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MAY 17 2002

BUREAU OF AIR REGULATION



Florida Power

A Progress Energy Company

Michael Olive
Plant Manager
Crystal River Fossil Plant

May 15, 2002

Ms. Cindy Phillips, P.E.
FDEP Bureau of Air Regulation
MS 5505
2600 Blair Stone Road
Tallahassee, FL 32399-2400

RE: Part 1 MACT Application

Dear Ms. Phillips:

Please find enclosed Part 1 of the two-part 112(j) permit application. We understand that EPA finalized amendments on April 5th to allow this two-part application process, and that DEP is acting to incorporate by reference these amendments at its earliest opportunity.

Based on the information available to us at the time of this application, we believe that we may be subject to section 112(j) of the Clean Air Act. We reserve the right, however, to amend or withdraw this application should we obtain new or different information regarding our status.

All possible affected sources in the enclosed Part 1 112(j) permit applications are identified by the emission unit identification number and emission unit description as in their respective annual operating reports.

Please contact Cyndy Wilkinson of my staff at (352) 563-4396 or Matt Lydon at (727) 826-4152 if you have any questions.

Sincerely,

Michael Olive
Manager, Crystal River Fossil Plant

cc: Mr. Doug Neeley, USEPA Region IV
Enclosure

15760 W. Power Line Street
Crystal River, FL 34428-6708

T> 352.563.4484
F> 352.563.4496

Part 1 MACT Application

A. Facility Information

1. Facility ID: 0170004	2. Facility Owner: Florida Power
3. Site Name: Crystal River	4. Facility Location: 15760 West Powerline Street Crystal River, FL 32629
5. Facility Contact: J. Michael Kennedy, QEP Air Programs Manager, Florida Power (727) 826-4334	6. Mailing Address 100 Central Ave. Mail Code BB1A St. Petersburg, FL 33701

B. Source Description

1. Description of Major Source: Electric Utility Power Plant	2. Facility SIC: 4911
3. Identification of Source Category: Reciprocating Internal Combustion Engines, 40 CFR 63 Subpart ZZZZ	

C. Emission Points

1. Identification of Source Category Emission Points: EU ID 0019: Two 3500 kW Diesel Generators

D. 112(g) Determination

None

E. Application Comments

Florida Power requests an applicability determination in accordance with 40 CFR 63.52(d) for the identified affected sources.
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F. Title V Permit Responsible Official

As the responsible official, I hereby certify, based on information and belief formed after reasonable inquiry, that the statements in this document are true, accurate, and complete.

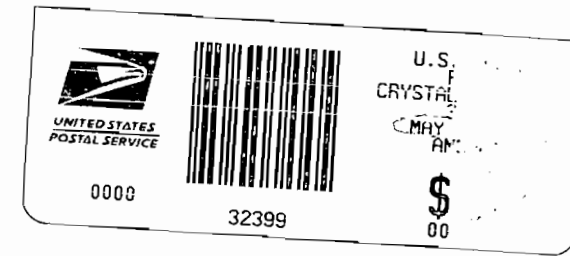
Michael Olive
Signature

5-15-2002
Date

Michael Olive
Manager, Crystal River Fossil Plant

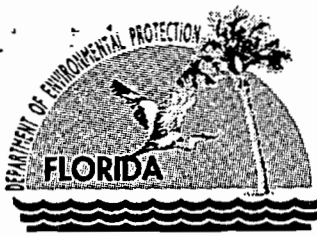
Best Available Copy

Florida Power Corporation
15760 W. Power Line Street
Crystal River, FL 34428-6708



RETURN RECEIPT
REQUESTED

Ms. Cindy Phillips, P.E.
FDEP Bureau of Air Regulation
MS5505
2600 Blair Stone Road
Tallahassee, FL 32399-2400



Jeb Bush
Governor

Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

David B. Struhs
Secretary

June 14, 2002

Mr. Michael Olive
Manager
Crystal River Fossil Plant
Florida Power
15760 W. Power Line Street
Crystal River, FL 34428-6708

Re: Request for Determination of MACT Applicability for Crystal River Fossil Plant

Dear Mr. Olive:

In response to your letter dated May 15, 2002 which requests that the Department make a determination of MACT applicability for your plant, I have attached Chapter 28-105, F.A.C., Declaratory Statements, which specifies the procedure that you must follow in order for us to comply with your request.

The Department's Agency Clerk is Kathy Carter. Her address is:

Kathy Carter, Agency Clerk
Florida Department of Environmental Protection
MS 35
3900 Commonwealth Boulevard
Tallahassee FL 32399-3000

Thank you for submitting the 112(j) notification information. Your information submittal appears to meet our current 112(j) requirements.

Please be aware that, although your letter refers to this information submittal as a "Part 1 MACT Application," the Department does not recognize your submittal as a state permit application and has no plans to process it as such.

No further 112(j) information is needed from you at this time. If you have any questions, concerning this matter, please contact me at 850/921-9534.

Sincerely,

Cindy L. Phillips, P.E.
Bureau of Air Regulation

attachment

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CHAPTER 28-105, F.A.C.

DECLARATORY STATEMENTS

28-105.001 Purpose and Use of Declaratory Statement.

A declaratory statement is a means for resolving a controversy or answering questions or doubts concerning the applicability of statutory provisions, rules, or orders over which the agency has authority. A petition for declaratory statement may be used only to resolve questions or doubts as to how the statutes, rules, or orders may apply to the petitioner's particular circumstances. A declaratory statement is not the appropriate means for determining the conduct of another person or for obtaining a policy statement of general applicability from an agency. A petition for declaratory statement must describe the potential impact of statutes, rules, or orders upon the petitioner's interests.

28-105.002 The Petition.

A petition seeking a declaratory statement shall be filed with the clerk of agency that has the authority to interpret the statute, rule, or order at issue and shall provide the following information:

(1) The caption shall read:

Petition for Declaratory Statement

Before (Name of Agency)

(2) The name, address, telephone number, and any facsimile number of the petitioner.

(3) The name, address, telephone number, and any facsimile number of the attorney or qualified representative (if any) of the petitioner.

(4) The statutory provision(s), agency rule(s), or agency order(s) on which the declaratory statement is sought.

(5) A description of how the statutes, rules, or orders may substantially affect the petitioner in the petitioner's particular set of circumstances.

(6) The signature of the petitioner or of the petitioner's attorney or qualified representative.

(7) The date.

28-105.003 Agency Disposition.

The agency may hold a hearing to consider a petition for declaratory statement. If the agency is headed by a collegial body, it shall take action on a petition for declaratory statement only at a duly noticed public meeting. If a hearing is held, it shall be conducted in accordance with Sections 120.569 and 120.57(2), F.S. The agency may rely on the statements of fact set out in the petition without taking any position with regard to the validity of the facts. Within 90 days of the filing of the petition, the agency shall render a final order denying the petition or issuing a declaratory statement.