, 1998 letter to EPA (Re: Proposed Changes to FPL Proposed Title V Permits to Satisfy EPA Objections). FPC has still not formalized its position on periodic monitoring, including all of the issues raised in the March 10, 1998 letter. However, the resolution outlined in the March 10th letter regarding heat input limitations appears to be reasonable and one that FPC is willing to accept. This resolution required adding a note to the "permitted capacity" condition for each Title V permit, and an explanation that regular record keeping is not required for heat input. Specifically, the Department stated that they would add the following language to the statement of basis:

> The heat input limitations have been placed in each permit to identify the capacity of each unit for the purposes of confirming that emissions testing is conducted within 90 to 100 percent of the unit's rated capacity (or to limit future operation to 110 percent of the test load), to establish appropriate emissions limits and to aid in determining future rule applicability. A note below the permitted capacity condition clarifies this. Regular record keeping is not required for heat input. Instead, the owner or operator is expected to determine heat input whenever emission testing is required, to demonstrate at what percentage of the rated capacity that the unit was tested. Rule 62-297.310(5), F.A.C., included in the permit, requires measurement of process variables for emissions tests. Such heat input determination may be based on measurements of fuel consumption by various methods including but not limited to fuel flow metering or tank drop

measurements, using the heat value of the fuel determined by the fuel vendor or the owner or operator, to calculate average hourly heat input during the test.

Also, the Department added the following language to each permit condition titled Permitted Capacity:

{Permitting note: The heat input limitations have been placed in each permit to identify the capacity of each unit for the purposes of confirming that emissions testing is conducted within 90 to 100 percent of the unit's rated capacity (or to limit future operation to 110 percent of the test load), to establish appropriate emission limits and to aid in determining future rule applicability.}

Accordingly, FPC requests that this language regarding heat input be added to all of FPC's Title V permits currently being processed by the Department. FPC intends to notify the Department as soon as possible after formalizing its position on the remainder of periodic monitoring issues. If you should have any questions concerning the above, please do not hesitate to contact me at (727) 826-4258.

Sincerely,

Scott H. Osbourn
Senior Environmental Engineer

cc: Robert Manning, HGS&S

Florida Power
CORPORATION

RECEIVED
OCT 02 1998
BUREAU OF
AIR REGULATION

September 30, 1998

Ms. Kathy Carter, Clerk
Office of General Counsel
Florida Department of Environmental Protection
Room 638
3900 Commonwealth Blvd.
Tallahassee, FL 32399-3000

Dear Ms. Carter:

RE: Florida Power Corporation, Crystal River Plant
REQUEST FOR EXTENSION OF TIME on the *Intent to Issue Title V Air Operation Permit, Draft Permit No. 0170004-004-AV*

On October 9, 1997, Florida Power Corporation (FPC) received the above-referenced Intent to Issue Title V Air Operation Permit. A review of the permit conditions has revealed that several issues remain to be resolved. Accordingly, FPC requests an extension of time, pursuant to Florida Administrative Code Rule 62-110.106(4), to and including November 1, 1998, in which to file a Petition for Administrative Proceedings in the above-styled matter. Granting of this request will not prejudice either party, but will further both parties' mutual interest by hopefully avoiding the need to actually file a Petition for Administrative Proceeding in this matter. If the Department denies this request, FPC requests the opportunity to file a Petition for Administrative Proceeding within 10 days of such denial

If you should have any questions, please contact Mr. Scott Osbourn of FPC at (727) 826-4258.

Sincerely,

W. Jeffrey Pardue, C.E.P.
Director, Environmental Services Department
Title V Responsible Official

Robert A. Manning, Esq.
Hopping Green Sams & Smith

cc: Scott Sheplak, DEP
Jeffrey Brown, DEP OGC

INTEROFFICE MEMORANDUM

Sensitivity: COMPANY CONFIDENTIAL

Date: 01-Oct-1998 10:08am
From: Mary Fillingim TAL FILLINGIM_M
Dept: Air Resources Management
Tel No: 850/488-0114

To: See Below
Subject: New Posting #0170004

There is a new posting on Florida's website.

0170004004AV
CRYSTAL RIVER POWER PLANT

Draft

The notification letter is encoded and attached. If you have any questions, please feel free to contact me.

Thanks,
Mary

Distribution:

To:	adams yolanda	(adams.yolanda@epamail.epa.gov@in)
To:	pierce carla	(pierce.carla@epamail.epa.gov@in)
To:	Barbara Boutwell TAL	(BOUTWELL_B)
To:	Scott Sheplak TAL	(SHEPLAK_S)
To:	Terry Knowles TAL	(KNOWLES_T)
To:	danois gracy	(danois.gracy@epamail.epa.gov@in)
To:	Elizabeth Walker TAL	(WALKER_E)
To:	Ed Svec TAL	(SVEC_E)

File: Crystal River

RECEIVED

SEP 29 1998

BUREAU OF
AIR REGULATION

Florida Power
CORPORATION

September 28, 1998

Mr. Clair Fancy, P.E.
Bureau of Air Regulation
Florida Department of Environmental Protection
2600 Blair Stone Rd.
Tallahassee, Florida 32399-2400

Dear Mr. Fancy:

Re: Coal "Briquettes" Fuel

As you discussed with Mike Kennedy last week, Florida Power Corporation (FPC) has been approached by its fuel supplier, Electric Fuels Corporation, concerning the possibility of burning "coal briquettes" at its Crystal River plant. The briquettes are produced from coal fines at the mines that currently supply the coal for Crystal River Units 1, 2, 4, and 5. Coal fines are combined under heat and pressure with a small amount of oil (maximum of 5% Bunker C oil) at the mine. The oil is the binding agent for the coal fines. Subjecting the coal fines to heat and pressure removes moisture and produces the coal briquettes, which are small chunks of coal that can be handled and burned with the regular coal supply.

Attachment 1 contains laboratory analyses of the coal supply for Units 1 and 2 and of an 80%/20% blend of coal and coal briquettes. The coal analysis represents the average coal delivered in 1997. Attachment 2 contains the same comparison for the low-sulfur fuel that is burned in Units 4 and 5. Note that since the briquettes are produced from the same coal supply as that being burned in the Crystal River units, the analyses are virtually identical. Therefore, burning the coal briquettes in Crystal River Units 1, 2, 4, and 5 will not result in an increase in air pollutant emissions.

As discussed in your meeting with Mr. Kennedy, since the Crystal River units are currently permitted to burn coal, oil, and used oil, and the coal briquettes are produced from coal fines at the mine from the same coal supply, FPC requests that the DEP add "coal briquettes" to the list of fuels authorized to be burned in units 1, 2, 4, and 5. Please contact Mike Kennedy at (727) 826-4334 if you have any questions.

Sincerely,

W. Jeffrey Pardue, C.E.P.
Director, Environmental Services
FPC Responsible Official

ONE POWER PLAZA, 263 - 13th Avenue South, BB1A, St. Petersburg, FL 33701-5511 •
P.O. Box 14042, BB1A • St. Petersburg • Florida 33733-4042 • (727) 866-5151
A Florida Progress Company

Attachment 1

Units 1 and 2 Fuel Supply Analysis

Electric
Fuels
Corporation

Coal Analysis Report - Steam Coal

Electric Fuels Corporation

September 1998

Typical FPC "A" Quality
(Based on 1997 Deliveries)

Proximate Analysis

	As Received	Dry Basis
Moisture, %	8.56	***
Ash, %	8.49	9.09
Volatile Matter, %	35.43	37.92
Fixed Carbon, %	49.52	52.99
Sulfur, %	1.09	1.17
Btu/lb.	12691	13582
MAF Btu	14940	
SO2/MBtu	1.72	

Ultimate Analysis

	As Received	Dry Basis
Carbon, %	71.11	76.10
Hydrogen, %	4.72	5.05
Nitrogen, %	1.35	1.45
Oxygen, %	6.68	7.14
Chlorine, %	0.11	0.12

Sulfur Forms

	As Received	Dry Basis
Sulfate	0.01	0.01
Pyritic	0.41	0.45
Organic	0.67	0.71

Mineral Ash Analysis

	Ignited Basis
SiO2	52.70
Al2O3	29.00
Fe2O3	9.20
MgO	1.10
CaO	1.80
K2O	2.10
Na2O	0.45
TiO2	1.30
P2O5	0.30
SO3	1.30
Undetermined	0.75
Base/Acid Ratio	0.18
Slagging Index	0.21
Fouling Index	0.08
Silica Value	81.33
T250 Temperature	2875

Ash Fusion Temperatures

Degrees Fahrenheit

	Reducing	Oxidizing
Initial Deformation	2610	2700 +
Softening	2690	2700 +
Hemispherical	2700 +	2700 +
Fluid	2700 +	2700 +

Hardgrove Grindability Index 43

This analysis is for informational purposes only and is not intended to represent contractual guarantees.

Analyses provided are typical average values.

Electric
Fuels
Corporation

Coal Analysis Report - Steam Coal

Electric Fuels Corporation

September 1998

Proprosed "A" Quality
(Based on 1997 Quality blended including 200,000 of coal briquettes)

Proximate Analysis

	As Received	Dry Basis
Moisture, %	6.55	***
Ash, %	8.48	9.07
Volatile Matter, %	35.48	37.97
Fixed Carbon, %	49.49	52.96
Sulfur, %	1.09	1.17
Btu/lb.	12696	13586
MAF Btu	14941	
SO2/MBtu	1.72	

Ultimate Analysis

	As Received	Dry Basis
Carbon, %	71.12	76.11
Hydrogen, %	4.72	5.06
Nitrogen, %	1.35	1.45
Oxygen, %	6.69	7.14
Chlorine, %	0.11	0.12

Sulfur Forms

	As Received	Dry Basis
Sulfate	0.01	0.01
Pyritic	0.41	0.45
Organic	0.67	0.71

Mineral Ash Analysis

	Ignited Basis
SiO2	52.71
Al2O3	29.01
Fe2O3	9.20
MgO	1.10
CaO	1.80
K2O	2.10
Na2O	0.45
TiO2	1.30
P2O5	0.30
SO3	1.30
Undetermined	0.73
Base/Acid Ratio	0.18
Slagging Index	0.21
Fouling Index	0.08
Silica Value	81.33
T250 Temperature	2876

Ash Fusion Temperatures

Degrees Fahrenheit

	Reducing	Oxidizing
Initial Deformation	2610	2700 +
Softening	2690	2700 +
Hemispherical	2700 +	2700 +
Fluid	2700 +	2700 +
Hardgrove Grindability Index		43

This analysis is for informational purposes only and is not intended to represent contractual guarantees.

Analyses provided are typical average values.

Attachment 2

Units 4 and 5 Fuel Supply Analysis

Electric
Fuels
Corporation

Coal Analysis Report - Steam Coal

Electric Fuels Corporation

September 1998

Typical FPC "D" Quality
(Based on 1997 Deliveries)

Proximate Analysis

	As Received	Dry Basis
Moisture, %	7.78	***
Ash, %	9.17	9.94
Volatile Matter, %	33.09	35.88
Fixed Carbon, %	49.96	54.18
Sulfur, %	0.68	0.74
Btu/lb.	12430	13479
MAF Btu	14966	
SO2/MBtu	1.09	

Ultimate Analysis

	As Received	Dry Basis
Carbon, %	69.90	75.80
Hydrogen, %	4.61	5.00
Nitrogen, %	1.34	1.45
Oxygen, %	6.52	7.07
Chlorine, %	0.11	0.12

Sulfur Forms

	As Received	Dry Basis
Sulfate	0.01	0.01
Pyritic	0.11	0.12
Organic	0.56	0.61

Mineral Ash Analysis

	Ignited Basis
SiO2	56.50
Al2O3	28.60
Fe2O3	5.40
MgO	1.20
CaO	1.80
K2O	2.20
Na2O	0.45
TIO2	1.40
P2O5	0.30
SO3	1.40
Undetermined	0.75
Base/Acid Ratio	0.13
Slagging Index	0.09
Fouling Index	0.06
Silica Value	87.08
T250 Temperature	2950

Ash Fusion Temperatures

Degrees Fahrenheit

	Reducing	Oxidizing
Initial Deformation	2690	2700 +
Softening	2700 +	2700 +
Hemispherical	2700 +	2700 +
Fluid	2700 +	2700 +

Hardgrove Grindability Index 42

This analysis is for informational purposes only and is not intended to represent contractual guarantees.

Analyses provided are typical average values.

Electric
Fuels
Corporation

Coal Analysis Report - Steam Coal

Electric Fuels Corporation

September 1998

Proposed FPC "D" Quality
(Based on 1997 Deliveries including 400,000 tons of coal briquettes)

Proximate Analysis

	As Received	Dry Basis
Moisture, %	7.77	***
Ash, %	9.16	9.93
Volatile Matter, %	33.14	35.93
Fixed Carbon, %	49.93	54.14
Sulfur, %	0.68	0.74
Btu/lb.	12435	13483
MAF Btu	14969	
SO2/MBtu	1.09	

Ultimate Analysis

	As Received	Dry Basis
Carbon, %	69.92	75.81
Hydrogen, %	4.62	5.01
Nitrogen, %	1.34	1.45
Oxygen, %	6.51	7.06
Chlorine, %	0.11	0.12

Sulfur Forms

	As Received	Dry Basis
Sulfate	0.01	0.01
Pyritic	0.11	0.12
Organic	0.56	0.61

Mineral Ash Analysis

	Ignited Basis
SiO2	56.51
Al2O3	28.60
Fe2O3	5.40
MgO	1.20
CaO	1.80
K2O	2.20
Na2O	0.45
TiO2	1.40
P2O5	0.30
SO3	1.40
Undetermined	0.74
Base/Acid Ratio	0.13
Slagging Index	0.09
Fouling Index	0.06
Silica Value	87.06
T250 Temperature	2950

Ash Fusion Temperatures

Degrees Fahrenheit

	Reducing	Oxidizing
Initial Deformation	2690	2700 +
Softening	2700 +	2700 +
Hemispherical	2700 +	2700 +
Fluid	2700 +	2700 +

Hardgrove Grindability Index 42

This analysis is for informational purposes only and is not intended to represent contractual guarantees.

Analyses provided are typical average values.

File

Department of Environmental Protection

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

Lawton Chiles
Governor

Virginia B. Wetherell
Secretary

May 27, 1998

Mr. Scott H. Osbourn
Senior Environmental Engineer
Florida Power Corporation
P.O. Box 14042
St. Petersburg, FL 33733

Re: Comments on DRAFT Title V Permit
File No. 0170004-004-AV
Crystal River Facility, Citrus County

Dear Mr. Osbourn:

We received your comments dated April 14, 1998, on the Draft Title V permit for the Crystal River Facility. The following comments are in response to your comments. We included revised language where necessary to clearly show the revisions or changes to the permit. We often did not include the revised language when we agreed with the requested change. Nothing in the following changes will require the publication of a new Notice of Intent to Issue, nor will they prevent the issuance of the Proposed permit.

Section III. Subsection B.

1. We agree that this issue may prevent issuance of a Proposed permit that satisfies your request.

Section III. Subsection F.

1. We received the revised pages with an original RO certification statement and we will delete the adjective "maximum", describing the seawater flow in condition F.1.

2. We still disagree that a cumulative annual total is practically enforceable as that term is used by EPA. EPA is quite clear that for a limit to be practically enforceable, the maximum length of time between compliance determinations is one month. EPA allows for rolling 12-month totals for sources with significant seasonal variation where record keeping demonstrates compliance with a limit. This source seems to fit that requirement. We do not believe the monthly record keeping required is burdensome. In fact, it appears that your existing records could easily be modified to account for a rolling 12-month total. Furthermore, the permit does not require reporting of the records, only making and keeping the records. Therefore, the condition will not be revised.

Section III. Subsection I.

1. We agree to leave conditions I.2. and I.3. as we wrote in our Draft permit. This is consistent with other permits that the Department has issued. As you can imagine, the Department is working to clarify the excess emission provisions, so a change may be made in the future to all Title V permits, perhaps at renewal, if rule-making is completed in this regard.

Section III. Subsection K.

1. We did make appropriate changes to Subsection K to appear more consistent with other Florida Power permits, including the requirements of condition K.1.h. We will, however, make your currently requested changes. We have, however, reworded this condition slightly to clarify the Department's intent with reporting for used oil. The revised condition K.1.h will read:

   h. Reporting Required: The owner or operator shall submit to the Department's Southwest District office, with the Annual Operation Report form, an attachment showing the total amount of on-specification used oil burned during the previous calendar year. The quantity of used oil shall be individually reported and shall not be combined with other fuels.

Please advise if you have comments on these changes. If you should have any questions, please call Joseph Kahn, P.E., or Susan DeVore at 850/921-9519.

Sincerely,

Scott M. Sheplak, P.E.
Administrator
Title V Section

SMS/jk

copy to:

Mr. W. Jeffrey Pardue, C.E.P., FPC
Ken Kosky, P.E., Golder Associates
Mr. Bill Thomas, P.E., DEP Southwest District, Air Section

Joe

Florida Power
CORPORATION

April 28, 1998

RECEIVED
MAY 01 1998
BUREAU OF
AIR REGULATION

Ms. Kathy Carter, Clerk
Office of General Counsel
Florida Department of Environmental Protection
Room 638
3900 Commonwealth Blvd.
Tallahassee, FL 32399-3000

Dear Ms. Carter:

RE: Florida Power Corporation, Crystal River Plant
REQUEST FOR EXTENSION OF TIME on the *Intent to Issue Title V Air Operation Permit, Draft Permit No. 0170004-004-AV*

On October 9, 1997, Florida Power Corporation (FPC) received the above-referenced Intent to Issue Title V Air Operation Permit. A review of the permit conditions has revealed that several issues remain to be resolved. The Department previously agreed to grant an Order extending the time to file a petition until April 30, 1998. Mr. Scott Osbourn of my staff has had discussions with Mr. Scott Sheplak of the Department who agreed that an additional extension of time to discuss these issues is appropriate. Therefore, based upon the Department's concurrence and pursuant to Rules 62-103.050 and 28-106.111, Fla. Admin. Code, FPC respectfully requests an extension of time in which to file a petition for an administrative hearing under Sections 120.569 and 120.57, Fla. Stat., up to and including June 1, 1998.

If you should have any questions, please contact Mr. Scott Osbourn of FPC at (813) 866-5158.

Sincerely,

W. Jeffrey Pardue, C.E.P.
Director, Environmental Services Department
Title V Responsible Official

Robert A. Manning, Esq.
Hopping Green Sams & Smith

cc: Scott Sheplak, DEP
Jeffrey Brown, DEP OGC

Phase I's w/ Title V applications.

BEST AVAILABLE COPY

I N T E R O F F I C E M E M O R A N D U M

1 Teresa
2 Bruce
3 Ed
4 Ed
5 Joe

Date: 10-Apr-1997 03:43pm EST
From: Tom Cascio TAL
CASCIO_T
Dept: Air Resources Management
Tel No: 904/488-1344

TO: 10 addressees

Subject: NOX EARLY ELECTION COMPLIANCE PLANS

We received in the mail today Phase I Permits from EPA with NOx Early Election Compliance Plans for:

Deerhaven Generating Station (Gainesville Regional Utilities) —— 0010006-001-AV
St. Johns River Power Park (Jacksonville Electric Authority) —— 0310001-001-AV
C.D. McIntosh Power Plant (City of Lakeland)
Seminole Power Plant (Seminole Electric Cooperative)
Crystal River Plant (Florida Power Corporation)

We will need to include these as attachments to the Draft Permits. I'll give the originals to Barb for filing.

Tom

Will need special subsection B.
See Example from
Lakeland McIntosh 1050004-003-AV
SCH 7/21

Subsection B. This subsection addresses Acid Rain, Phase I.

{Permitting note: The U.S. EPA issues Acid Rain Phase I permit(s)}

The emissions unit listed below is regulated under Acid Rain Part, Phase I

E.U. ID No.	Brief Description
-006	Boiler - McIntosh Unit 3

The provisions of the federal Acid Rain, Phase I permit(s), including Early Election Plans for NO_X, govern(s) the above listed emissions unit(s) from the date of issuance of this Title V permit through December 31, 1999. The provisions of the Phase II permit govern(s) those emissions unit(s) from January 1, 2000 through the expiration date of this Title V permit. The Phase II permit governs all other affected units for the effective period of this permit.

B.1. The Phase I permit(s), including Early Election Plans for NO_X, issued by the U.S. EPA, is a part of this permit. The owners and operators of these Phase I acid rain unit(s) must comply with the standard requirements and special provisions set forth in the permit(s) listed below:
a. Phase I permit dated 03/27/97.
[Chapter 62-213, F.A.C.]

B.2. Comments, notes, and justifications: none

Orig original

Florida Power
CORPORATION

RECEIVED
APR 17 1998
BUREAU OF
AIR REGULATION

April 14, 1998

Scott M. Sheplak, P.E.
Administrator, Title V Section
Florida Department of Environmental Protection
2600 Blair Stone Rd.
Tallahassee, Florida 32399-2400

Dear Mr. Sheplak:

Re: Comments on Draft Title V Permit; Crystal River Facility, Citrus County
File No. 0170004-004-AV

This letter serves to provide responses to the Department's letter, dated February 24, 1998, concerning Florida Power Corporation's (FPC) Crystal River Facility. The Department's letter was in response to a comment letter submitted by FPC on February 10, 1998. The issues discussed are addressed in the same order in which they are encountered in the draft permit.

Section III. Subsection B.

Regarding conditions B.15 through B.17, FPC had commented that not only should the requirement for $PM_{2.5}$ monitoring be eliminated, but the requirement for *any* monitoring stations should be deleted. The Department's response was that it did not have a comment at this time, but that it would respond separately to this issue in the future. *All parties cannot proceed to the Proposed Permit stage until this issue has been adequately addressed.*

Section III. Subsection F.

1. FPC had requested that the adjective "maximum", describing the seawater flow, be deleted in condition F.1. The Department responded that, although the current permit language uses the term "approximately", FPC had described the flow as a maximum process or throughput rate in the Title V application; therefore, this part of the application must be revised if the Department is to grant our request. Accordingly, in order to support our request, FPC previously submitted a revised process description; however, the Department

has further indicated that a Responsible Official (RO) certification needed to accompany this submittal in order to make the requested change. Therefore, FPC is resubmitting the revised pages with an original RO certification statement (Attachment 1).

2. The allowable number of operating hours in condition F.2 is currently expressed as an annual, not-to-exceed number. The Department claims that a change to a 12-month rolling average would be consistent with other permits and also meet EPA's requirements for practical enforceability, in that, for a limit to be practically enforceable, the maximum length of time between compliance determinations should be one month or less. However, annual caps on emissions or, in this case operating hours, are by their nature determined annually. As part of the recordkeeping and reporting requirements under NPDES Permit No. FL0000159 for the helper cooling towers, FPC currently tracks pump run times on both a daily and a monthly basis. FPC has included two logs detailing our recordkeeping for both daily and monthly hours (Attachment 2). Therefore, in spite of the Department's claims, no significant time would pass before a violation of the limit is noted and reported. FPC requests that the condition's language be left as is. Tracking a cumulative annual total is just as "practically enforceable" and avoids the additional burden of continuously tracking, calculating and reporting a 12-month rolling average.

Section III. Subsection I.

The excess emissions regulations are confusing and we appreciate the Department's continuing efforts to provide clarity when applying them as a specific condition in a Title V permit. The intent of FPC's original comment was simply to clarify that Condition I.2. only be applied to Units 1 and 2 for purposes of malfunctions, because Condition I.3. applied to Units 1 and 2 for purposes of startup and shutdown. If the Department believes that the original draft language already clearly provides for this interpretation, FPC does not believe that any revisions should be made to Conditions I.2 and I.3 as contained in the original Draft Title V permit.

In response to the Department's suggested revisions, FPC does not believe that it makes sense to say that a unit is subject to both Rule 62-210.700(1), Fla. Admin. Code, and the NSPS excess emission provisions (applicable under Rule 62-204.800, Fla. Admin. Code). Because Units 4 and 5 are subject to the NSPS (Subpart D), and because the emissions limits to which Units 4 and 5 are subject are the limits imposed under the NSPS, the NSPS excess emissions provisions must govern these units. By proposing to clarify that the excess emission provision under Rule 62-210.700(1), Fla. Admin. Code applies to these units, the Department is unnecessarily restricting the emission limits imposed by the NSPS. Accordingly, FPC requests that the Department <u>not</u> revise Condition I.2. (or its preface); rather, this language should remain as initially contained in the Draft Title V permit. It is FPC's understanding that other Title V permits have been issued by the Department that specifically apply the NSPS excess emission provisions to NSPS limits at NSPS units; FPC's request is consistent with this.

Section III. Subsection K.

The language in the conditions for the burning of on-spec used oil has been reviewed and, for the most part, is consist with FPC's other permits. The only inconsistency that FPC requests be revised is under K.1.h. *Reporting Required.* FPC does not now currently calculate annual lead emissions in the AOR and requests that this be deleted. Also, as the analytical results will be maintained on file for a period of five years, they will be available for agency inspection. Requiring that they be provided with the AORs is burdensome and will result in voluminous transmittals.

FPC appreciates the Department's efforts in processing this permit and understands the need to resolve these issues in as timely a manner as possible. In this regard, the Department agreed to grant FPC's Request for Extension of Time until April 30, 1998. If we are unable to reach a resolution of these remaining issues within this time period, we would appreciate the opportunity to file an additional Request for Extension of Time. Accordingly, please contact me at (813) 866-5158 as soon as you have had the opportunity to review these comments.

Sincerely,

Scott H. Osbourn
Senior Environmental Engineer

Enclosures

cc: Clair Fancy, P.E., DEP
Joseph Kahn, P.E., DEP
Ken Kosky, P.E., Golder Associates
Robert Manning, HGS&S

ATTACHMENT 1

Owner/Authorized Representative or Responsible Official

1. Name and Title of Owner/Authorized Representative or Responsible Official:

   W.Jeffrey Pardue, C.E.P., Director, Env Services Dept

2. Owner/Authorized Representative or Responsible Official Mailing Address:

Organization/Firm: **Florida Power Corporation**
Street Address: **3201 34th Street South**
City: **St. Petersburg** State: **FL** Zip Code: **33711**

3. Owner/Authorized Representative or Responsible Official Telephone Numbers:

Telephone: **(813) 866-4387** Fax: **(813) 866-4926**

4. Owner/Authorized Representative or Responsible Official Statement:

I, the undersigned, am the owner or authorized representative of the non-Title V source addressed in this Application for Air Permit or the responsible official, as defined in Rule 62-210.200, F.A.C., of the Title V source addressed in this application, whichever is applicable. I hereby certify, based on information and belief formed after reasonable inquiry, that the statements made in this application are true, accurate and complete and that, to the best of my knowledge, any estimates of emissions reported in this application are based upon reasonable techniques for calculating emissions. The air pollutant emissions units and air pollution control equipment described in this application will be operated and maintained so as to comply with all applicable standards for control of air pollutant emissions found in the statutes of the State of Florida and rules of the Department of Environmental Protection and revisions thereof. I understand that a permit, if granted by the Department, cannot be transferred without authorization from the Department, and I will promptly notify the Department upon sale or legal transfer of any permitted emissions unit.*

Signature

4/15/98
Date

* Attach letter of authorization if not currently on file.

C. EMISSIONS UNIT DETAIL INFORMATION
(Regulated Emissions Units Only)

Emissions Unit Details

1. Initial Startup Date:	
2. Long-term Reserve Shutdown Date:	
3. Package Unit: Manufacturer:	Model Number:
4. Generator Nameplate Rating:	MW
5. Incinerator Information: Dwell Temperature: Dwell Time: Incinerator Afterburner Temperature:	 °F seconds °F

Emissions Unit Operating Capacity

1. Maximum Heat Input Rate:		mmBtu/hr
2. Maximum Incineration Rate:	lbs/hr	tons/day
3. Maximum Process or Throughput Rate:	*	
4. Maximum Production Rate:		
5. Operating Capacity Comment (limit to 200 characters):		

*Seawater flow. The approximate throughput for all four towers (36 cells) based on an average of 20,417 gallons/minute/cell is 735,000 gal/min.

Emissions Unit Operating Schedule

1. Requested Maximum Operating Schedule:

hours/day		days/week
weeks/yr	4,320	hours/yr

F. SEGMENT (PROCESS/FUEL) INFORMATION
(Regulated and Unregulated Emissions Units)

Segment Description and Rate: Segment 1 of 1

1. Segment Description (Process/Fuel Type and Associated Operating Method/Mode) (limit to 500 characters):

Seawater/Machinery, miscellaneous, not classified

2. Source Classification Code (SCC):

3-12-999-99

3. SCC Units:

Tons Processed

4. Maximum Hourly Rate:	5. Maximum Annual Rate:
183,897*	794,435,040

6. Estimated Annual Activity Factor:

7. Maximum Percent Sulfur:	8. Maximum Percent Ash:

9. Million Btu per SCC Unit:

10. Segment Comment (limit to 200 characters):

*This is an approximate hourly rate, based on an estimate of 735,000 gal/min, and an average seawater density of 8.34 lb/gal.

ATTACHMENT 2

FLORIDA POWER CORPORATION
CRYSTAL RIVER PLANT
EPA NPDES MONTHLY REPORT

Data for: Month: 3
Day: 31
Year: 98

	RUN TIMES				WATER VOLUME				CT PMPS 1 &2 WATER VOLUME	CT PMPS 3&4 WATER VOLUME			
	CT PMP 1	CT PMP 2	CT PMP 3	CT PMP 4	CT PMP 1	CT PMP 2	CT PMP 3	CT PMP 4					
	MINUTES	MINUTES	MINUTES	MINUTES	MGAL	MGAL	MGAL	MGAL	MGAL	MGAL			
DAY	TIMEON	TIMEON	TIMEON	TIMEON	CALC	CALC	CALC	CALC	CALC	CALC			
STARTING	CWBC501	CWBC507	CWBC513	CWBC519	175000	175000	175000	175000	-	-			
1-Mar-98	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			
2-Mar-98	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			
3-Mar-98	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			
4-Mar-98	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			
5-Mar-98	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			
6-Mar-98	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			
7-Mar-98	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			
8-Mar-98	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			
9-Mar-98	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			
10-Mar-98	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			
11-Mar-98	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			
12-Mar-98	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			
13-Mar-98	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			
14-Mar-98	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			
15-Mar-98	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			
16-Mar-98	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			
17-Mar-98	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			
18-Mar-98	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			
19-Mar-98	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			
20-Mar-98	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			
21-Mar-98	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			
22-Mar-98	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			
23-Mar-98	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			
24-Mar-98	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			
25-Mar-98	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			
26-Mar-98	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			
27-Mar-98	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			
28-Mar-98	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			
29-Mar-98	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			
30-Mar-98	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			
31-Mar-98	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			
MAX	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			
AVG													
31	31	31	31	31									

CRYSTAL RIVER 1,2 & 3 HELPER COOLING TOWERS 1997 RUN TIMES

	RUN TIMES (HOURS)				Through Put (MG)					
MONTH	PUMP 1	PUMP 2	PUMP 3	PUMP 4	MONTH	Tower 1&2	Tower 3&4			
1	0.0	0.0	0.0	0.0	1	0.0	0.0			
2	0.0	0.0	0.0	0.0	2	0.0	0.0			
3	0.0	0.0	0.0	0.0	3	0.0	0.0			
4	2.5	3.3	1.0	1.8	4	60.9	29.4			
5	4.7	3.2	4.2	1.4	5	83.0	58.8		32	2131
6	18.2	0.0	131.6	136.9	6	191.2	2,820.4		5502.4	5522.2
7	309.9	6.3	250.0	241.4	7	3,321.4	5,161.7		8821.7	8793.2
8	139.4	40.0	191.3	70.5	8	1,884.4	2,750.0		8209.4	8209.7
9	0.0	0.0	0.0	4.5	9	0.0	47.3			
10	0.0	0.0	0.0	0.0	10	0.0	0.0			
11	0.0	0.0	0.0	0.0	11	0.0	0.0			
12	0.0	0.0	0.0	0.0	12	0.0	0.0			
TOTAL	474.7	52.8	578.1	456.5	TOTAL	5,540.9	10,867.6			

Barbara \ File

Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

February 24, 1998

Mr. Scott H. Osbourn
Senior Environmental Engineer
Florida Power Corporation
P.O. Box 14042
St. Petersburg, FL 33733

Re: Comments on DRAFT Title V Permit
File No. 017,0004-004-AV
Crystal River Facility, Citrus County

Dear Mr. Osbourn:

We received your comments dated February 10, 1997 on the Draft Title V permit for the Crystal River Facility. The following comments are in response to your comments. We included revised language where necessary to clearly show the revisions or changes to the permit. We often did not include the revised language when we agreed with the requested change. Nothing in the following changes will require the publication of a new Notice of Intent to Issue, nor will they prevent the issuance of the Proposed permit.

Section III. Subsection A.

1. Upon review of this issue, we agree that the descriptions for Units 1 and 2 may be changed to include a reference to on-specification used oil as a fuel. We will add this to the description for these units.

Section III. Subsection B.

1. Since FPC's request to allow the use of the RATA test results to serve as the annual compliance demonstrations without an alternate sampling procedure (ASP) is similar to that approved for the Kissimmee Utility Authority (KUA), we will make the requested change. A condition will be added to the Test Methods and Procedures section as follows (conditions will be appropriately renumbered):

   B.x. Annual RATA Tests May Substitute for Annual NOx and SO_2 Tests. Annual RATA tests performed for nitrogen oxides and sulfur dioxide may be substituted for the annual compliance tests for these pollutants. To substitute for the annual compliance tests, the owner or operator must notify the Department of the RATA tests and the results must be submitted as the compliance tests, in accordance with the requirements of specific conditions I.6.(a)9. and I.15 of this permit. The requirements of specific conditions I.9 and I.12.(a)1. shall not apply to these

tests. The test runs shall be consecutively completed in a manner that fulfills the test length requirements of the EPA test methods.

2. The annual test date will be changed from October 1st to "no later than April 1st" in condition B.12.

3. The Department is not yet prepared to respond to this comment. The Department will respond to this in the future. We agree that this may prevent issuance of a Proposed permit that satisfies your request.

Section III. Subsection C.

1. The annual test date will be changed from June 1st to July 1st in condition C.5.

Section III. Subsection F.

1. We received revised pages of the application to change the adjective "maximum" to "approximately", but the Department needs the RO certification for these pages to make the requested change. We apologize for not specifically pointing this out in previous correspondence. Please resubmit the revised pages with an original RO certification statement and we will make the requested change.

2. We disagree that a cumulative annual total is practically enforceable. EPA is quite clear that for a limit to be practically enforceable, the maximum length of time between compliance determinations is one month. EPA allows for rolling 12 month totals for sources with significant seasonal variation where record keeping demonstrates compliance with a limit. A cumulative annual total limit could allow significant time to pass before a violation of the limit is noted or reported. We do not believe the monthly record keeping required is burdensome. Furthermore, the permit does not require reporting of the records, only making and keeping the records. Therefore, the condition will not be revised.

Section III. Subsection G.

1. We were not aware that the Unit 4 cooling tower was testing in 1988 instead of 1989. The base year of the tests for the Unit 4 cooling tower will be adjusted in the permit and the condition will be revised to reflect that next test year from the effective date of the permit will be 2003. The condition will read as follows:

> **G.4.** Test Every Five Years. The Unit 4 cooling tower shall be tested every five years from 1988 (the next required year from the effective date of this permit is 2003) between May 1st and October 1st. The Unit 5 cooling tower shall be tested every five years from 1992 (the next required year from the effective date of this permit is 2002) between May 1st and October 1st. [Rule 62-213.440, F.A.C.; Modified PSD permit, PSD-FL-007, issued by EPA 11/30/88, request of applicant]

Section III. Subsection H.

1. Condition H.6. will include the requested exception for conditions I.9., I.10., I.11., and I.13. The Department will reserve its authority to require a special compliance test pursuant to condition

I.6.(b), so that condition and conditions I.6.(a)9, I.12(a)2 and I.15.(a) & (b) will remain applicable to these sources. The requested exception will refer to the other parts of these conditions as follows:

H.6. This emissions unit is also subject to conditions **I.1, I.4, I.5,** and **I.14** contained in **Subsection I. Common Conditions.** This emissions unit is also subject to conditions **I.6.(a)9 & (b), I.12(a)2** and **I.15.(a) & (b)**; the other provisions of conditions **I.6, I.12** and **I.15** are not applicable to this emissions unit.

Section III. Subsection I.

1. Upon further review we agree that condition I.2. is applicable to Units 4 and 5. This condition is based on the authority of Florida's SIP and may, for some pollutants, be in conflict with the provisions of the NSPS Subpart D. In other words, compliance with this condition does not relieve the facility from complying with the NSPS provisions. This condition is also applicable to all other emissions units as allowed by the underlying rule. We believe that deleting the preface to this condition will be confusing or misleading to facility and Department staff. For clarity and to address your comments, the preface and the condition will be reworded as follows:

   I.2. (This condition is applicable to all emissions units. However, this condition is applicable to emissions units 004 and 003 - Units 4 and 5 - pursuant to Florida's SIP; the excess emissions provisions of the NSPS, described in Subsections B and J, also apply to emissions units 004 and 003 - Units 4 and 5.) Excess emissions resulting from startup, shutdown or malfunction of any emissions unit shall be permitted providing (1) best operational practices to minimize emissions are adhered to and (2) the duration of excess emissions shall be minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration.
   [Rule 62-210.700(1), F.A.C.]

2. We will add the reference to sootblowing and load change to condition I.3. pursuant to the requirements of Rule 62-210.700(3), F.A.C. The revised condition will be as follows:

   I.3. (This condition applies to emissions units 001 and 002 - Units 1 and 2.) Excess emissions resulting from startup or shutdown shall be permitted provided that best operational practices to minimize emissions are adhered to and the duration of excess emissions shall be minimized.
   [Rule 62-210.700(2), F.A.C.]

   Excess emissions resulting from boiler cleaning (soot blowing) and load change shall be permitted provided the duration of such excess emissions shall not exceed 3 hours in any 24-hour period and visible emissions shall not exceed 60 percent opacity, and providing (1) best operational practices to minimize emissions are adhered to and (2) the duration of excess emissions shall be minimized. Also see specific conditions **A.5** and **A.7** of this permit.
   [Rule 62-210.700(3), F.A.C.]

Section III. Subsection K.

1. We have made appropriate changes to Subsection K to appear more consistent with other Florida Power permits. This permit will not be identical to others, because the requirements for Crystal

River are derived, in part, from previous facility requirements and reasonable assurances required for the Crystal River plant. The revised Subsection K is attached to this letter.

Please advise if your comments have been adequately addressed, or if you have comments on the other changes so that we may proceed to the Proposed permit stage. If you should have any questions, please call Joseph Kahn, P.E., or Susan DeVore at 850/921-9519.

Sincerely,

Scott M. Sheplak, P.E.
Administrator
Title V Section

SMS/jk

attachment

copy to:

Mr. W. Jeffrey Pardue, C.E.P., FPC
Ken Kosky, P.E., Golder Associates
Mr. Bill Thomas, P.E., DEP Southwest District, Air Section

Subsection K. Used Oil Common Condition.

E.U. ID No.	Brief Description
001	Fossil Fuel Steam Generator, Unit 1
002	Fossil Fuel Steam Generator, Unit 2
004	Fossil Fuel Steam Generator, Unit 4
003	Fossil Fuel Steam Generator, Unit 5

{Permitting Notes: The emissions units above are subject to the following condition which allows the burning of on-specification used oil pursuant to the requirements of this permit and this subsection.}

The following condition applies to the emissions units listed above:

K.1. Used Oil. Burning of on-specification used oil is allowed in emissions units 001, 002, 004 and 003 in accordance with all other conditions of this permit and the following conditions:

a. On-specification Used Oil Allowed as Fuel: This permit allows the burning of used oil fuel meeting EPA "on-specification" used oil specifications, with a PCB concentration of less than 50 ppm. Used oil that does not meet the specifications for on-specification used oil shall not be burned at this facility.

   On-specification used oil shall meet the following specifications: [40 CFR 279, Subpart B.]

   Arsenic shall not exceed 5.0 ppm;
   Cadmium shall not exceed 2.0 ppm;
   Chromium shall not exceed 10.0 ppm;
   Lead shall not exceed 100.0 ppm;
   Total halogens shall not exceed 1000 ppm;
   Flash point shall not be less than 100 degrees F.

b. Quantity Limited: The maximum quantity of used oil that may be burned in all four emissions units combined is 10 million gallons in any consecutive 12-month period.

c. Used Oil Containing PCBs Not Allowed: Used oil containing a PCB concentration of 50 or more ppm shall not be burned at this facility. Used oil shall not be blended to meet this requirement.

d. PCB Concentration of 2 to less than 50 ppm: On-specification used oil with a PCB concentration of 2 to less than 50 ppm shall be burned only at normal source operating temperatures. On-specification used oil with a PCB concentration of 2 to less than 50 ppm shall not be burned during periods of startup or shutdown.

   Before accepting from each marketer the first shipment of on-specification used oil with a PCB concentration of 2 to 49 ppm, the owner or operator shall provide each marketer with a one-time written and signed notice certifying that the owner or operator will burn the used oil in a qualified combustion device and must identify the class of combustion device. The notice must state that EPA or a RCRA-delegated state agency has been given a description of the used oil management activities at the facility and that an industrial boiler or furnace will be used to burn

the used oil with a PCB concentration of 2 to 49 ppm. The description of the used oil management activities shall be submitted to the EPA or may be submitted to the Administrator, Hazardous Waste Regulation Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, FL 32399-2400. A copy of the notice provided to each marketer shall be maintained at the facility. [40 CFR 279.61 and 761.20(e)]

e. Certification Required: The owner or operator shall receive from the marketer, for each load of used oil received, a certification that the used oil meets the specifications for on-specification used oil and contains a PCB concentration of less than 50 ppm. This certification shall also describe the basis for the certification, such as analytical results.

Used oil to be burned for energy recovery is presumed to contain quantifiable levels (2 ppm) of PCB unless the marketer obtains analyses (testing) or other information that the used oil fuel does not contain quantifiable levels of PCBs. Note that a claim that used oil does not contain quantifiable levels of PCBs (that is, that the used oil contains less than 2 ppm of PCBs) must be documented by analysis or other information. The first person making the claim that the used oil does not contain PCBs is responsible for furnishing the documentation. The documentation can be tests, personal or special knowledge of the source and composition of the used oil, or a certification from the person generating the used oil claiming that the used oil contains no detectable PCBs.

f. Testing Required: If the owner or operator does not receive certification from the marketer as described above, and for used oil generated by the owner or operator, the owner or operator shall sample and analyze each load of used oil received, and each load to be burned that was generated by the owner or operator, for the following parameters:

Arsenic, cadmium, chromium, lead, total halogens, flash point, PCBs*, and specific gravity.

Testing (sampling, extraction and analysis) shall be performed using approved methods specified in EPA Publication SW-846 (Test Methods for Evaluating Solid Waste, Physical/Chemical Methods), latest edition.
* Analysis for PCBs is not required if a claim is made that the used oil does not contain quantifiable levels of PCBs.

If the owner or operator relies on certification from the marketer, the owner or operator shall be responsible for ensuring that the certification complies with all the requirements of this condition and all conditions of this permit.

If the analytical results show that the used oil does not meet the specification for on-specification used oil, or that it contains a PCB concentration of greater than or equal to 50 ppm, the owner or operator shall immediately notify and provide the analytical results to the Department's Southwest District office. The owner or operator shall immediately cease burning of the used oil.

g. Record Keeping Required: The owner or operator shall obtain, make, and keep the following records related to the use of used oil in a form suitable for inspection at the facility by the Department: [40 CFR 761.20(e)]

(1) The gallons of on-specification used oil received, generated and burned each month. (This record shall be completed no later than the fifteenth day of the succeeding month.)
(2) The total gallons of on-specification used oil burned in the preceding consecutive 12-month period. (This record shall be completed no later than the fifteenth day of the succeeding month.)
(3) Results of the analyses required above, including documentation if a claim is made that the used oil does not contain quantifiable levels of PCBs.
(4) The source and quantity of each load of used oil received each month, including the name, address and EPA identification number (if applicable) of all marketers that delivered used oil to the facility, and the quantity delivered.
(5) Records of the operating rate of each unit while burning used oil and the dates and time periods each unit burns used oil.

h. Reporting Required: The owner or operator shall submit to the Department's Southwest District office, with the Annual Operation Report form, the analytical results and the total amount of on-specification used oil burned during the previous calendar year. The AOR shall include the total amount of lead emitted as a result of burning on-specification used oil during the calendar year.

[Rules 62-4.070(3) and 62-213.440, F.A.C., 40 CFR 279 and 40 CFR 761, 0170004-002-AO, and request of applicant, unless otherwise noted]

RECEIVED
FEB 11 1998
BUREAU OF
AIR REGULATION

Florida Power
CORPORATION

February 10, 1998

Scott M. Sheplak, P.E.
Administrator, Title V Section
Florida Department of Environmental Protection
2600 Blair Stone Rd.
Tallahassee, Florida 32399-2400

Dear Mr. Sheplak:

Re: Comments on Draft Title V Permit; Crystal River Facility, Citrus County
File No. 0170004-004-AV

This letter serves to provide responses to the Department's letter, dated January 6, 1998, concerning Florida Power Corporation's (FPC) Crystal River Facility. The Department's letter was in response to a comment letter submitted by FPC on November 12, 1997. The issues discussed are addressed in the same order in which they are encountered in the draft permit.

Section III. Subsection A.

FPC had requested that the descriptions for Units 1 and 2 each include a reference to FPC's authorization to burn on-spec used oil. The Department responded that "the descriptions for Units 1 and 2 would not be changed since sufficient authorization to burn on-spec used oil in these units is found in condition A.3 and Subsection K." As there are many other instances in the permit where the language is redundant and repetitive, the fact that used oil burning is mentioned elsewhere in the permit should not preclude its mention in the unit description. FPC requests that it be added.

Section III. Subsection B.

1. FPC had requested that the Title V permit allow the use of the RATA test results to serve as the annual compliance demonstrations. The Department responded that the requested change could not be made without an alternate sampling procedure (ASP) approved by the DEP and EPA. FPC is aware of similar requests being made (e.g., the Kissimmee Utility Authority or KUA) and approval being granted without invoking the ASP procedure. In fact, since the sampling methods used for the RATA tests are the reference methods indicated in the draft permit, an ASP would not be necessary. FPC is simply proposing to increase efficiency by making the best use of the test data. In order to assist you in discussions with Mike Harley's office on this issue, I have enclosed copies of pertinent correspondence between the Department and KUA.

2. FPC had requested that the annual test date in condition B.12 be changed to October 1st. The Department indicated that they would grant this request; however, if the use of RATA test data is acceptable for annual compliance demonstrations and, given that the RATA testing is required annually in the first quarter, FPC requests that, in conjunction with the approval to use RATA test data, that this date be changed to "no later than April 1st."

3. Regarding conditions B.15 through B.17, FPC had commented that not only should the requirement for $PM_{2.5}$ monitoring be eliminated, but the requirement for *any* monitoring stations should be deleted. The Department's response was that it did not have a comment at this time, but that it would respond separately to this issue in the future. All parties cannot proceed to the *Proposed* Permit stage until this issue has been adequately addressed.

Section III. Subsection C.

Condition C.5 of Subsection C (covering the flyash transfer and storage sources associated with Units 1 and 2) requires that annual VE testing be done by June 1st. The Department granted FPC's earlier request to change that annual compliance test date for Units 1 and 2 from June 1st to July 1st (Department's Response 4 under Section III, Subsection A). As the annual testing for these sources is usually done in conjunction with the testing on Units 1 and 2, FPC asks that this date also be changed to July 1st.

Section III. Subsection F.

1. FPC had requested that the adjective "maximum", describing the seawater flow, be deleted in condition F.1. The Department responded that, although the current permit language uses the term "approximately", FPC had described the flow as a maximum process or throughput rate in the Title V application; therefore, this part of the application must be revised if the Department is to grant our request. Accordingly, in order to support our request, FPC is submitting a revised process description with this letter.

2. The allowable number of operating hours in condition F.2 is currently expressed as an annual, not-to-exceed number. In spite of the Department's claims that a change to a 12 month rolling average would be consistent with other permits and also meet EPA's requirements for practical enforceability, FPC requests that the condition's language be left as is. Tracking a cumulative annual total is just as "practically enforceable" and avoids the additional burden of continuously tracking, calculating and reporting a 12 month rolling average.

Section III. Subsection G.

Regarding condition G.4, FPC had requested that the testing window for both cooling towers be changed to the period between May 1st and October 1st. The Department granted this

request, but further stated that the base year for the tests would not change. This presents a problem, in that the Unit 4 cooling tower was originally tested in 1988 (not the year 1989 cited by the Department), and is scheduled for retesting in 1998 (not the year 1999 cited by the Department, which is also the proposed effective date for the Title V permit). FPC would like to discuss how to effectively reword this condition.

Section III. Subsection H.

FPC had previously requested that certain exceptions to applicability be made in the text of condition H.6 (i.e., the references to conditions I.2, I.4 and I.5). The Department agreed that the exception for I.2 was appropriate, but that conditions I.4 and I.5 were applicable to the sources and should not be excepted. FPC agrees with the Department's determination, but asks that the Department further consider excepting conditions I.6, I.9, I.10, I.11, I.12, I.13 and I.15. FPC had neglected to list these conditions in our earlier request.

Section III. Subsection I.

FPC agrees with the Department's response to our comment on condition I.3. Clearly condition I.3 does not supercede condition I.2. However, problems with the wording in these conditions remain. The preface to condition I.2 states that the condition does ***not*** apply to Units 4 and 5, when it clearly does. Further, the malfunction provision in I.2 also applies to Units 1 and 2, so just removing the offending word "not", will not solve the problem. Therefore, FPC requests that the entire sentence at the beginning of condition I.2 be deleted. Finally, condition I.3 should include mention of "permitted excess emissions for soot blowing and load changes", in addition to those from startup and shutdown.

Section III. Subsection K.

The language in the conditions for the burning of on-spec used oil has been discussed at great length with the permit engineer (Charles Logan) who is writing FPC's Anclote, Turner, and Higgins Title V permits. For consistency among FPC's permits, it is requested that the used oil language reflect other discussions that have already occurred with the Department.

FPC appreciates the Department's efforts in processing this permit and understands the need to resolve these issues in as timely a manner as possible. In this regard, the Department agreed to grant FPC's Request for Extension of Time until February 27, 1998. If we are unable to reach a resolution of these remaining issues within this time period, we would appreciate the opportunity to file an additional Request for Extension of Time. Accordingly, please contact me at (813) 866-5158 as soon as you have had the opportunity to review these comments.

Sincerely,

Scott H. Osbourn
Senior Environmental Engineer

Enclosures

cc: Clair Fancy, P.E., DEP
Joseph Kahn, P.E., DEP
Ken Kosky, P.E., Golder Associates
Robert Manning, HGS&S

File

Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

January 6, 1998

Mr. Scott H. Osbourn
Senior Environmental Engineer
Florida Power Corporation
3201 Thirty-fourth Street South
P.O. Box 14042
St. Petersburg, FL 33733

Re: Comments on DRAFT Title V Permit
File No. 0170004-004-AV
Crystal River Facility, Citrus County

Dear Mr. Osbourn:

We received your comments dated November 12, 1997 on the Draft Title V permit for the Crystal River Facility. The following comments are in response to your comments, with additional comments where we identified additional changes required to the Draft permit. We included revised language where necessary to clearly show the revisions or changes to the permit. We often did not include the revised language when we agreed with the requested change. Nothing in the following changes will require the publication of a new Notice of Intent to Issue, nor will they prevent the issuance of the Proposed permit.

General Comments

1. The Final Title V permit will reflect the most up-to-date version of Appendix TV-1, Title V Conditions. Currently the most up-to-date version has a version date of 12/2/97.

2. From Scott Osbourn's letter dated October 28, 1997, proof was enclosed that FPC published the Intent to Issue Title V Air Operation Permit on October 13, 1997, so apparently FPC has the proof of publication.

Section I., Facility Information, Subsection A.

1. The sentence will not be changed since there is sufficient description that references FPC's authorization at Crystal River to burn fuel oils in conditions A.3 and B.3.

Section I., Facility Information, Subsection B.

1. Emissions Unit 019 , two 3500 kW diesel generators associated with Unit 3, will be added to the chart describing the Unregulated Emissions Units and/or Activities.

Section II., Facility-wide Conditions.

1. The requested change to condition 3 is not consistent with other permits issued by this office, and the condition as written is clear, so no change will be made.

2. Pursuant to rule change, the term "exempt" will be changed to "insignificant" where appropriate throughout the permit.

3. The requested change to condition 7 is not consistent with other permits issued by this office, and the condition as written is clear, so no change will be made.

4. We will make the requested change to condition 8. Also, the note will be changed to read as follows:

   "{Note: This condition implements the requirements of Rules 62-296.320(4)(c)1., 3., & 4. F.A.C., (condition 58. of APPENDIX TV-1, TITLE V CONDITIONS.)}".

Section III. Subsection A.

1. The descriptions for Units 1 and 2 will not be changed since sufficient reference to FPC's authorization to burn on-spec used oil in these units is found in condition A.3 and Subsection K.

2. The requested change is not consistent with other permits issued by this office, so no change will be made.

3. The requested change is not consistent with other permits issued by this office, so conditions A.10. and A.11. will remain unchanged.

4. The annual test date will be changed from June 1st to July 1st.

5. Condition A.15. was replaced with condition K.1. Subsection K was sent previously as a correction to the Draft permit. This adequately addresses the agreement between the Department & FPC.

Section III. Subsection B.

1. The NSPS allows Methods 6C and 7E as reflected in condition B.8. However, the requested change can not be made without an alternate sampling procedure approved by the DEP and EPA. Please request an alternate sampling procedure separately.

2. Condition B.11. refers to condition B.3. to demonstrate that only the allowed fuels are fired in appropriate quantities. The requested change is thus not appropriate.

3. The annual test date will be changed from June 1st to October 1st in condition B.12.

4. The Department does not have a response to this comment at this time. The Department will respond separately to this in the future.

Section III. Subsection E.

1. (1) The description will be revised as requested. A note will be added below the description to note that this subsection is applicable only when the generators are located at the Crystal River Plant.
(2) Condition E.1. will not be revised. No notice is required to initiate the permit conditions. FPC shall comply with the permit requirements any time the units are located at the Crystal River facility.
(3) Citations for conditions E.4., E.5., E.9., E.13., E.14. and E.15. will be changed to refer to the AC permit. Condition E.11. refers to the AO permit, since this condition is an operating requirement and first appeared in the AO permit.
(4) Condition E.13. will be changed to : ". . . each of the generators, and the cumulative "engine-hours" for each month."
(5) Condition E.15 will not be deleted, as it was a condition of both the AC and previous AO permits. This condition imposes future restrictions should FPC request a relaxation of emission limits for theses relocatable units. For clarity the condition will be revised to refer only to relaxation of the emissions limits of this subsection.
(6) Condition E.16. has requirements that are applicable to the Crystal River Plant pertaining to possible relocation from Crystal River to Pinellas County, so this condition will not be changed. Condition E.12. is only applicable to sources in Pinellas County, so it will be deleted as requested. Subsequent conditions have been renumbered.

Section III. Subsection F.

1. You are correct, PSD-FL-139 does state "approximately" 735,000 gpm in the descriptive language, but pursuant to your application, which states under Emission Unit 10, C. Emissions Unit Detail Information, Emissions Unit Operating Capacity, 3. Maximum Process or Throughput Rate: **735, 000 gal/min* (*seawater flow. Maximum throughput for all four towers (36 cells) based on 20,417 gallons/minute/cell.)**, the adjective "maximum" can not be deleted, unless this part of the application is revised.

2. In condition F.2. the 12-month rolling total is consistent with other permits issued by this office, and meets EPA's requirements for practical enforceability, so it will not be changed as requested. Please note that the total limit does not limit each month to 1/12 of the total, so monthly fluctuations in usage will not necessarily cause the facility to be out of compliance.

3. The permit note in condition F.3. will not be deleted since it is not enforceable and it provides clarification for the compliance authority. It specifically relates the BACT determination to the imposed emission limit.

4. Condition F.5. will not be changed. The Department will reserve its ability to choose a cell independently of the owner, as was explicitly specified by specific condition 4 of permit number AC 09-162037.

5. Condition F.6. will be changed as requested.

Section III. Subsection G.

1. The application is not clear whether the flow rate is for each or both cooling towers, since both were combined as one emissions unit. In condition G.1. the flow rate will be listed as "per cooling tower" since FPC has made this clarification.

2. The testing window for the cooling towers will be changed as requested, but the base year of the tests will not change. It will be revised to reflect that the effective date will be 1/1/99. The condition will read as follows:

> **G.4.** Test Every Five Years. The Unit 4 cooling tower shall be tested every five years from 1989 (the next required year from the effective date of this permit is 1999) between May 1st and October 1st. The Unit 5 cooling tower shall be tested every five years from 1992 (the next required year from the effective date of this permit is 2002) between May 1st and October 1st.
> [Rule 62-213.440, F.A.C.; Modified PSD permit, PSD-FL-007, issued by EPA 11/30/88, request of applicant]

Section III. Subsection H.

1. The "Permitting notes" will include the requested clarification for "Units 4 and 5 only."

2. Condition H.6. will include the requested exception for condition I.2. Conditions I.4. & I.5. are applicable to these sources, so the requested change for these will not be made.

3. The requested changes to condition H.7. will be made, as well as clarification that Subsection J applies only to activities at units subject to NSPS (i.e. activities at units 4 & 5).

Section III. Subsection I.

1. "Except as otherwise specified under Subsections A. through H.," will be added to the introductory language of this subsection as requested.

2. The requested revision to condition I.3. will not be made since condition I.3. does not supersede condition I.2. Condition I.2. includes malfunctions, which are not addressed in condition I.3.

Section III. Subsection J.

1. The requested change to add units "4 and 5" to the description will be made.

Section IV. Acid Rain Part

1. Condition A.1.a refers to the application submitted by referencing the date of FPC's application, so no change will be made.

2. The requested deletion of conditions A.4. and B.2. is not consistent with other permits issued by this office, so the conditions will not be deleted.

Appendices

Appendix E-1, List of Exempt Emissions Units and/or Activities

1. Please note that Appendix E-1 will be changed to I-1 to reflect rule changes that now refer to insignificant units instead of exempt units. Language will be added to match the revised rules

regarding insignificant units. The requested revision will be made to add "refueling & storage". Grounds maintenance will also be added.

Appendix S. Permit Summary Tables, Table 1-1

1. Summary Tables will be changed to reflect revisions made.

Appendix P

1. Appendix P will be added to include information on the sensitive paper test method based on information provided by FPC. This appendix will be referenced in the permit where appropriate.

Please advise if your comments have been adequately addressed, or if you have comments on the other changes so that we may proceed to the Proposed permit stage. If you should have any questions, please call Joseph Kahn, P.E., or Susan DeVore at 850/488-1344.

Sincerely,

Scott M. Sheplak, P.E.
Administrator
Title V Section

SMS/jk

copy to:

Mr. W. Jeffrey Pardue, C.E.P., FPC
Ken Kosky, P.E., Golder Associates
Mr. Bill Thomas, P.E., DEP Southwest District, Air Section

Florida Power
CORPORATION

November 12, 1997

Mr. Scott M. Sheplak, P.E.
Bureau of Air Regulation
Florida Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Re: Florida Power Corporation, Crystal River Facility
DRAFT Title V Permit No. 0170004-004-AV

Dear Mr. Sheplak:

On behalf of Florida Power Corporation (FPC), attached are comments regarding the DRAFT Title V permit for the Crystal River Facility, as identified above. FPC appreciates the Department's efforts in processing this permit and understands the need to resolve these issues in as timely a manner as possible. In this regard, DEP agreed to grant FPC's Request for Extension of Time until December 8, 1997. If we are unable to reach a resolution of these comments within this time period, we would appreciate the opportunity to file an additional Request for Extension of Time. Accordingly, please contact me at (813) 866-5158 as soon as you have had a chance to review these comments to set up either a telephone or in-person conference. Thank you again for your consideration of our comments.

Sincerely, J. Michael Kosky for

J. Michael Kosky for

Scott H. Osbourn,
Senior Environmental Engineer

cc: Clair Fancy, P.E., DEP
Joseph Kahn, P.E. DEP
Ken Kosky, P.E., Golder Associates
Robert Manning, HGS&S

FLORIDA POWER CORPORATION
COMMENTS ON DRAFT TITLE V PERMIT
CRYSTAL RIVER FACILITY

General Comments

1. FPC understands that Appendix TV-1, Title V Conditions, is expected to be revised within the next few weeks. FPC requests that its Title V permit reflect the most up-to-date version of this Appendix.

2. FPC understands that DEP will publish the Intent to Issue Title V Air Operation Permit. Because the applicant is ultimately responsible for the publication of the Intent to Issue, FPC requests that DEP provide a copy of the Notice intended to be published, as well as proof of publication.

Section I., Facility Information, Subsection A.

1. FPC requests the following revisions to the description to reference FPC's authorization at Crystal River to burn new and used-oil: "This facility consists of four ~~coal-fired~~ fossil fuel steam generating (FFSG) . . . ."

Section I., Facility Information, Subsection B.

1. FPC requests that the following activity be added to the chart describing the Unregulated Emissions Units and/or Activities: "Two 3500 kW diesel generators associated with Unit 3." These units were included in Appendix U-1, but were inadvertently not included in subsection B.

Section II., Facility-wide Conditions.

1. Condition 3. For clarity and to make this Condition specific to FPC's Crystal River Plant, FPC requests that Condition 3. be edited as follows:

> **Except as otherwise provided in this permit ~~for emissions units that are subject to a particulate matter or opacity limit set forth or established by rule and reflected by conditions in this permit~~, no person shall cause . . . .**

Also, because the reference to Chapter 62-297 in the last sentence of Condition 2. appears to be misplaced, FPC requests Condition 2. be edited as follows: "**EPA Method 9 is the method of compliance ~~pursuant to Chapter 62-297, F.A.C.~~**"

2. Condition 6. In the context of this permit, how does DEP intend to respond to EPA's comments regarding the need to change the phrase "exempt" to "insignificant"?

3. Condition 7. For clarity, FPC requests that the first sentence of this Condition be edited as follows: "**The permittee shall not ~~allow no person to~~ store, pump, ...**"

4. Condition 8. For clarity, FPC requests that this Condition be revised as follows: ". . . Reasonable precautions to prevent emissions of unconfined particulate matter at this facility ~~shall~~ may include, as needed: . . . ."

Section III. Subsection A.

1. FPC requests that the descriptions for Units 1 and 2 each include a reference to FPC's authorization to burn on-spec used oil in these units.

2. Condition A.6. For clarification and to correspond with FPC's Title V application, FPC requests that this Condition be revised as follows: "Particulate matter emissions shall not exceed 0.1 pound per million Btu heat input, 3-hour average, as measured in accordance with Condition A.9. ~~by applicable compliance methods~~.

3. Condition A.10 and A.11. The first sentence in Condition A.11. is redundant to language in Condition A.10. and should therefore be deleted. The second sentence in Condition A.11. should be move into Condition A.10. as follows: " . . . the permittee may demonstrate compliance using fuel sampling and analysis. This protocol is allowed because the emissions unit does not have an operating flue gas desulfurization device. If the permittee elects to discontinue fuel sampling and analysis . . . ."

4. Condition A.13. FPC requests that the annual test date be changed to July 1st.

5. Conditions A.15. This Condition should be revised to mirror the provisions associated with burning used oil in FPC's other Title V permits, as discussed between FPC and DEP on September 24, 1997.

Section III. Subsection B.

1. Condition B.8. FPC performs annual RATA testing for the NOx and SO_2 monitors at full load on Units 4 and 5. The test results are obtained by performing instrumental Methods 7E and 6C, respectively. Therefore, FPC requests that the Title V permit allow the use of these test results as the annual compliance demonstrations. Note that the RATA tests may not necessarily be performed during the 60 day period prior to the compliance test date, however they are performed at approximately 12-month intervals.

2. Condition B.11. The reference to Condition B.3. at the end of this Condition should be changed to Condition B.1.

3. Condition B.12. FPC requests that the annual test date be changed to October 1st.

4. Conditions B.15 through B.17. The requirement for PM2.5 monitoring has no basis in rules or the previous site certification. FPC understands that the EPA will be funding a national PM2.5 monitoring program, so this monitoring will be the responsibility of the EPA and DEP. These conditions should not be considered as part of the Title V permit, since the monitoring was a requirement of the site certification application only. In fact, the original PSD permit did not involve DEP, but was issued by the EPA. The monitoring was part of the continuation of the monitoring performed prior to the site certification being issued. Over the years, the monitoring was reduced

from four to two stations. FPC requests that the requirement for these monitoring stations be deleted.

Section III. Subsection E.

1. The provisions governing the operation of these relocatable generators when they are located at the Crystal River facility should be essentially identical to the provisions contained in the Title V permits for Bartow, Anclote, and Higgins. Accordingly, FPC requests the following revisions: (1) the description should be revised to state "These relocatable units will have a maximum combined heat input of 25.74 mmBtu/hr while being fueled by 186.3 gallons of new No. 2 fuel oil per hour with a maximum combined rating of 2460 kilowatts," (2) add a new Condition E.1. to state "These conditions become active and enforceable once FPC has given notification to the Department's Southwest District Office, in accordance with Condition E.16., that a unit(s) will be relocated to this facility.", (3) the permit references in Conditions E.4., E.5., E.9., E.11., E.12., E.13., E.14., and E.15. should be to the AC instead of the AO, (4) in Condition E.13., the third line should be revised as follows: "of operation expressed as "engine-hours," and a cumulative total hours of operation expressed as "engine-hours" for each month.", (5) Condition E.15. should be deleted because it imposes no requirements on the source, and (6) the last sentence in Condition E.16. ("If a diesel generator is to be relocated within Pinellas County . . . .) should be deleted because the Crystal River facility is not located in Pinellas County (similarly, the reference to Pinellas County in Condition E.12. should be deleted as well.)

Section III. Subsection F.

1. Condition F.1. The seawater flow was never characterized in the PSD permit as a maximum. It is described as "approximately" 735,000 gpm in the descriptive language at the beginning of the construction permit. FPC requests that the adjective "maximum" be deleted.

2. Condition F.2. The amount of hours was not previously expressed as a 12 month rolling total. This is not an effective way to characterize their operation as the cooling towers are operated the most during the high ambient temperature months.

3. Condition F.3. FPC requests that the permit "Note" be deleted to avoid the basis of the limit being confused and imposed as independent limits. Further, the purpose of including this Note is unclear; if an understanding of the basis for the PM limit is needed, the BACT determination can simply be referred to.

4. Condition F.5. FPC requests that the language in the second sentence be changed to "Testing shall be conducted on one cell, selected by the owner in consultation with the Department, of ..."

5. Condition F.6. FPC requests that the language in the first sentence be changed to require testing by June 30, 1998.

Section III. Subsection G.

1. Condition G.1. The flow rate listed should be described as "per cooling tower".

2. Condition G.4. FPC requests that the testing window for both cooling towers be changed to the period between May 1 and October 1. This will avoid the times of year in which unit outagtes normally occur.

Section III. Subsection H.

1. In the "Permitting note(s)," FPC requests the following clarification: "This emissions unit is regulated partially under Power Plant Siting Certification PA77-09; NSPS 40 CFR 60 Subpart Y (Units 4 and 5 only); and PSD permit AC 09-162037, PSD-FL-139."

2. Condition H.6. For clarification, FPC requests the following revisions: "This emissions unit is also subject to conditions I.1 through I.15, except for I.3, I.5, I.7 and I.8 (conditions I.2 and I.4 are also not applicable to activities at units subject to NSPS 40 CFR 60 (i.e., activities at Units 4 and 5)), contained in Subsection I. Common Conditions."

3. Condition H.7. For clarification, FPC requests the following revisions: "These emissions units are also subject to conditions J.1, J.2, J.3(b), (c) and (d) and J.4 contained in subsection J. NSPS Common Conditions." **[Ken - J.1 seems to be a judgement call; J.2 contains the excess emissions provisions, so you definitely want it included.]**

Section III. Subsection I.

1. Because many of the requirements under this subsection are superseded by more specific conditions in Subsections A. - H., FPC requests the following revision to the introductory language of this subsection: "Except as otherwise specified under Subsections A. through H., the following conditions apply to the emissions units listed above:"

2. Condition I.3. For clarification, FPC requests the following revision: "(This condition applies to emissions units 001 and 002 - Units 1 and 2, and therefore supersedes condition I.2.)"

Section III. Subsection J.

1. For clarification, FPC requests the following revision to the description "016 Material handling activities for coal-fired steam units 4 and 5."

Section IV. Acid Rain Part

1. Condition A.1.a. should reference the actual application that FPC submitted rather than DEP's form number.

2. Conditions A.4. and B.2. This condition imposes no requirements and therefore should be deleted.

Appendix E-1, List of Exempt Emissions Units and/or Activities

1. FPC requests the following additions and revisions to this list: (1) Vehicle diesel and gasoline refueling and storage tanks. (2) Grounds maintenance.

Appendix S. Permit summary Tables]
Table 1-1

1. FPC requests that these Tables be revised to reflect the requested revisions in comments above.

Florida Power
CORPORATION

October 10, 1997

Ms. Kathy Carter
Office of General Counsel
Florida Department of Environmental Protection
2600 Blair Stone Rd.
Tallahassee, FL 32399-2400

Dear Ms. Carter:

RE: Florida Power Corporation, Crystal River Plant
REQUEST FOR EXTENSION OF TIME on *Intent to Issue Title V Air Operation Permit Draft Permit No. 0170004-004-AV*

On September 26, 1997, Florida Power Corporation (FPC) received the above-referenced Intent to Issue Title V Air Operation Permit. A review of the permit conditions has revealed that several issues remain to be resolved. Mr. Scott Osbourn of my staff has had discussions with Mr. Scott Sheplak of the Department who agreed that an extension of time to resolve these issues is appropriate. Therefore, based upon the Department's concurrence and pursuant to Rules 62-103.050 and 28-106.111, Fla. Admin. Code, FPC respectfully requests an extension of time in which to file a petition for an administrative hearing on the above-referenced draft Title V permit under Sections 120.569 and 120.57, Fla. Stat., up to and including November 6, 1997.

If you should have any questions, please contact Mr. Scott Osbourn at (813) 866-5158.

Sincerely,

W. Jeffrey Pardue, C.E.P.
Director, Environmental Services Department
Title V Responsible Official

Robert A. Manning, Esq.
Hopping Green Sams & Smith

cc: Scott Sheplak, DEP
Charles Logan, DEP

Florida Power
CORPORATION

RECEIVED
OCT 06 1997
BUREAU OF
AIR REGULATION

October 2, 1997

Scott M. Sheplak, P.E.
Florida Department of Environmental Regulation
2600 Blair Stone Rd.
Tallahassee, Florida 32399-2400

Dear Mr. Sheplak:

Re: Relocatable Diesel Generators Associated with FPC's Crystal River, Bartow, Anclote and Higgins Plant Sites

Please find enclosed a revised air permit for relocatable diesel generators to be used at the above-referenced facilities. Originally, the permit was written for three specific diesel generators that were leased for an outage at FPC's Crystal River nuclear unit. The federally enforceable limit on fuel flow (i.e., 186.3 gal/he total) was necessary to avoid new source review. As the diesel generators specifically referenced in the permit may not always be necessary or even available, FPC had requested that the permit be amended to make the language more generic. The intent of the federal enforceability is still preserved.

Language in this revised permit is consistent with the comments that have been made by FPC regarding these generators as they have been described in Title V permits for the above-referenced facilities. Transmittal of this permit is intended to supplement FPC's original applications for these plant sites and to further support previous comments made regarding these generators.

If you should have any questions, please do not hesitate to contact me at (813) 866-5158.

Sincerely,

10/9/97 cc: Scott Sheplak
Joe Kahn
Ed Svec
Charles Logan

Scott H. Osbourn
Senior Environmental Engineer

Enclosure

cc: Ken Kosky, Golder Associates
Robert Manning, HGS&S

JMK

RECEIVED

SEP 30 1997

Environmental Svcs Department

Department of Environmental Protection

Lawton Chiles
Governor

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

Virginia B. Wetherell
Secretary

NOTICE OF PERMIT ISSUANCE

CERTIFIED MAIL

In the matter of an
Application for Permit by:

Mr. W. Jeffrey Pardue, CEP
Director, Environmental Services
Department
Florida Power Corporation
3201 34th Street South
St. Petersburg, FL 33711 /

DEP File No.: 0170004-006-AO
Counties: Citrus, Pasco,
Pinellas, Polk, &
Sumter

Enclosed is permit number 0170004-006-AO for the operation of the relocatable diesel generators which can operate in the above counties. Procedures for administrative hearing, mediation, and variance/waiver are described below.

Administrative Hearing

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative hearing in accordance with sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this permit. 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 (or a request for mediation, as discussed below) 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 of the Florida Statues, 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 of the Florida Administrative Code.

A petition must contain the following:

(a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department 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 Department's action or proposed action;
(c) A statement of how each petitioner's substantial interests are affected by the Department'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 Department's action or proposed action;
(f) A statement identifying the rules or statutes that the petitioner contends require reversal or modification of the Department'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 Department to take with respect to the permit.

Because the administrative action or proposed action addressed in this hearing process is designed to formulate final agency action, the filing of a petition means that the Department'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 Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation

A person whose substantial interests are affected by the Department's permitting decision, may elect to pursue mediation by asking all parties to the proceeding to agree to such mediation and by filing with the Department a request for mediation and the written agreement of all such parties to mediate the dispute. The request and agreement must be filed in (received by) the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, by the same deadline as set forth above for the filing of a petition.

A request for mediation must contain the following information:

(a) The name, address, and telephone number of the person requesting mediation and that person's representative, if any;
(b) A statement of the preliminary agency action;
(c) A statement of the relief sought; and
(d) Either an explanation of how the requester's substantial interests will be affected by the action or proposed action addressed in this permit or a statement clearly identifying the petition for hearing that the requester has already filed, and incorporating it by reference.

The agreement to mediate must include the following:

(a) The names, addresses, and telephone numbers of any persons who may attend the mediation;
(b) The name, address, and telephone number of the mediator selected by the parties, or a provision for selecting a mediator within a specified time;
(c) The agreed allocation of the costs and fees associated with the mediation;

(d) The agreement of the parties on the confidentiality of discussions and documents introduced during mediation;
(e) The date, time, and place of the first mediation session, or a deadline for holding the first session, if no mediator has yet been chosen;
(f) The name of each party's representative who shall have authority to settle or recommend settlement; and
(g) The signatures of all parties or their authorized representatives.

As provided in section 120.573 of the Florida Statutes, the timely agreement of all parties to mediate will toll the time limitations imposed by sections 120.569 and 120.57 for requesting and holding an administrative hearing. Unless otherwise agreed by the parties, the mediation must be concluded within sixty days of the execution of the agreement. If mediation results in settlement of the administrative dispute, the Department must enter a final order incorporating the agreement of the parties. Persons whose substantial interests will be affected by such a modified final decision of the Department have a right to petition for a hearing only in accordance with the requirements for such petitions set forth above. If mediation terminates without settlement of the dispute, the Department shall notify all parties in writing that the administrative hearing processes under sections 120.569 and 120.57 remain available for disposition of the dispute, and the notice will specify the deadlines that then will apply for challenging the agency action and electing remedies under those two statutes.

Variance/Waiver

In addition to the above, a person subject to regulation has a right to apply for a variance from or waiver of the requirements of particular rules, on certain conditions, under section 120.542 of the Florida Statutes. 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 this permit.

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department, 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) of the Florida Statutes, 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 EPA and by the person under the Clean Air Act unless and until Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

This permit is final and effective on the date filed with the Clerk of the Department unless a timely petition for an administrative hearing 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 and conforms to Rule 62-103.070, F.A.C., or a party requests mediation as an alternative remedy before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. Upon timely filing of a petition or a request for an extension of time to file the petition or a request for mediation, this permit will not be effective until further Order of the Department.

When the Order (Permit) is final, any party to the Order has the right to seek judicial review of the Order pursuant to Section 120.68, Florida Statutes, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate procedure, with the Clerk of the Department in the Office of General Counsel, Douglas Building, 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 of Appeal must be filed within 30 days from the date the Final Order is filed with the Clerk of the Department.

Executed in Tampa, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

George W. Richardson
Air Permitting Engineer
Southwest District

cc: Kennard F. Kosky, P.E., Golder Associates, Inc.
Pinellas County Department of Environmental Management

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF PERMIT ISSUANCE was sent to the addressee by certified mail and all copies were sent by regular mail before the close of business on 9/29/97 to the listed persons, unless otherwise noted.

Clerk Stamp

FILING AND ACKNOWLEDGEMENT FILED, on this date, pursuant to Section 120.52(7), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Patricia Bucket 9/29/97
Clerk Date

Department of Environmental Protection

Lawton Chiles
Governor

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

Virginia B. Wetherell
Secretary

PERMITTEE:

Florida Power Corporation
3201 34th Street South
St. Petersburg, FL 33711 /

Permit No.: 0170004-006-AO
Amendment Date:
Expiration Date: 3/31/97
Counties: Citrus, Pasco, Pinellas, Polk & Sumter
Project: Relocatable Diesel Generators

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Rules 62-204 through 62-297 and 62-4. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents, attached hereto or on file with the Department and made a part hereof and specifically described as follows:

For the operation of one to three relocatable diesel generators rated at a maximum total of 2,460 kw (2.46 mw). The maximum total heat input rate is 25.74 MMBTU/hour (186.3 gallons/hour of diesel fuel). The diesel generators burn new/virgin No 2 diesel fuel oil having a maximum sulfur content of 0.5% by weight. The diesel generators may be located at any Florida Power Corporation facility listed below:

Locations:
(1) The Crystal River Plant, Powerline Road Red Level, Citrus County.
(2) The Anclote Plant, Anclote Road, west of Alternate 19, Tarpon Springs, Pinellas County.
(3) The Bartow Plant, Weedon Island, St. Petersburg, Pinellas County.
(4) The Higgins Plant, Shore Drive, Oldsmar, Pinellas County.
(5) The Bayboro Plant, 13th Avenue & 2nd Street South, St. Petersburg, Pinellas County.
(6) The Wildwood Reclamation Facility, State Road 462, 1 mile east of US 301, Wildwood, Sumter County.
(7) The FPC Polk County Site, County Road 555, 1 mile southwest of Homeland, Polk County.

Facility ID No.: 0004 Emission Unit ID No.: 012-Diesel Generators

PERMITTEE:
Florida Power Corporation

Permit No.: 0170004-006-AO
Project: Relocatable Diesel Generators

Amends Permit No.: AO09-205952

Note: Please reference Permit No., Facility No., and Emission Unit ID in all correspondence, test report submittals, applications, etc.

1. A part of this permit is the attached 15 General Conditions [Rule 62-4.160, F.A.C.].

2. Visible emissions from each of the diesel generators shall not be equal to or exceed 20% opacity [Rule 62-296.320((4)(b), F.A.C.].

3. Florida Power Corporation shall not discharge air pollutants which cause or contribute to an objectionable odor [Rule 62-296.320(2), F.A.C.].

4. The hours of operation expressed as "engine-hours" shall not exceed 2,970 in any consecutive 12 month period. The hours of operation expressed as "engine-hours" shall be the summation of the individual hours of operation of each diesel generator [Permit AC09-202080].

5. Florida Power corporation is permitted to burn only new/virgin No. 2 diesel fuel oil having a maximum sulfur content not to exceed 0.5% by weight in the diesel generators [Permit AC09-202080].

6. The total heat input rate to all diesel generators shall not exceed 25.74 MMBTU/hour (186.3 gallons/hour) [Permit AC09-202080].

7. Florida Power Corporation shall notify the Department, in writing, at least 15 days prior to the date on which any diesel generator is to be relocated. The notification shall specify:

(A) which diesel generator, by serial number, is being relocated;
(B) which location the diesel generator is being relocated from;
(C) which location the diesel generator is being relocated to; and
(d) the approximate startup date at the new location.

If a diesel generator is to be relocated within Pinellas County, then Florida Power Corporation shall provide the same notice to the Pinellas County Department of Environmental Management, Air Quality Division [Rule 62-4.070(3), F.A.C.].

8. Test each diesel generator for the following pollutants on an annual basis within 30 days of the relocation date. Within 45 days of testing, submit a copy of the test data to the Air Compliance Section of the Department's Southwest District Office and the Pinellas County Department of Environmental Management, Air Quality Division for each diesel generator located in Pinellas County [Rules 62-297.310(7) and 62-297.310(8)(b), F.A.C.].

(X) Opacity
(X) Fuel Sulfur Analysis

9. After each relocation, test each relocated diesel generator for then following pollutants within 30 days of startup. Within 45 days of testing, submit a copy of the test data to the Air Compliance Section of the Department's Southwest District Office and the Pinellas County Department of Environmental Management, Air Quality Division for each diesel generator located in Pinellas County [Rules 62-297.310(7) and 62-297.310(8)(b), F.A.C.].

(X) Opacity
(X) Fuel Sulfur Analysis

10. Compliance with the emission limitations specified in Specific Condition No. 2 shall be determined using EPA Method 9. The test method is contained in 40 CFR 60, Appendix A and adopted by reference in Rule 62-297, F.A.C. The Method 9 compliance test shall be conducted by a certified observer and be a minimum of 30 minutes. The minimum requirements for stack sampling facilities, source sampling and reporting, shall be in accordance with Rule 62-297, F.A.C. and 40 CFR 60, Appendix A.

11. Testing of each diesel generator shall be accomplished while the diesel generator is being operated within 90 to 100% of the maximum fuel firing rate in gallons per hour. Failure to submit the actual operating rate during the test may invalidate the test data [Rule 62-4.070(3), F.A.C.].

12. The permittee shall notify the Air Compliance Section of the Department's Southwest District Office and the Pinellas County Department of Environmental Management, Air Quality Division, if applicable, at least 15 days prior to the date on which each formal compliance test is to begin of the date, time, and place of each such test, and the test contact person who will be responsible for coordinating and having such test conducted (Rule 62-297.340(1)(i), F.A.C.).

13. Compliance with Specific Condition No. 4 shall be documented by record keeping. At a minimum, the records shall indicate the daily hours of operation of each individual diesel generator expressed as "engine-hours", and a cumulative total hours of operation expressed as "engine-hours" for each month. The records shall be recorded in a permanent form suitable for inspection and shall be retained for at least the most recent 2 years and be made available for inspection by the Department or the Pinellas County Department of Environmental Management, Air Quality Division, if applicable, upon request [Rule 62-4.070(3), F.A.C.,].

14. In order to document continuing compliance with the sulfur content limitations, in % by weight, the permittee shall keep records of either vendor provided as-shipped analysis or an analysis of as-received samples taken at the plant. The analysis shall be determined by ASTM Methods ASTM D4057-88 and ASTM D129-91, ASTM D2622-94 or ASTM D4294-90 adopted by reference in Rule 62-297.440(1), F.A.C. The records shall be recorded in a permanent form suitable for inspection and shall be retained for at least the most recent 2 years and be made available for inspection by the Department or the Pinellas County Department of Environmental Management, Air Quality Division, if applicable, upon request [Rule 62-4.070(3), F.A.C.,].

15. All reasonable precautions shall be taken to prevent and control generation of unconfined emissions of particulate matter in accordance with the provisions in Rule 62-296.320(4)(c), F.A.C. These provisions are applicable to any source, including but not limited to, vehicular movement, transportation of materials, construction, alterations, demolition or wrecking, or industrial related activities such as loading, unloading, storing and handling.

16. Issuance of this permit does not relieve the permittee from complying with applicable emission limiting standards or other requirements of Florida Administrative Code Rules 62-204, 62-210, 62-212, 62-296, 62-297 & 62-4 or any other requirements under federal, state, or local law [Rule 62-210.300, F.A.C.].

17. Florida Power Corporation shall submit to the Air Section of the Department's Southwest District Office each calendar year on or before March 1, completed DEP Form 62-210.900(5), "Annual Operating Report for Air Pollutant Emitting Facility," for the preceding calendar year (Rule 62-210.370(3)(a)2., F.A.C.). The Report shall contain at a minimum the following information:

(A) the location of each diesel generator, by serial number, at the end of the preceding calendar year;

PERMITTEE:
Florida Power Corporation

Permit No.: 0170004-006-AO
Project: Relocatable Diesel Generators

Specific Condition No. 17 continued:

(B) the annual amount of fuel burned in each diesel generator, by serial number;
(C) the annual hours of operation of each diesel generator, by serial number;
(D) the annual hours of operation expressed in "engine-hours", as defined in Specific Condition No. 4;
(E) a copy of the fuel sulfur content records required by Specific Condition No. 14 for the preceding calendar year;
(F) annual emissions of particulate, PM_{10}, carbon monoxide, SO_2, and NOx based on actual diesel generator operation and fuel usage (provide a copy of the calculation sheets and the basis for calculations);
(G) any changes in the information contained in the permit application.

If any diesel generator operated within Pinellas County at any time during the preceding calendar year, then Florida Power Corporation shall provide a copy of the AOR to the Pinellas County Department of Environmental Management, Air Quality Division.

18. At least 60 days prior to the expiration date of this operation permit, the permittee shall submit at least two copies of DEP Short Form No. 62-210.900(2), for the renewal of this operating permit along with the processing fee established in Rule 62-4.050(4), F.A.C., and a copy of the latest compliance tests to the Air Permitting Section of the Department's Southwest District Office and one copy to the Pinellas County Department of Environmental Management, Air Quality Division, if applicable [Rule 62-4.090(1), F.A.C.].

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

W.C. Thomas, P.E.
District Air Program
Administrator
Southwest District

ATTACHMENT - GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations, and restrictions set forth in this permit are "Permit Conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, Florida Statutes. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.

2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.

3. As provided in Subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.

4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgement of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.

5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.

6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.

7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at a reasonable time, access to the premises, where the permitted activity is located or conducted to:

GENERAL CONDITIONS:

a. Have access to and copy any records that must be kept under the conditions of the permit;

b. Inspect the facility, equipment, practices, or operations regulated or required under this permit; and

c. Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

Reasonable time may depend on the nature of the concern being investigated.

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:

a. a description of and cause of non-compliance; and

b. the period of noncompliance, including dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance.

The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Sections 403.73 and 403.111, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance, provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.

11. This permit is transferable only upon Department approval in accordance with Florida Administrative Code Rules 62-4.120 and 62-730.300, F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.

GENERAL CONDITIONS:

12. This permit or a copy thereof shall be kept at the work site of the permitted activity.

13. This permit also constitutes:

( ) Determination of Best Available Control Technology (BACT)
( ) Determination of Prevention of Significant Deterioration (PSD)
( ) Compliance with New Source Performance Standards (NSPS)

14. The permittee shall comply with the following:

a. Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.

b. The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.

c. Records of monitoring information shall include:

- the date, exact place, and time of sampling or measurements;
- the person responsible for performing the sampling or measurements;
- the dates analyses were performed;
- the person responsible for performing the analyses;
- the analytical techniques or methods used; and
- the results of such analyses.

15. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware that relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

Date: 10/13/97 12:09:19 PM
From: Elizabeth Walker TAL
Subject: Revised posting
To: See Below

There is a revision to a draft permit on the web to reduce the quantity of used
oil burned, clarify that all boilers may burn used oil, and to correct a couple of typographical errors.

FLORIDA POWER CORPORATION Crystal River Plant 0170004004AV

If you have any questions, please let me know.

Thanks,
Elizabeth

To: adams yolanda
To: pierce carla
To: Barbara Boutwell TAL
To: Scott Sheplak TAL
To: Terry Knowles TAL
To: gates kim
CC: Joseph Kahn TAL

Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

October 9, 1997

Mr. W. Jeffrey Pardue, C.E.P.
Director, Environmental Services Department
Florida Power Corporation
3201 34th Street South
St. Petersburg, FL 33711

Re: Corrections to DRAFT Title V Permit No.: 0170004-004-AV
Crystal River Plant

Dear Mr. Pardue:

We recently mailed to you the draft Title V permit for the Crystal River plant. Subsequently, the Department met with FPC staff regarding the burning of used oil at the plant. That meeting resulted in several changes to that permit. Attached are revised pages for the draft permit that properly reflect the limitations on burning used oil and that also correct some minor errors in the draft. Please consider these pages, and not the corresponding provisions previously mailed to you, when reviewing the draft permit.

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 Joseph Kahn, P.E., at 850/488-1344.

Sincerely,

Scott M. Sheplak

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

CHF/jk

Enclosures

cc: Mr. Scott H. Osbourn, FPC
Mr. Kennard F. Kosky, Golder Associates
Mr. Bill Thomas, P.E., DEP Southwest District, Air Section
Ms. Carla E. Pierce, U.S. EPA, Region 4 (INTERNET E-mail Memorandum)
Ms. Yolanda Adams, U.S. EPA, Region 4 (INTERNET E-mail Memorandum)

10/9/97 cc: Joe Kahn

Initial Title V Air Operation Permit
DRAFT Permit No.: 0170004-004-AV

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Section III. Emissions Unit(s) and Conditions.

Subsection A. This section addresses the following emissions units.

E.U. ID No.	Brief Description
001	Fossil Fuel Steam Generator, Unit 1, rated at 440.5 MW, 3750 mmBtu/hr, capable of burning bituminous coal , with number 2 fuel oil as a startup fuel, with emissions exhausted through a 499 ft. stack.
002	Fossil Fuel Steam Generator, Unit 2, rated at 523.8 MW, 4795 mmBtu/hr, capable of burning bituminous coal , with number 2 fuel oil as a startup fuel, with emissions exhausted through a 502 ft. stack.

Fossil Fuel Steam Generators, Units 1 and 2, are pulverized coal dry bottom boilers, tangentially-fired. Emissions are controlled from each unit with a high efficiency electrostatic precipitator, manufactured by Buell Manufacturing Company, Inc.

{Permitting Notes: These emissions units are regulated under Acid Rain, Phase I and II and Rule 62-296.405, F.A.C., Fossil Fuel Steam Generators with More than 250 million Btu per Hour Heat Input, and Power Plant Siting Certification PA 77-09 conditions. Fossil fuel fired steam generator Unit 1 began commercial operation in 1966. Fossil fuel fired steam generator Unit 2 began commercial operation in 1969.}

The following specific conditions apply to the emissions units listed above:

Essential Potential to Emit (PTE) Parameters

A.1. Permitted Capacity. The maximum operation heat input rates are as follows:

Unit No.	mmBtu/hr Heat Input	Fuel Type
001	3750	Bituminous Coal
002	4795	Bituminous Coal

[Rules 62-4.160(2), 62-210.200(PTE) and 62-296.405, F.A.C.]

A.2. Emissions Unit Operating Rate Limitation After Testing. See specific condition **I.11.**
[Rule 62-297.310(2), F.A.C.]

A.3. Methods of Operation. Fuels. The only fuel allowed to be burned is bituminous coal, with the exception that number 2 fuel oil may be used as an ignitor fuel. These emissions units may also burn used oil in accordance with other conditions of this permit (see **Subsection K**). Emissions units 001 and 002 may also burn oily flyash in accordance with specific condition **A.15** of this permit.
[Rule 62-213.410, F.A.C., 0170004-002-AO and 0170004-005-AO]

quarter. The nature and cause of the excess emissions shall be explained. This report does not relieve the owner or operator of the legal liability for violations.
[Rules 62-213.440 and 62-296.405(1)(g), F.A.C.]

Oily Flyash

A.15. Oily Flyash. These emissions units may burn oily flyash ("flyash") from Bartow Unit 1 in accordance with the following:

a. Only flyash from Bartow Unit 1 shall be burned in these emissions units. Once the accumulated backlog of Bartow Unit 1 flyash (estimated at approximately 13,000 tons) is burned, only the additional flyash generated at Bartow Unit 1 shall be burned in these emissions units.
b. The maximum flyash blend rate shall not exceed 2% of the total boiler feed on a weight basis.
c. The owner or operator shall make and maintain the following records for each day that flyash is burned in the boiler:

1. Date and Unit number;
2. Time period of flyash burning and start and end times;
3. Total quantity of flyash burned in tons per day;
4. Maximum flyash blend rate during period of flyash burn (percent flyash in total emissions unit fuel feed on a weight basis).

[Rules 62-4.070(3) and 62-213.440, F.A.C., and 0170004-005-AO]

Common Conditions

A.16. This emissions unit is also subject to conditions **I.1** through **I.15** contained in **Subsection I. Common Conditions.**

A.17. These emissions units are also subject to condition **K.1** contained in **Subsection K. Used Oil Common Condition.**

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Subsection B. This section addresses the following emissions unit.

E.U. ID No.	Brief Description
004	Fossil Fuel Steam Generator, Unit 4, rated at 760 MW, 6665 mmBtu/hr, capable of burning bituminous coal , with number 2 fuel oil as a startup fuel, and natural gas as a startup and low-load flame stabilization fuel, with emissions exhausted through a 600 ft. stack.
003	Fossil Fuel Steam Generator, Unit 5, rated at 760 MW, 6665 mmBtu/hr, capable of burning bituminous coal , with number 2 fuel oil as a startup fuel, and natural gas as a startup and low-load flame stabilization fuel, with emissions exhausted through a 600 ft. stack.

Fossil Fuel Steam Generators, Units 4 and 5, are pulverized coal dry bottom boilers, wall-fired. Emissions are controlled from each unit with a high efficiency electrostatic precipitator, manufactured by Combustion Engineering.

{Permitting Notes: These emissions units are regulated under Acid Rain, Phase I and II and Rule 62-210.300, F.A.C., Permits Required and are subject to 40 CFR 60 Subpart D, Standards of Performance for Fossil-Fuel-Fired Steam Generators for Which Construction Is Commenced After August 17, 1971, and Power Plant Siting Certification PA 77-09 conditions. Fossil fuel fired steam generator Unit 4 began commercial operation in 1982. Fossil fuel fired steam generator Unit 5 began commercial operation in 1984.}

The following specific conditions apply to the emissions units listed above:

Essential Potential to Emit (PTE) Parameters

B.1. Permitted Capacity. The maximum operation heat input rates are as follows:

Unit No.	mmBtu/hr Heat Input	Fuel Type
004	6665	Bituminous Coal
003	6665	Bituminous Coal

[Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.]

B.2. Emissions Unit Operating Rate Limitation After Testing. See specific condition **I.11.**
[Rule 62-297.310(2), F.A.C.]

B.3. Methods of Operation. Fuels. The only fuel allowed to be burned is bituminous coal, with the exception that number 2 fuel oil may be used as an ignitor fuel, and natural gas may be used as a startup and low-load flame stabilization fuel. Fuel oil shall not contain more than 0.73% sulfur by weight. These emissions units may also burn used oil in accordance with other conditions of this permit (see **Subsection K**).
[Rule 62-213.410, F.A.C. and PPSC PA 77-09 and modified conditions]

a manner so as to meet the Department's minimum quality assurance requirements as delineated in 40 CFR Parts 50 and 58.14; Part 58, Appendices A, C, D and E; and the Department's *State-Wide Quality Assurance Air Program Plan* (*Plan*). Changes to the *Plan* will be distributed by the Department's Bureau of Air Monitoring and Mobile Sources (BAMMS) to the owner or operator. The owner or operator shall comply with *Plan* changes as soon as practicable, but no later than upon renewal of this permit.

The owner or operator shall, within 90 days of the effective permit date, submit to the Department for review and approval standard operating procedures for each monitor, calibrator and ancillary piece of equipment utilized in the production of the required ambient air quality data.

The owner or operator shall submit the required monitoring data and quality assurance results to BAMMS within ninety (90) days after the end of each calendar quarter in an electronic medium and format: either Aerometric Information Retrieval System (AIRS) or Storage and Retrieval of Aerometric Data (SAROAD) for the monitoring data, and the Precision and Accuracy Data (PAData) format for the quality assurance data, unless other formats are specified by the Department.

The owner or operator shall allow Department auditors, with a minimum of seven (7) days prior notification, access to the monitoring locations for the purpose of the performance of accuracy audits which may be completed in lieu of, or in addition to, the owner or operator's quarterly accuracy audits as specified in 40 CFR, Part 58, Appendix A, 3.2 and 3.4. The owner or operator shall also submit to an annual systems audit as specified in 40 CFR, Part 58, Appendix A, 2.5. The systems audit, which reviews the quality assurance and monitoring effort for the preceding year, shall be conducted between February and June of the year following the year in which the audited data were produced. In addition, the Department staff shall be allowed access to the monitoring locations, with a minimum of seven (7) days prior notification, on an annual basis, for the purpose of determining compliance with the siting requirements as specified in 40 CFR, Part 58, Appendix E.
[PPSC PA 77-09, and order modifying conditions of certification, OGC Case No. 83-0818, dated February 2, 1984, and Rules 62-213.440 and 62-296.405(1)(c)3., F.A.C.]

B.18. Flue Gas Desulfurization (FGD) equipment. Prior to the installation of any FGD equipment, plans and specifications for such equipment shall be submitted to the Department for review and approval.
[PPSC PA 77-09]

Common Conditions

B.19. This emissions unit is also subject to conditions **I.1** through **I.15**, except for **I.2** and **I.3**, contained in **Subsection I. Common Conditions.**

B.20. These emissions units are also subject to conditions **J.1** through **J.5** contained in **Subsection J. NSPS Common Conditions.**

B.21. These emissions units are also subject to condition **K.1** contained in **Subsection K. Used Oil Common Condition.**

DRAFT Permit No.: 0170004-004-AV

Emission Limitations and Standards

C.2. Emission Limitations. Emissions of particulate matter from the following emissions units shall not exceed:

Emissions Unit	Emission Limit (pounds per hour)	Emission Limit (tons per year)
006	3.5 [a]	15.4 [a]
008	0.6 [a]	2.6 [a]
009	2.2 [b]	9.6 [b, c]
010	2.2 [b]	9.6 [b, c]

Notes:

a Emission limits based on a BACT Determination proposed 1/26/79, ordered 2/5/79. BACT for emissions units 006 and 007 included a VE limit of 5% opacity.

b Emission limits based on a BACT Determination ordered 8/16/79.

c The tons per year limits for emissions units 009 and 010 have been corrected to two decimal places.

[AC 09-256791]

C.3. VE in Lieu of Stack Test. Because the ash handling system emissions units are controlled with baghouses, the Department has waived particulate matter testing requirements and specified an alternate standard of 5% opacity. If the Department has reason to believe that the particulate emission standard applicable to each emissions unit (006, 008, 009 and 010) is not being met, it may require that compliance be demonstrated by stack testing in accordance with rule 62-297, F.A.C.

[Rule 62-297.620(4), F.A.C., AC 09-256791]

C.4. Additional Reasonable Precautions for Control of Particulate Matter Emissions. The owner or operator shall take the following reasonable precautions to control emissions of particulate matter from transport of ash from emissions unit 008 for disposal or use. Ash for transport shall be wetted before loading into open trucks, or dry ash shall be transferred to enclosed tanker trucks.

[Rule 62-4.070(3), F.A.C., AC 09-256791]

Monitoring of Operations

C.5. Annual VE Tests Required. Each emissions unit (006, 008, 009 and 010) shall be tested for visible emissions annually by June 1st using EPA Method 9. Each test shall be a minimum of thirty minutes in duration from each exhaust point, while transferring fly ash from both Units 1 and 2 to the silo (emissions unit 008) at the same time. The tests shall be conducted during a period when both Units 1 and 2 are operating at 90 to 100% of full load while sootblowing. A statement of the Unit loads, verifying the tests were conducted during sootblowing shall be submitted with the test reports.

[Rule 62-4.070(3), F.A.C., AC 09-256791]

Common Conditions

C.6. This emissions unit is also subject to conditions **I.1** through **I.15**, except for **I.3**, contained in **Subsection I. Common Conditions.**

Subsection K. Used Oil Common Condition.

E.U. ID No.	Brief Description
001	Fossil Fuel Steam Generator, Unit 1
002	Fossil Fuel Steam Generator, Unit 2
004	Fossil Fuel Steam Generator, Unit 4
003	Fossil Fuel Steam Generator, Unit 5

{Permitting Notes: The emissions units above are subject to the following condition which allows the burning of on-specification used oil pursuant to the requirements of this permit and this subsection.}

The following condition applies to the emissions units listed above:

K.1. Used Oil. Burning of on-specification used oil is allowed in emissions units 001, 002, 004 and 003 in accordance with all other conditions of this permit and the following conditions:

a. On-specification Used Oil Allowed as Fuel: This permit allows the burning of used oil fuel meeting EPA "on-specification" used oil specifications, with a PCB concentration of less than 50 ppm. Used oil that does not meet the specifications for on-specification used oil shall not be burned at this facility.

On-specification used oil shall meet the following specifications: [40 CFR 279, Subpart B.]

Arsenic shall not exceed 5.0 ppm;
Cadmium shall not exceed 2.0 ppm;
Chromium shall not exceed 10.0 ppm;
Lead shall not exceed 100.0 ppm;
Total halogens shall not exceed 1000 ppm;
Flash point shall not be less than 100 degrees F.

b. Quantity Limited.

The maximum quantity of used oil that may be burned in all four emissions units combined is 10 million gallons in any consecutive 12-month period.

c. Used Oil Containing PCBs Not Allowed: Used oil containing a PCB concentration of 50 or more ppm shall not be burned at this facility. Used oil shall not be blended to meet this requirement.

d. PCB Concentration of 2 to less than 50 ppm: On-specification used oil with a PCB concentration of 2 to less than 50 ppm shall be burned only at normal source operating temperatures. On-specification used oil with a PCB concentration of 2 to less than 50 ppm shall not be burned during periods of startup or shutdown.

Before accepting from each marketer the first shipment of on-specification used oil with a PCB concentration of 2 to 49 ppm, the owner or operator shall provide each marketer with a one-time written and signed notice certifying that the owner or operator will burn the used oil in a

qualified combustion device and must identify the class of combustion device. The notice must state that EPA or a RCRA-delegated state agency has been given a description of the used oil management activities at the facility and that an industrial boiler or furnace will be used to burn the used oil with a PCB concentration of 2 to 49 ppm. The description of the used oil management activities shall be submitted to the EPA or may be submitted to the Administrator, Hazardous Waste Regulation Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, FL 32399-2400. A copy of the notice provided to each marketer shall be maintained at the facility. [40 CFR 279.61 and 761.20(e)]

e. Certification Required: The owner or operator shall receive from the marketer, for each load of used oil received, a certification that the used oil meets the specifications for on-specification used oil and contains a PCB concentration of less than 50 ppm. This certification shall also describe the basis for the certification, such as analytical results.

Used oil to be burned for energy recovery is presumed to contain quantifiable levels (2 ppm) of PCB unless the marketer obtains analyses (testing) or other information that the used oil fuel does not contain quantifiable levels of PCBs. Note that a claim that used oil does not contain quantifiable levels of PCBs (that is, that the used oil contains less than 2 ppm of PCBs) must be documented by analysis or other information. The first person making the claim that the used oil does not contain PCBs is responsible for furnishing the documentation. The documentation can be tests, personal or special knowledge of the source and composition of the used oil, or a certification from the person generating the used oil claiming that the used oil contains no detectable PCBs.

f. Testing Required: The owner or operator shall sample and analyze each batch of used oil to be burned for the following parameters:

Arsenic, cadmium, chromium, lead, total halogens, flash point,
PCBs*, and specific gravity.

Testing (sampling, extraction and analysis) shall be performed using approved methods specified in EPA Publication SW-846 (Test Methods for Evaluating Solid Waste, Physical/Chemical Methods), latest edition.
* Analysis for PCBs is not required if a claim is made that the used oil does not contain quantifiable levels of PCBs.

g. Record Keeping Required: The owner or operator shall obtain, make, and keep the following records related to the use of used oil in a form suitable for inspection at the facility by the Department: [40 CFR 279.61 and 761.20(e)]

(1) The gallons of on-specification used oil accepted and burned each month in each unit. (This record shall be completed no later than the fifteenth day of the succeeding month.)
(2) The total gallons of on-specification used oil burned in the preceding consecutive 12-month period in each unit. (This record shall be completed no later than the fifteenth day of the succeeding month.)
(3) Results of the analyses required above, including documentation if a claim is made that the used oil does not contain quantifiable levels of PCBs.

(4) The source and quantity of each batch of used oil received each month, including the name, address and EPA identification number (if applicable) of all marketers that delivered used oil to the facility, and the quantity delivered.

(5) Records of the operating rate of each unit while burning used oil and the dates and time periods each unit burns used oil.

h. Reporting Required: The owner or operator shall submit to the Department's Southwest District, Air Section, within thirty days of the end of each calendar quarter, the analytical results and the total amount of on-specification used oil generated and burned during the quarter.

The owner or operator shall submit, with the Annual Operation Report form, the analytical results and the total amount of on-specification used oil burned during the previous calendar year.

[Rules 62-4.070(3) and 62-213.440, F.A.C., 40 CFR 279 and 40 CFR 761, and 0170004-002-AO, unless otherwise noted]

Appendix S
Permit Summary Tables

Table 1-1, Continued

This table summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.

Emissions Unit	Brief Description
001	Fossil Fuel Steam Generator, Unit No. 1
002	Fossil Fuel Steam Generator, Unit No. 2

			Allowable Emissions			Equivalent Emissions[1]			
Pollutant	Fuel(s)	Hours per Year	Standard(s)	lb./hour	TPY	lb./hour	TPY	Regulatory Citations	See Permit Condition(s)
PM	Coal No. 2 fuel oil as ignitor[a]	8760	0.1 lb/mmBtu			375 (Unit 1) 479.5 (Unit 2)	1642.5 (Unit 1) 2100.2 (Unit 2)	Rule 62-296.405(1)(b), F.A.C.	A.6.
PM Soot Blowing & Load Change	Coal No. 2 fuel oil as ignitor[a]	8760	0.3 lb/mmBtu during the 3-hours in any 24-hour period of excess emissions.			1125 (Unit 1) 1438.5 (Unit 2)	615.9 (Unit 1) 787.6 (Unit 2)	Rule 62-210.700(3), F.A.C.	A.7.
SO_2	Coal No. 2 fuel oil as ignitor[a]	8760	2.1 lb/mmBtu heat input			7875 (Unit 1) 10,069.5 (Unit 2)	34,492.5 (Unit 1) 44,104.4 (Unit 2)	Rules 62-213.440, F.A.C. and PPSC PA 77-09	A.8.

Note for Units 1 and 2:
a Used oil may be used as a fuel for Units 1 and 2 pursuant to specific condition K.1 and other conditions of this permit.

Appendix S
Permit Summary Tables

Table 1-1, Continued

This table summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.

Emissions Unit	Brief Description
004	Fossil Fuel Steam Generator, Unit No. 4
003	Fossil Fuel Steam Generator, Unit No. 5

			Allowable Emissions			Equivalent Emissions[1, b]			
Pollutant	Fuel(s)	Hours per Year	Standard(s)	lb./hour	TPY	lb./hour	TPY	Regulatory Citations	See Permit Condition(s)
PM	Coal[a]	8760	0.10 lb/mmBtu			666.5	2919.3	40 CFR 60.42(a)(1) & (2)	B.4.
VE	Coal[a]	8760	20% opacity (except for one six-minute period per hour of 27% opacity)					40 CFR 60.42(a)(1) & (2)	B.4.
SO_2	Coal[a]	8760	0.80 lb/mmBtu for liquid fossil fuel 1.2 lb/mmBtu for solid fossil fuel			5332 (liquid) 7998 (solid)	23,354.2 (liquid) 35,031.2 (solid)	40 CFR 60.43(a), (b) and (c), and PPSC PA 77-09	B.5.
NOx	Coal[a]	8760	0.30 lb/mmBtu for liquid fossil fuel 0.70 lb/mmBtu for solid fossil fuel			1999.5 (liquid) 4665.5 (solid)	8757.8 (liquid) 20,434.9 (solid)	40 CFR 60.44(a)(2) and (3), and (b), and PPSC PA 77-09	B.6.

Notes for Units 4 and 5:
a Number 2 fuel oil allowed as a startup fuel and natural gas allowed as a startup and low-load flame stabilization fuel. Used oil may be used as a fuel for Units 3 and 4 pursuant to specific condition K.1 and other conditions of this permit.
b Equivalent emissions are for each emission unit.

Appendix S
Permit Summary Tables

Table 1-1, Continued

This table summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.

Emissions Unit	Brief Description
006	Fly ash transfer (Source 1) from Fossil Fuel Steam Generator (FFSG) Unit 1.
008	Fly ash storage silo (Source 3) for FFSG Units 1 and 2.
009	Fly ash transfer (Source 4) from FFSG Unit 2.
010	Fly ash transfer (Source 5) from FFSG Unit 2.

			Allowable Emissions			Equivalent Emissions[1]			
Pollutant	Fuel(s)	Hours per Year	Standard(s)	lb./hour	TPY	lb./hour	TPY	Regulatory Citations	See Permit Condition(s)
PM for Unit 006		8760		3.5	15.4			BACT, AC 09-256791	C.2.
PM for Unit 008		8760		0.6	2.6			BACT, AC 09-256791	C.2.
PM for Unit 009		8760		2.2	9.6			BACT, AC 09-256791	C.2.
PM for Unit 010		8760		2.2	9.6			BACT, AC 09-256791	C.2.
VE for Units 006, 008, 009 & 010		8760	5% opacity					Rule 62-297.620(4), F.A.C., AC 09-256791	C.2. & C.3.

Appendix S
Permit Summary Tables

Table 2-1, Summary of Compliance Requirements

This table summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.

Emissions Unit	Brief Description
001	Fossil Fuel Steam Generator, Unit No. 1
002	Fossil Fuel Steam Generator, Unit No. 2

Pollutant or Parameter	Fuel(s)	Compliance Method	Testing Frequency	Frequency Base Date[1]	Minimum Compliance Test Duration	CMS[2]	See Permit Condition(s)
PM VE	Coal No. 2 fuel oil as ignitor[a]	EPA Methods 17 or 5 EPA Method 9	Annual Annual	June 1st June 1st	3 hours 1 hour	-- Yes	A.9, A.13
SO_2	Coal No. 2 fuel oil as ignitor[a]	EPA Methods 6, 6A, 6B, or 6C.	Each year fuel sampling not performed	June 1st, if required	3 hours	No	A.10
SO_2	Coal No. 2 fuel oil as ignitor[a]	Fuel sampling and analysis	As fired			--	A.11, A.12

Note for Units 1 and 2:
a Used oil may be used as a fuel for Units 1 and 2 pursuant to specific condition K.1 and other conditions of this permit.

Appendix S
Permit Summary Tables

Table 2-1, Continued

This table summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.

Emissions Unit	Brief Description
004	Fossil Fuel Steam Generator, Unit No. 4
003	Fossil Fuel Steam Generator, Unit No. 5

Pollutant or Parameter	Fuel(s)	Compliance Method	Testing Frequency	Frequency Base Date[1]	Minimum Compliance Test Duration	CMS[2]	See Permit Condition(s)
VE	Coal[a]	EPA Method 9	Annual	June 1st	1 hour	Yes	B.8, B.12
PM	Coal[a]	EPA Methods 5 and 17	Annual	June 1st	3 hours	--	B.8, B.12
SO_2	Coal[a]	EPA Methods 6. 6A, 6C	Annual	June 1st	3 hours	Yes	B.8, B.12
NOx	Coal[a]	EPA Methods 7, 7A, 7C, 7D, 7E	Annual	June 1st	3 hours	Yes	B.8, B.12

Note for Units 4 and 5:
a Number 2 fuel oil allowed as a startup fuel and natural gas allowed as a startup and low-load flame stabilization fuel. Used oil may be used as a fuel for Units 3 and 4 pursuant to specific condition K.1 and other conditions of this permit.

Date: 9/29/97 12:17:09 PM
From: Elizabeth Walker TAL
Subject: New postings
To: See Below

There is a new posting available on the Florida Website.

FLORIDA POWER CORPORATION
Crystal River 0170004004AV Draft

If you have any questions please let me know.

Thanks
Elizabeth

Re: Crystal River
0170004-004-AV

Department of Environmental Protection

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

Lawton Chiles
Governor

Virginia B. Wetherell
Secretary

August 18, 1997

Mr. W. Jeffrey Pardue, C.E.P., Director
Florida Power Corporation
Post Office Box 14042
St. Petersburg, Florida 33733

Dear Mr. Pardue:

Thank you for your June 27 letter about ambient air quality testing at the Hines Energy Complex. Please excuse the delay with this response, but we have been reviewing the overall issue of the ambient monitoring requirements at power plants.

After evaluating our current ambient monitoring network and the potential emissions from the Hines Energy Complex, we do not see a need for the Florida Power Corporation to provide air quality monitoring stations at the Hines Energy Complex upon start-up of operations next June. There appears to be sufficient safeguards in place, including continuous emissions monitoring, to provide reasonable assurance that ambient air quality standards will be met. However, Polk County had earlier requested monitoring at this facility.

As part of our evaluation, we have also determined that future Title V permits will contain additional language further clarifying the need for any required post construction air quality monitoring, including standardization of quality assurance requirements.

Currently our office is receiving air quality data for particulate matter around Florida Power Corporation's Crystal River facility. When this facility's Title V permit is drafted, the issue of ambient monitoring will again be assessed and the appropriate ambient monitoring conditions will be included in the draft permit.

Meanwhile, this letter should clarify your concerns about the Hines Energy Complex. Please call me if you have any questions.

Sincerely,

Howard L. Rhodes, Director
Division of Air Resources
Management

HLR/WD

cc: Mike Mahler, Polk County Director of Natural Resources
Dotty Diltz, Bureau of Air Monitoring and Mobile Sources
Clair Fancy, Bureau of Air Regulation ✓

Best Available Copy

Joe Kahn Kut. to: Fl. Bureau

Florida Power
CORPORATION

RECEIVED
JUL 29 1998
Dept. of Environmental Protection
Office of General Counsel

July 29, 1998

Ms. Kathy Carter, Clerk
Office of General Counsel
Florida Department of Environmental Protection
Room 638
3900 Commonwealth Blvd.
Tallahassee, FL 32399-3000

Dear Ms. Carter:

RE: Florida Power Corporation, Crystal River Plant
REQUEST FOR EXTENSION OF TIME on the *Intent to Issue Title V Air Operation Permit, Draft Permit No. 0170004-004-AV*

On October 9, 1997, Florida Power Corporation (FPC) received the above-referenced Intent to Issue Title V Air Operation Permit. A review of the permit conditions has revealed that several issues remain to be resolved. The Department previously agreed to grant an Order extending the time to file a petition until August 1, 1998. Mr. Scott Osbourn of my staff has had discussions with Mr. Scott Sheplak of the Department who agreed that an additional extension of time to discuss these issues is appropriate. Therefore, based upon the Department's concurrence and pursuant to Rules 62-103.050 and 28-106.111, Fla. Admin. Code, FPC respectfully requests an extension of time in which to file a petition for an administrative hearing under Sections 120.569 and 120.57, Fla. Stat., up to and including October 1, 1998.

If you should have any questions, please contact Mr. Scott Osbourn of FPC at (727) 826-4258.

Sincerely,

W. Jeffrey Pardue, C.E.P.
Director, Environmental Services Department
Title V Responsible Official

Robert A. Manning, Esq.
Hopping Green Sams & Smith

cc: Scott Sheplak, DEP
Jeffrey Brown, DEP OGC

File / Barbara

Department of Environmental Protection

Jeb Bush
Governor

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

David B. Struhs
Secretary

December 21, 1999

Mr. R. Douglas Neeley, Chief
Air and Radiation Technology Branch
Air, Pesticides and Toxics Management Division
United States Environmental Protection Agency
Region 4
61 Forsyth Street, SW
Atlanta, GA 30303-8909

Re: Proposed Changes to Satisfy EPA Objections
Florida Power Corporation, Crystal River Plant, PROPOSED Title V Permit 0170004-004-AV

Dear Mr. Neeley:

This letter is to document changes that the Department proposes to satisfy EPA Region 4 objections to Florida's PROPOSED Title V permit 0170004-004-AV for Florida Power Corporation, Crystal River Plant. These objections were detailed in a letter from EPA Region 4 dated November 1, 1999, in which EPA indicated the primary basis for objection is that the permit does not assure compliance with all applicable requirements as required by 40 C.F.R. 70.1(b) and 40 C.F.R. 70.6(a)(1). Specifically, the permit does not contain terms or conditions assuring compliance with Prevention of Significant Deterioration requirements applicable to this facility under the Clean Air Act, the Florida State Implementation Plan, and 40 C.F.R. part 70. In addition, the permit does not fully meet the periodic monitoring requirements of 40 C.F.R. 70.6(a)(3)(i), and the permit does not assure compliance with the requirements of 40 C.F.R. 70.6(a)(1).

The changes proposed in this letter result primarily from a letter from Mr. W. Jeffrey Pardue, the Responsible Official for the Crystal River Plant, and the past resolution to similar objections the EPA found acceptable. Hopefully these changes will allow Florida to issue the FINAL Title V permit for this plant. Please review the following proposed changes to the referenced permit. If you concur with our changes, we will issue the FINAL Title V permit with these changes.

I. EPA Objection Issues

1. Applicable Requirements - Based on our review of the proposed permit, the title V permit application, and supplemental materials, EPA has determined that the proposed permit for the FPC Crystal River facility does not assure compliance with all applicable requirements under the Clean Air Act (CAA or the Act), the Florida State Implementation Plan (SIP), and state and federal title V regulations. Specifically, the permit does not contain terms and conditions assuring compliance with applicable Prevention of Significant Deterioration (PSD) requirements of the Act, the Florida SIP, and 40 C.F.R. part 70 for a proposed major modification to allow the facility to burn petroleum coke ("petcoke").

Pursuant to CAA § 504(a), title V permits are to include, among other conditions, "enforceable emission limitations and standards, . . . and such other conditions as are necessary to assure compliance with applicable

requirements of [the Act], including the requirements of the applicable implementation plan." "Applicable requirements" are defined in 40 C.F.R. § 70.2 to include: "(1) any standard or other requirement provided for in the applicable implementation plan approved or promulgated by EPA through rulemaking under title I of the Act...". As you know, FDEP defines "applicable requirement" in a similar fashion to include, among other requirements, "any standard or other requirement provided for in the state implementation plan" 62-210.200(31)(a)(1) Florida Administrative Code (F.A.C.).

Applicable requirements include the requirement to obtain preconstruction permits that comply with applicable preconstruction review requirements under the Clean Air Act, EPA regulations, and SIPs. See generally CAA §§ 110(a)(2)(C), 160-69, & 173; 40 C.F.R. §§ 51.160-66 & 52.21; see also Order In re Roosevelt Regional Landfill, at 2, 8 (May 4, 1999); Order In re Monroe Electric Generating Plant Entergy Louisiana, Inc., at 2 (June 11, 1999). Such applicable requirements include the requirement to obtain a PSD permit that in turn complies with applicable PSD requirements. See CAA § 165; 40 C.F.R. §§ 51.160, 51.166 & 52.21; 48 FR 52,713 (November 22, 1983); Rule 62-212.400 F.A.C. Those requirements include, but are not limited to: the use of best available control technology (BACT) for each regulated pollutant that would be emitted in significant amounts, at each emissions unit at which the increase would occur; associated emission limitations; and any additional requirements resulting from the PSD review, such as those that are necessary to afford protection to any Class I area air quality related values.

The *FPC Crystal River Facility Title V Air Operating Permit Application*, signed June 12, 1996, indicates that on December 26, 1995, FPC submitted to FDEP a request to allow the Crystal River facility to burn a blend of petroleum coke and coal in Units 1 & 2. This proposed modification would result in an actual emissions increase of approximately 9,400 tons per year of sulfur dioxide and a corresponding increase in the potential emissions of sulfur dioxide of approximately 18,700 tons per year. There are no scrubbers present or planned for Units 1 & 2 to abate this emissions increase.

As you are aware, a major source is subject to PSD requirements if the proposed modification will result in a significant net emissions increase of 40 tons or more per year of sulfur dioxide. See 40 C.F.R. §§ 51.166(b)(2), 51.166(b)(23) & 51.166(i); see also 62-212.400(2)(e)2 F.A.C. Hence, it is our determination that the proposed modification is a major modification subject to PSD review.

FPC's application, however, did not address PSD requirements, because FPC contended that it qualified for an exemption from PSD permitting requirements under Rule 62-212.400(2)(c)4 F.A.C. This FDEP rule, as well as federal PSD requirements at 40 C.F.R. § 51.166(b)(2)(iii)*(e)(1)*, exclude from the definition of major modification the use of an alternative fuel or raw material which:

> the source was capable of accommodating before January 6, 1975, unless such change would be prohibited under any federally enforceable permit condition which was established after January 6, 1975. . . .

We are aware that after reviewing FPC's application to burn petcoke, FDEP originally issued an Intent to Deny the permit on June 25, 1996. Following an administrative hearing and a series of procedural events, FDEP issued a Final Order denying the permit on March 2, 1998. FPC appealed this decision to the Fifth District Court of Appeal of Florida (5th DCA). However, following negotiations with FPC, FDEP agreed to vacate the Final Order and joined with FPC in filing a Joint Motion for Relinquishment of Jurisdiction with the 5th DCA. On January 11, 1999, FDEP granted FPC a final state construction permit to authorize the burning of a petcoke-coal blend in Units 1 and 2. This permit was not issued pursuant to the State PSD regulations, and hence, does not meet the requirements of the CAA, Federal PSD Regulations or the Florida SIP. In addition, this permit was issued without an opportunity for public or EPA review. The proposed title V permit is, thus, the first

opportunity for EPA to comment on the permit conditions related to the proposed modification. It is our understanding that the facility has not commenced burning of petcoke.

EPA has reviewed the supporting information related to the above proceedings, including, but not limited to: supplemental information submitted by FPC to EPA on January 6, 1997, February 11, 1997, February 18, 1997, February 21, 1997, February 28, 1997, and May 21, 1997; information submitted by FDEP to EPA on December 24, 1996 and May 13, 1997; the Recommended Order of the administrative law judge (ALJ) following the FDEP's administrative hearing (September 23, 1977); the FDEP's Final Order to Deny the permit (March 2, 1998); and the subsequent vacature of that order (January 4, 1999). As communicated in our letters to Howard L. Rhodes, dated June 2, 1997 and July 30, 1997, and for the reasons outlined below, EPA continues to maintain that the exemption for alternative fuels given in 40 C.F.R. § 51.166(b)(2)(iii)*(e)(1)* and as incorporated into the SIP at 62-212.400(2)(c)4 F.A.C., is not applicable for the purpose of the proposed petroleum coke modification, and thus, the proposed modification is major modification subject to PSD review.

1. The facility was not capable of accommodating petroleum coke as of January 6, 1975

The administrative hearing record and other supporting information submitted by FPC and FDEP, including discussion of a facility inspection by FDEP on December 16, 1996, indicate that Unit 2 was physically unable to burn solid fuel as of January 6, 1975. Only through substantial modifications made during the late 1970's to reconvert Units 1 and 2 to coal-fired facilities, did Unit 2 regain the ability to burn coal. The record is unclear as to whether the Unit 1 boiler remained capable of burning coal during the time that it burned fuel oil. However, during the "reconversion" process, modifications to Unit 1 included replacement of most of the waterwall, addition of induced draft fans, replacement of pollution control equipment, and addition of railroad tracks to the area. According to the hearing witness for FDEP, the physical alterations were required to make the units capable of accommodating coal. Further, it is not clear that the blending capability to co-fire coal and petcoke was present prior to 1975.

Some of the physical modifications, as documented by FPC, necessary to convert the units back to coal include changes or additions of coal burners; piping for sootblowers, service air, flame scanners, drip drain vents, precipitators, ash water, pyrites, and fluidizing air; coal transport piping, pulverizers and motors; coal feeders; ignitor horns, soot blowers, and flame scanner systems; bottom ash hopper and clinker grinders; ash pond, ash sluice system, and flyash removal system, etc. These modifications were documented to cost over 17 million dollars (past value), and it appears that many of these modifications were necessary to convert the facilities to coal-fired units, rather than to simply bring the units into compliance while burning coal, as characterized by FPC (Letter to Mr. Brian Beals, EPA, December 24, 1996).

As discussed in FDEP's Final Order of March 2, 1997, the ALJ's determination in this matter was flawed and in fact contradictory. Based upon EPA's review of the record, we concur with FDEP's finding in this Order that there was no substantiated evidence to support the assertion that the facility remained capable of co-firing petcoke during the 1970's when the facility fired fuel oil. In fact, the evidence, as well as the ALJ's findings themselves, support the contrary determination that the facility was "converted" from firing liquid fuel to firing solid fuel during the late 1970's, well after the 1975 date in the exemption invoked by FPC.

2. The use of petroleum coke was not designed and built into Units 1 and 2

The alternative fuels exemption is not contained in the Act, but was added to the PSD regulations in 1974 (the current version being codified in 1978) such that the definition of modification would be consistent with that used under the New Source Performance Standards (NSPS), as intended by Section 169(2)(C) of

the Act. The stated intent of the NSPS exemption was to "eliminate inequities where equipment had been put into partial operation prior to the proposal of the standards," 36 FR 15,704 (August 3, 1971). The current NSPS regulations, at 40 C.F.R. § 60.14(e)(4), contain an analogue to the PSD alternatives fuel exemption at 40 C.F.R. §52.21(b)(2)(ii)(e), which provides that the use of an alternative fuel or raw material shall not be considered a modification if:

. . . the existing facility was designed to accommodate the alternative use. A facility shall be considered to accommodate an alternative fuel or raw material if that use could be accomplished under the facility's construction specifications as amended prior to the change. . .

While the original NSPS exemption was changed slightly to allow for changes to the "original" design specification (40 FR 58,416 (December 16,1975)), the alterations did not change the intent of the exemption --- to grandfather voluntary fuel switches that a facility had designed for and built into its system prior to January 6, 1975.

The only fuels contemplated in the design and construction of Units 1 And 2 were coal and oil. Nothing in the design or construction documents for Units 1 and 2 suggests that FPC considered petcoke as a fuel for these units, nor does anything in those documents suggest that the design or construction was intended to accommodate the potential use of petcoke as a fuel. For example, the facility's 1971 operating permit application for Unit 2 required the source to identify "fuels" by type, and required that such identification "be specific." FPC identified only coal as the fuel type in this document and all other pre-1975 documents made available to EPA.

As discussed above, the purpose of the alternative fuels exemption was to eliminate any inequity faced by utilities which designed and constructed units to burn more than one fuel, but which were not burning all of those fuels as of January 6, 1975. For example, absent the exemption, a facility equipped to burn coal and oil, but which was only burning oil at the time the NSPS were adopted, would be subject to the NSPS and subsequently PSD review merely by switching back to coal. Therefore, EPA believes it is reasonable to interpret the alternative fuels exemption to apply only to fuels which were contemplated in the design and construction of a unit prior to January 6, 1975 and which the unit remained continuously able to burn. Units 1 and 2 do not meet these criteria, as they were never designed for petcoke and, through conversion to oil, lost the ability to burn solid fuel prior to January 6, 1975. Furthermore, in the burning of petcoke, FPC does not face the inequity remedied by the alternative fuels exemption.

To interpret this provision as allowing a facility to use "any" fuel that it could possibly burn prior to January 6, 1997, regardless of whether such fuels were originally contemplated or included in the original design, improperly expands the availability of the intended PSD exemption. To do so would also establish an obvious inequity, neither intended nor likely to be overlooked by EPA in crafting the exemption, whereby facilities constructed prior to 1975 would be able to burn any number of fuels without complying with PSD or NSPS requirements and those constructed after this date would be subject to review and substantive requirements.

3. The proposed petroleum coke-coal fuel blend is not an "alternative fuel" within the meaning of the exemption.

As discussed in Alabama Power Co. v. Costle, the PSD exemption at 40 C.F.R. §52.21(b)(2)(iii)(e) and the corresponding Florida provision at 62-212.400(2)(c)4 F.A.C. were intended to grandfather "voluntary fuel switches by emission sources which were designed to accommodate the alternative fuels prior to January 6, 1975." The provision was not intended to provide a loop-hole by which facilities may add various substances, such as waste products or waste fuels, to their primary fuels without being subject to PSD review. The Federal Register notices and background information documents that speak to this particular

exemption only reference primary fuels, such as coal, oil and gas. At the time the alternative fuel exemption was promulgated, EPA contemplated "switches" between primary fuels. Therefore, it is a reasonable interpretation of the regulations to limit this exemption to primary fuels and not to apply the exemption to fuel additives that the facility was neither designed nor built to use as a primary fuel. FPC is currently burning coal as their primary fuel. It is EPA's determination that burning a 95% coal, 5% petcoke blend does not constitute a "switch" to an "alternative" fuel as intended by the exemption. Rather, the blending in of 5% petcoke is a change in the current method of operation that is subject to PSD review.

The above interpretations are consistent with FDEP's and EPA's longstanding interpretations of the "capable of accommodating" exemption. As you are aware, there are several EPA guidance memoranda, including a June 7, 1983 document from this office to Mr. Steve Smallwood of FDEP, that interpret the exemption to require that the facility be "designed" and continuously able to accommodate the use of a specified alternative fuel. This guidance clearly states:

In order for a plant to be capable of accommodating coal, the company must show not only that the design (i.e., construction specifications) for the source contemplated the equipment, but also that the equipment actually was installed and still remains in existence. Otherwise, it cannot reasonably be concluded that the use of coal was "designed into the source."

FDEP's past implementation of its new source review regulations has also been consistent with this interpretation. According to FDEP's December 24, 1996 letter from C. H. Fancy, Bureau of Air Regulation, to Mr. Brian Beals, EPA, requesting assistance with the FPC PSD applicability determination, FDEP had treated as major modifications, the use of a petroleum coke-coal blend in five coal-fired units in Florida for the purposes of PSD permitting as of that date. As documented in FDEP's letter: "in each case, the proposals have been treated as changes in method of operation to which PSD is applicable unless they are able to 'net out' by demonstrating that there will be no significant increases in PSD pollutants."

To remedy the above identified deficiency, the title V permit must include a compliance schedule, consistent with 40 C.F.R. §70.5(c)(8)(iii), that requires FPC to obtain a PSD permit fulfilling State and federal PSD requirements and 40 C.F.R. §70.6(c)(3). Progress reports referenced under 40 C.F.R. §70.6(c)(4) must be required by the permit. Any additional requirements resulting from the PSD review, including requirements for control equipment and emission limitations, will have to be incorporated into the title V permit through permit modification. Alternatively, the State may concurrently issue proposed PSD and title V permits. As a third option, the State could issue a valid synthetic minor permit, limiting the emissions increase from the proposed change to less than the applicable PSD significance levels. As above, such conditions would need to be incorporated into the title V permit.

PERMITTEE RESPONSE: Response - On pages 1 through 7 of its objection, EPA in essence expresses disagreement with a DEP Final Order concluding that co-firing petroleum coke with coal at Crystal River Units 1 and 2 is exempt from PSD applicability. This issue is now moot because FPC has determined that it no longer wishes to burn petroleum coke in Units 1 and 2. Accordingly, FPC does not object to deletion of petroleum coke as an authorized fuel under the Title V permit.

It should be understood that FPC's decision not to co-fire petroleum coke with coal is unrelated to the merits of EPA's objection and does not constitute agreement with EPA, or legal precedent. During the petroleum coke permitting process, FPC representatives mentioned to DEP personnel on several occasions that its utilization of petroleum coke in Units 1 and 2 might be abandoned by the year 2000.

The basis for FPC's substantive disagreement with EPA's objection is set forth in the record on appeal and briefs in Case No. 98-858 (District Court of Appeal, Fifth District), as well as the January 4, 1999 DEP Final

Order on Remand (all on file at DEP). These materials verify that the factual and legal analysis in EPA's November 1, 1999 objection is incorrect. Moreover, it is not appropriate for EPA to employ the Title V process as a means to second guess DEP's Final Order on Remand. EPA itself has stated:

> EPA may not intrude upon the significant discretion granted to states under new source review programs, and will not "second guess" state decisions.

63 Federal Register 13797 (March 23, 1998). EPA has acknowledged "that states have the primary role in administering and enforcing the various components of the NSR program." 55 Federal Register 23548 (June 11, 1990). EPA confirmed in 1990 that it "did not intend to suggest" that states are "required to follow EPA's interpretations and guidance issued under the Clean Air Act in the sense that those pronouncements have independent status as enforceable provisions..." Id.

Again, these issues are moot due to FPC's decision not to co-fire petroleum coke at Crystal River Units 1 and 2.

PROPOSED CHANGE: The permit and the Statement of Basis will be changed as follows:

FROM:
Section III. Emissions Unit(s) and Conditions.

Subsection A. This section addresses the following emissions units.

E.U. ID No.	Brief Description
001	Fossil Fuel Steam Generator, Unit 1: a tangentially fired unit, rated at 440.5 MW, 3750 MMBtu/hr, burning bituminous coal; a bituminous coal and bituminous coal briquette mixture; or a bituminous coal and petcoke blend. Distillate fuel oil may be burned as a startup fuel. Emissions are exhausted through a 499 ft. stack.. This unit may also burn oily flyash.
002	Fossil Fuel Steam Generator, Unit 2: a tangentially fired unit, rated at 523.8 MW, 4795 MMBtu/hr, burning bituminous coal; a bituminous coal and bituminous coal briquette mixture; or a bituminous coal and petcoke blend. Distillate fuel oil may be burned as a startup fuel. Emissions are exhausted through a 502 ft. stack. This unit may also burn oily flyash.

Fossil Fuel Steam Generators, Units 1 and 2, are pulverized coal dry bottom boilers, tangentially-fired. Emissions are controlled from each unit with a high efficiency electrostatic precipitator, manufactured by Buell Manufacturing Company, Inc.

A.1. Permitted Capacity. The maximum operation heat input rates are as follows:

Unit No.	MMBtu/hr Heat Input	Fuel Type
001	3750	Bituminous Coal; Bituminous Coal and Bituminous Coal Briquette Mixture; or bituminous Coal and Petcoke Blend
002	4795	Bituminous Coal; Bituminous Coal and Bituminous Coal Briquette Mixture; or bituminous Coal and Petcoke Blend

[Rules 62-4.160(2), 62-210.200(PTE) and 62-296.405, F.A.C.]

A.3. Methods of Operation. Fuels. The only fuels allowed to be burned by this permit are: bituminous coal; a bituminous coal and bituminous coal briquette mixture, a five percent (plus or minus two percent) blend of petroleum coke with coal by weight, and distillate fuel oil for startup.. These emissions units may also burn used oil in accordance with other conditions of this permit (see **Subsection K**). Emissions units 001 and 002 may also burn oily flyash in accordance with specific condition **A.16** of this permit.
[Rule 62-213.410, F.A.C.; 0170004-002-AO, 0170004-005-AO, 0170004-003-AC and 0170004-006-AC]

A.8. Sulfur Dioxide.

(a) When burning coal or coal blended with petcoke, sulfur dioxide emissions shall not exceed 2.1 pounds per million Btu heat input, 24-hour average.

(b) The maximum sulfur dioxide emissions from the coal/briquette mixture shipment, averaged on an annual basis, shall not exceed the following:

Emissions Unit No.	**Emissions Unit Description**	**Average Sulfur Dioxide Limit, in Pounds Per Million Btu, Heat Input**
001	FFSG, Unit 1	1.67
002	FFSG, Unit 2	1.67

[Rule 62-213.440, F.A.C.; PPSC PA 77-09; 0170004-003-AC; and, 0170004-006-AC]

Statement of Basis:

FFSG Units 1 and 2 are pulverized coal dry bottom boilers, tangentially-fired. Emissions are controlled from each unit with a high efficiency electrostatic precipitator, manufactured by Buell Manufacturing Company, Inc. These emissions units are regulated under Acid Rain, Phase I and II; Rule 62-296.405, F.A.C., Fossil Fuel Steam Generators with More than 250 million Btu per Hour Heat Input; and, Power Plant Siting Certification PA 77-09 conditions. FFSG Unit 1 began commercial operation in 1966. FFSG Unit 2 began commercial operation in 1969. FFSG Unit 1 is a Phase II NO_X unit and FFSG Unit 2 is a Phase I/II Early election NO_X unit. The emissions units are permitted to combust bituminous coal; a bituminous coal and bituminous coal briquette mixture; or a bituminous coal and petcoke blend. Distillate fuel oil may be burned as a startup fuel. The permittee has agreed to the use of CEMs (opacity, SO_2 and NO_X) for the purpose of periodic monitoring and currently demonstrates compliance with the sulfur dioxide standards through daily fuel analyses.

TO:
Section III. Emissions Unit(s) and Conditions.

Subsection A. This section addresses the following emissions units.

E.U. ID No.	Brief Description
001	Fossil Fuel Steam Generator, Unit 1: a tangentially fired unit, rated at 440.5 MW, 3750 MMBtu/hr, burning bituminous coal; or a bituminous coal and bituminous coal briquette mixture. Distillate fuel oil may be burned as a startup fuel. Emissions are exhausted through a 499 ft. stack. This unit may also burn oily flyash.
002	Fossil Fuel Steam Generator, Unit 2: a tangentially fired unit, rated at 523.8 MW, 4795 MMBtu/hr, burning bituminous coal; or a bituminous coal and bituminous coal briquette mixture. Distillate fuel oil may be burned as a startup fuel. Emissions are exhausted through a 502 ft. stack. This unit may also burn oily flyash.

Fossil Fuel Steam Generators, Units 1 and 2, are pulverized coal dry bottom boilers, tangentially-fired. Emissions are controlled from each unit with a high efficiency electrostatic precipitator, manufactured by Buell Manufacturing Company, Inc.

A.1. Permitted Capacity. The maximum operation heat input rates are as follows:

Unit No.	MMBtu/hr Heat Input	Fuel Type
001	3750	Bituminous Coal; or Bituminous Coal and Bituminous Coal Briquette Mixture
002	4795	Bituminous Coal; or Bituminous Coal and Bituminous Coal Briquette Mixture

[Rules 62-4.160(2), 62-210.200(PTE) and 62-296.405, F.A.C.]

A.3. Methods of Operation. Fuels. The only fuels allowed to be burned by this permit are: bituminous coal; a bituminous coal and bituminous coal briquette mixture, and distillate fuel oil for startup. These emissions units may also burn used oil in accordance with other conditions of this permit (see **Subsection K**). Emissions units 001 and 002 may also burn oily flyash in accordance with specific condition **A.16** of this permit.
[Rule 62-213.410, F.A.C.; 0170004-002-AO; 0170004-005-AO; and, 0170004-006-AC]

A.8. Sulfur Dioxide. The maximum sulfur dioxide emissions from the coal/briquette mixture shipment, averaged on an annual basis, shall not exceed the following:

Emissions Unit No.	Emissions Unit Description	Average Sulfur Dioxide Limit, in Pounds Per Million Btu, Heat Input
001	FFSG, Unit 1	1.67
002	FFSG, Unit 2	1.67

[Rule 62-213.440, F.A.C.; PPSC PA 77-09; and, 0170004-006-AC]

Statement of Basis:

FFSG Units 1 and 2 are pulverized coal dry bottom boilers, tangentially-fired. Emissions are controlled from each unit with a high efficiency electrostatic precipitator, manufactured by Buell Manufacturing Company, Inc. These emissions units are regulated under Acid Rain, Phase I and II; Rule 62-296.405, F.A.C., Fossil Fuel Steam Generators with More than 250 million Btu per Hour Heat Input; and, Power Plant Siting Certification PA 77-09 conditions. FFSG Unit 1 began commercial operation in 1966. FFSG Unit 2 began commercial operation in 1969. FFSG Unit 1 is a Phase II NO_X unit and FFSG Unit 2 is a Phase I/II Early election NO_X unit. The emissions units are permitted to combust bituminous coal; or a bituminous coal and bituminous coal briquette mixture. Distillate fuel oil may be burned as a startup fuel. The permittee has agreed to the use of CEMs (opacity, SO_2 and NO_X) for the purpose of periodic monitoring and currently demonstrates compliance with the sulfur dioxide standards through daily fuel analyses.

2. Periodic Monitoring - *Conditions A.14. and B.13.*, in conjunction with *Condition I.6.*, require that the source conduct annual testing for particulate matter whenever fuel oil is burned for more than 400 hours in the preceding year. The Statement of Basis states that this testing frequency "is justified by the low emission rate documented in previous emission tests while firing fuel oil" and that the "Department has determined that sources with emissions less than half of the effective standard shall test annually."

While EPA has in the past accepted this approach as adequate periodic monitoring for particulate matter, it has done so only for uncontrolled natural gas and fuel oil-fired units. The units addressed in *Conditions A.14. and B.13.*, primarily burn coal and use add-on control equipment (i.e., electrostatic precipitators) to comply with the applicable particulate matter standards. In order to provide reasonable assurance of compliance, the results of annual stack testing will have to be supplemented with additional monitoring. Furthermore, the results of an annual test alone would not constitute an adequate basis for the annual compliance certification that the facility is required to submit for these units in order to certify continuous compliance with the pound/hour particular matter limit.

The most common approach to addressing periodic monitoring for particulate emission limits on units with add-on controls is to establish either an opacity or a control device parameter indicator range that would provide evidence of proper control device operation. The primary goal of such monitoring is to provide reasonable assurance of compliance, and one way of achieving this goal is to use opacity data or control device operating parameter data from previous successful compliance tests to identify a range of values that has corresponded to compliance in the past. Operating within the range of values identified in this manner would provide assurance that the control device is operating properly and would serve as the basis for an annual compliance certification. Depending upon the margin of compliance during the tests used to establish the

opacity or control device parameter indicator range, going outside the range could represent either a period of time when an exceedence of the applicable standard is likely or it could represent a trigger for initiating corrective action to prevent an exceedence of the standard. In order to avoid any confusion regarding the consequences of going outside the indicator range, the permit should clearly state if doing so is evidence that a standard has been exceeded and should specify whether corrective action must be taken when a source operates outside the established indicator range.

PERMITTEE RESPONSE: Response - In resolution of this issue, FPC suggests that the following language replace Condition A.19 of the Title V permit. This language is based on recently approved permit language proposed by Gulf Power:

> *a. Periodic monitoring for opacity shall be COMs, which are maintained and operated in conformance with 40 CFR Part 75.*
> *b. Periodic monitoring for particulate matter shall be COMs. For any calendar quarter in which more than five percent of the COMs readings show 20% or greater opacity for Units 2, 4, and 5 and 30% or greater opacity for Unit 1 (excluding startup, shutdown, and malfunction periods), a steady-state particulate matter stack test shall be performed within the following calendar quarter. Due to the allowed opacity level of 60% for sootblowing and load changing periods for Units 1 and 2, periods of sootblowing and load changing shall also be excluded for those units. Units are not required to be brought on-line solely for the purpose of performing this special test. If the unit does not operate in the following quarter, the special test may be postponed until the unit is brought back on-line. In such cases, the special test shall be performed within 30 days.*

PROPOSED CHANGE: Specific Condition A.19. will be changed as follows:

FROM: A.19. COMS for Periodic Monitoring. The owner or operator is required to install continuous opacity monitoring systems (COMS) pursuant to 40 CFR Part 75. The owner or operator shall maintain and operate COMS and shall make and maintain records of opacity measured by the COMS, for purposes of periodic monitoring.
[Rule 62-213.440, F.A.C.]

TO: A.19. COMS for Periodic Monitoring:
a. Periodic monitoring for opacity shall be COMS, which are maintained and operated in conformance with 40 CFR Part 75.
b. Periodic monitoring for particulate matter shall be COMS. For any calendar quarter in which more than five percent of the COMS readings show 20% or greater opacity for Units 2, 4, and 5 and 30% or greater opacity for Unit 1 (excluding startup, shutdown, and malfunction periods), a steady-state particulate matter stack test shall be performed within the following calendar quarter. Due to the allowed opacity level of 60% for sootblowing and load changing periods for Units 1 and 2, periods of sootblowing and load changing shall also be excluded for those units. Units are not required to be brought on-line solely for the purpose of performing this special test. If the unit does not operate in the following quarter, the special test may be postponed until the unit is brought back on-line. In such cases, the special test shall be performed within 30 days.
[Rule 62-213.440, F.A.C.]

3. Periodic Monitoring - *Conditions C.5. and D.4.* require that the source conduct Method 9 tests once annually for the fly ash handling system (Emission Units #006, #008, #009, and #010) and the bottom ash storage silo (Emission Unit #014), respectively. For units with control equipment (i.e., baghouses), this

typically does not constitute adequate periodic monitoring to ensure continuous compliance with the visible emissions standards. It is also particularly important in this case to include adequate periodic monitoring with regard to the fly ash handling system since it has been limited to only 5 percent opacity in lieu of stack testing for particulate matter. Therefore, the permit needs to include provisions requiring that the source conduct qualitative observations of visible emissions on a daily basis (i.e., Method 22) and that Method 9 tests be conducted within 24 hours of any abnormal qualitative survey. As an alternative, since these units are controlled by baghouses, the source may opt to establish a parametric monitoring program. For instance, the permit could specify ranges for parameters, such as pressure drop, that would provide reasonable assurance that the source is in compliance with the applicable standards.

PERMITTEE RESPONSE: Response - As EPA observed in its comment letter, these emission points are tested annually for visible emissions. In every compliance test conducted on these outlets during the last five years, a six-minute average greater than 0% opacity has never occurred. The baghouse control systems on these sources are extremely reliable, reasonably assuring continuous compliance. Daily visible emissions observations are both unnecessary and impractical. Therefore, FPC requests that the permit language remain unchanged.

PROPOSED CHANGE: As requested by Florida Power Corporation, no change is proposed.

4. Periodic Monitoring - The material handling activities supporting the steam generating units (Emission Unit #016) are subject to a visible emissions limit of 20 percent opacity; however, the permit does not specify the frequency for testing. To certify compliance with the applicable opacity limit, the source should be required to conduct a Method 9 test at least once annually. To provide reasonable assurance of continuous compliance, the source needs to conduct (and record the results of) qualitative observations (i.e., Method 22) at least once daily with follow-up Method 9 tests within 24 hours of any abnormal visible emissions unless the statement of basis provides justification for reduced frequency.

PERMITTEE RESPONSE: Response - The 20% opacity limit generally applies to all of the material handling operations at the Crystal River plant, such as coal conveying and storage, fly ash storage and transport, and bottom ash storage and transport. All conveying and transport operations are covered, and there are no specific emission points. Fly ash and bottom ash storage are addressed in #3 above. Condition H.3. of the permit requires that emissions be controlled through the practices described in the Best Management Plan for the Crystal River site. This condition provides enforceable, reasonable assurance of continuous compliance. Therefore, FPC requests that the permit language remain unchanged.

PROPOSED CHANGE: As requested by Florida Power Corporation, no change is proposed.

5. Appropriate Averaging Times - *Conditions A.6., B.4.(a)(1), F.3., and G.2.* do not specify averaging times for the respective particulate matter emission limits. Because the stringency of emission limits is a function of both magnitude and averaging time, appropriate averaging times must be added to the permit in order for the limits to be practicably enforceable. An approach that may be used to address this deficiency is to include a general condition in the permit stating that the averaging times for all specified emission standards are tied to or based on the run time of the test method(s) used for determining compliance.

PERMITTEE RESPONSE: Response - FPC disagrees with EPA's objection. As stated in previous FPC responses, the subject conditions in the Proposed Title V permit already contain all that is necessary to make them completely (and therefore practicably) enforceable: a requirement, and a method for determining compliance with that requirement.

However, in an effort to move the Title V permitting process to conclusion, FPC is willing to accept the inclusion of a "permitting note" following Conditions A.7 and A.8, as follows:

> *The averaging time for the particulate matter standard corresponds to the cumulative sampling time of the specified test method.*

FPC's suggested resolution of this matter does not constitute or imply concurrence with EPA's position. The Title V process is intended to consolidate existing applicable requirements for each Title V permit on a case-by-case basis, and FPC's suggested resolution applies only to the Crystal River Title V facility/permit. Moreover, the language suggested above is applicable only to the existing particulate matter limit and only for the existing compliance determination method for this limit.

PROPOSED CHANGE: A permitting note will be added following Specific Conditions A.7. and A.8. as follows:

> **ADD:** {Permitting note: The averaging time for the particulate matter standard corresponds to the cumulative sampling time of the specified test method.}

6. Periodic Monitoring (Practical Enforceability) - *Conditions C.1. and D.1.* limit the mass flow rates of fly ash through the fly ash handling system and bottom ash through the bottom ash storage silo, respectively; however, the permit does not contain any provisions to practicably enforce such limits. The permit needs to include monitoring and/or recordkeeping requirements such as the maintenance of daily records of the mass throughputs for the affected units to provide reasonable assurance of compliance with the applicable limits.

PERMITTEE RESPONSE: Response - The mass flow rate limits given in the permit are actually the design limits of the equipment, and therefore they cannot physically be exceeded. Therefore, no additional monitoring is necessary. In addition, there is no monitoring method by which to measure the mass flow rates of the fly ash and bottom ash through the handling systems.

PROPOSED CHANGE: As requested by Florida Power Corporation, no change is proposed.

7. Periodic Monitoring (Practical Enforceability) - *Conditions F.1. and G.1.* limit the volume flow rates of seawater through the cooling towers, Emission Units #013 and #015, respectively; however, the permit does not contain any provisions to practicably enforce such limits. The permit needs to include provisions requiring the source to monitor and record the flow of seawater through the cooling towers.

PERMITTEE RESPONSE: Response - The original construction and operation permits for these cooling towers contained design maximum flow rates for informational purposes only. These design rates were used to develop the particulate emission limits for the towers. To address this issue, the permit language should be corrected by removing the seawater flow rates as permit limitations. The only permit limits appropriate to these units are those for particulate emissions and operating hours, as reflected in prior permits.

PROPOSED CHANGE: The Department feels that the seawater flow rates are an easily measurable way to determine the percent operating capacity of these units. As such, the following permitting note will be added to Specific Conditions F.1. and G.1. as follows:

ADD: {Permitting note: The seawater flow rate limitations have been placed in each permit to identify the capacity of each unit for the purposes of confirming that emissions testing is conducted within 90 to 100 percent of the unit's rated capacity (or to limit future operation to 110 percent of the test load) and to aid in determining future rule applicability. Regular record keeping is not required for seawater flow rates. Instead the owner or operator is expected to determine the seawater flow rate whenever emission testing is required, to demonstrate at what percentage of the rated capacity that the unit was tested. Rule 62-297.310(5), F.A.C., included in the permit, requires measurement of the process variables for emission tests. Such seawater flow rate determination may be based on measurements of flow by various methods including but not limited to flow metering or the use of pump curves supplied by the manufacturer to calculate an average hourly seawater flow rate during the test.}

II. EPA General Comments

1. Compliance Certification - Facility-wide *Condition 11* of the permit should specifically reference the required components of Appendix TV-3, which lists the compliance certification requirements of 40 C.F.R. §70.6(c)(5)(iii), to ensure that complete certification information is submitted to EPA.

PERMITTEE RESPONSE: None.

PROPOSED CHANGE: Facility-wide Specific Condition 11. will be changed as follows:

FROM: 11. Statement of Compliance. The annual statement of compliance pursuant to Rule 62-213.440(3), F.A.C., shall be submitted within 60 (sixty) days after the end of the calendar year. [Rule 62-214.420(11), F.A.C.]

TO: 11. Statement of Compliance. The annual statement of compliance pursuant to Rule 62-213.440(3), F.A.C., shall be submitted within 60 (sixty) days after the end of the calendar year. {See condition 51., APPENDIX TV-3, TITLE V CONDITIONS}
[Rule 62-214.420(11), F.A.C.]

2. Acid Rain - The Phase II Acid Rain Application and Compliance Plan received on December 22, 1995, which are referenced as attachments made part of the permit (see page 1 of proposed permit), should also be referenced under Section IV, Subsection A.1.

PERMITTEE RESPONSE: None.

PROPOSED CHANGE: Specific Condition A.1. of the Acid Rain Part will be changed as follows:

FROM: A.1. The Phase II permit application(s) submitted for this facility, as approved by the Department, is a part of this permit. The owners and operators of these Phase II acid rain unit(s) must comply with the standard requirements and special provisions set forth in the application(s) listed below:
a. DEP Form No. 62-210.900(1)(a), dated July 1, 1995.
[Chapter 62-213, F.A.C., and Rule 62-214.320, F.A.C.]

TO: A.1. The Phase II permit application(s) submitted for this facility, as approved by the Department, is a part of this permit. The owners and operators of these Phase II acid rain unit(s) must comply with the standard requirements and special provisions set forth in the application(s) listed below:
a. DEP Form No. 62-210.900(1)(a), dated July 1, 1995.
b. Phase II Acid Rain Application/Compliance Plan received 12/22/95
[Chapter 62-213, F.A.C., and Rule 62-214.320, F.A.C.]

3. Acid Rain - The NOx Early Election requirements and limits located in Subsection B (addressing Phase I Acid Rain) for Units 2, 4, and 5 of the Acid Rain part of the proposed title V permit should be moved to Subsection A (addressing Acid Rain, Phase II). Moving these requirements should clarify that FDEP is approving and incorporating the NOx Early Election requirements into the Phase II permit portion.

PERMITTEE RESPONSE: None.

PROPOSED CHANGE: Florida is required by statute to issue the Acid Rain part of the permit concurrently with the Title V permit. Since the facility elected into the Phase I Early Election Plans for NO_X, of the NO_X requirements are contained in Subsection B of the Acid Rain Part of the permit. In order to eliminate any confusion, Specific Condition A.2. will be changed as follows:

FROM: A.2. Sulfur dioxide (SO_2) allowance allocations and nitrogen oxide (NO_x) requirements for each Acid Rain unit is as follows:

TO: A.2. Sulfur dioxide (SO_2) allowance allocations for each Acid Rain unit is as follows:

As you know, the 90 day period ends January 30th. All parties involved have been expeditiously seeking resolution of these issues. We feel that EPA's concerns have been adequately addressed and we look forward to issuing final permits. Please advise as soon as possible if you concur with the specific changes detailed above. Please call me at 850/921-9503 if you have any questions. You may also contact Mr. Scott M. Sheplak, P.E., at 850/921-9532, or Mr. Edward J. Svec at 850/921-8985, if you need any additional information.

Sincerely,

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

CF/es

Attachments

cc: Scott M. Sheplak
Pat Comer
J. M. Kennedy, FPC

General Correspondence File

Florida Power
A Progress Energy Company

February 2002

Department of Environmental Protection
2600 Blair Stone Rd
MS 5505
Tallahassee, FL 32399-2400

To Whom It May Concern:

This is to advise you that the Environmental Services Section of Florida Power Corporation has had a change of address. We are still at the same location. However, our corporate mailroom moved which resulted in a change of address for us.

If you are sending anything via first class mail, the best way to handle it is to send it to:

Individual's Name
Environmental Services **BB1A**
Florida Power Corporation
P. O. Box 14042
St. Petersburg, FL 33733.

It is extremely important that you show our internal mail code (**BB1A**) on the envelope.

If you are sending a package via overnight delivery, please send it to

Individual's Name
Florida Power Corporation BB1A
263 – 13th Avenue South
St. Petersburg, FL 33701.

Again, it is extremely important that you show our internal mail code (**BB1A**) on the package. If you need to show a phone number on an overnight delivery package, you can use the number of the individual to whom you are sending it, or my number 727-826-4320.

The 263 – 13th Avenue South, St. Petersburg, FL 33701 is the address if you are trying to physically locate our building. However, if you are sending something via the U. S. Postal Service and require a street address, please use the address of our corporate mailroom which is 200 Central Avenue, St. Petersburg, FL 33701. Show the name of the individual and/or Environmental Services with our internal mail code of **BB 1A**.

Sincerely,

June Lamb

June Lamb
Administrative Assistant

P.O. Box 14042
St. Petersburg, FL 33733