

The BART regulation requires a control technology review to establish BART standard, which is an emission limitation based on the degree of reduction achievable through the application of the best system of continuous emission reduction for each pollutant which is emitted by a BART-eligible source. The emission limitation must be established, on a case-by case basis, taking into consideration the technology available, the costs of compliance, the energy and non-air quality environmental impacts of compliance, any pollution control equipment in use or in existence at the source, the remaining useful life of the source, and the degree of improvement in visibility which may reasonably be anticipated to result from the use of such technology. In addition, an air dispersion modeling analysis is conducted to evaluate the visibility impacts.

For the existing Turkey Point Fossil Plant, the BART-eligible units are oil and gas-fired Units 1 and 2. The Department of Environmental Protection (Department) reviewed the application and establishes BART emissions standards in the draft air constitution permit for particulate matter as 0.07 lb/MMBtu, for sulfur dioxide as 0.77 lb/MMBtu, and for visible emissions as 20% opacity, 12-month rolling average. To meet these BART standards, the applicant has proposed to replace the existing multi-cyclones with new state-of-the-art multi-cyclones and to reduce the sulfur content in the fuel oil to 0.7% sulfur, by weight. Even though the BART regulations only require reductions in particulate matter for electric utilities subject to CAIR, Florida Power & Light has proposed to reduce their sulfur dioxide emissions in order to gain an eight to nine times greater improvement in modeled visibility impacts than what could be achieved solely through a reduction in particulate matter emissions, at about one third of the cost of installing a new, high-efficiency electrostatic precipitator. The Department has agreed with this approach because of the greater visibility improvement and the reduced cost.

Permitting Authority: Applications for air construction permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, and 62-212 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and an air permit is required to perform the proposed work. The Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination for this project. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, Tallahassee, Florida. The Permitting Authority's mailing address is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/48-0114.

Project File: A
MiamiHerald.com/
Date: J.

Petitions: A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed with (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S. must be filed within 14 days of publication of this Public Notice or receipt of a written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority for notice of agency action may file a petition within 14 days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Permitting Authority's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address and telephone number of the petitioner; the name, address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial rights will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency action or proposed decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action including an explanation of how the alleged facts relate to the specific rules or statutes; and, (g) A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the agency to take with respect to the agency's proposed action. A petition that does not dispute the material facts upon which the Permitting Authority's action is based shall state the no such facts are in dispute and otherwise shall contain the same



RECEIVED

MAR 18 2009

BUREAU OF AIR REGULATION

March 17, 2009


Ms. Trina Vielhauer
State of Florida Power & Light Department of Environmental Protection
Division of Air Resources Management
2600 Blair Stone Road, MS 5510
Tallahassee, FL 32399-2400

Dear Ms. Vielhauer:

Attached is the submittal of the Notice of Publication for the FPL Turkey Point Fossil Plant, revised Public Notice of Intent to Issue Air Construction Permit No. 0250003-008-AC, which was published in the Miami Herald on Friday, March 13, 2009.

Should you have any questions, or need any additional information, please contact me at your convenience.

Sincerely yours,


Rudy M. Sanchez
General Manager
Turkey Point Fossil Plant