

**Harvey, Mary**

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**From:** Mike Opalinski [MOpalinski@seminole-electric.com]  
**Sent:** Friday, September 28, 2007 8:14 AM  
**To:** Harvey, Mary  
**Subject:** Re: Letter - Michael Opalinski - Seminole ElectricCooperative, Inc.

>>> "Harvey, Mary" <Mary.Harvey@dep.state.fl.us> 9/20/2007 3:02 PM >>>

Dear Sir/Madam:

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

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

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

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

Thank you,

DEP, Bureau of Air Regulation

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9/28/2007

## Harvey, Mary

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**From:** Zhang-Torres  
**To:** Harvey, Mary  
**Sent:** Friday, September 21, 2007 9:32 AM  
**Subject:** Read: Letter - Michael Opalinski - Seminole Electric Cooperative, Inc.

### Your message

**To:** 'mopalinski@seminole-electric.com'; 'wmroddy@seminole-electric.com'; Halpin, Mike; Zhang-Torres  
**Cc:** Koerner, Jeff; Adams, Patty; Gibson, Victoria  
**Subject:** Letter - Michael Opalinski - Seminole Electric Cooperative, Inc.  
**Sent:** 9/20/2007 3:03 PM

was read on 9/21/2007 9:32 AM.

**Harvey, Mary**

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**From:** Harvey, Mary  
**Sent:** Thursday, September 20, 2007 3:03 PM  
**To:** 'mopalinski@seminole-electric.com'; 'wmroddy@seminole-electric.com'; Halpin, Mike; Zhang-Torres  
**Cc:** Koerner, Jeff; Adams, Patty; Gibson, Victoria  
**Subject:** Letter - Michael Opalinski - Seminole Electric Cooperative, Inc.  
**Attachments:** Letter- Michael Opalinski - Seminole Electric Cooperative, Inc..pdf

Tracking:	Recipient	Read
	✓ 'mopalinski@seminole-electric.com'	
	✓ 'wmroddy@seminole-electric.com'	
	✓ Halpin, Mike	Read: 9/20/2007 3:05 PM
	✓ Zhang-Torres	
	Koerner, Jeff	
	✓ Adams, Patty	Read: 9/20/2007 3:16 PM
	✓ Gibson, Victoria	Read: 9/20/2007 3:04 PM

Dear Sir/Madam:

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

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<http://www.adobe.com/products/acrobat/readstep.html>.

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Thank you,

DEP, Bureau of Air Regulation

**Harvey, Mary**

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**From:** Mike Roddy [WMRoddy@seminole-electric.com]  
**Sent:** Thursday, September 20, 2007 3:51 PM  
**To:** Harvey, Mary  
**Subject:** Re: Letter - Michael Opalinski - Seminole ElectricCooperative, Inc.

This email is to acknowledge receipt of the attached document. Thanks, Mike Roddy

>>> "Harvey, Mary" <Mary.Harvey@dep.state.fl.us> 9/20/2007 3:02 PM >>>

Dear Sir/Madam:

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

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Thank you,

DEP, Bureau of Air Regulation

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10/2/2007

## Harvey, Mary

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**From:** Halpin, Mike  
**To:** Harvey, Mary  
**Sent:** Thursday, September 20, 2007 3:06 PM  
**Subject:** Read: Letter - Michael Opalinski - Seminole Electric Cooperative, Inc.

Your message

**To:** 'mopalinski@seminole-electric.com'; 'wmroddy@seminole-electric.com'; Halpin, Mike; Zhang-Torres  
**Cc:** Koerner, Jeff; Adams, Patty; Gibson, Victoria  
**Subject:** Letter - Michael Opalinski - Seminole Electric Cooperative, Inc.  
**Sent:** 9/20/2007 3:03 PM

was read on 9/20/2007 3:05 PM.

## Harvey, Mary

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**From:** Gibson, Victoria  
**To:** Harvey, Mary  
**Sent:** Thursday, September 20, 2007 3:04 PM  
**Subject:** Read: Letter - Michael Opalinski - Seminole Electric Cooperative, Inc.

Your message

**To:** 'mopalinski@seminole-electric.com'; 'wmroddy@seminole-electric.com'; Halpin, Mike; Zhang-Torres  
**Cc:** Koerner, Jeff; Adams, Patty; Gibson, Victoria  
**Subject:** Letter - Michael Opalinski - Seminole Electric Cooperative, Inc.  
**Sent:** 9/20/2007 3:03 PM

was read on 9/20/2007 3:04 PM.

## Harvey, Mary

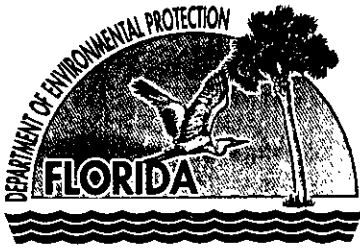
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**From:** Adams, Patty  
**To:** Harvey, Mary  
**Sent:** Thursday, September 20, 2007 3:16 PM  
**Subject:** Read: Letter - Michael Opalinski - Seminole Electric Cooperative, Inc.

### Your message

**To:** 'mopalinski@seminole-electric.com'; 'wmroddy@seminole-electric.com'; Halpin, Mike; Zhang-Torres  
**Cc:** Koerner, Jeff; Adams, Patty; Gibson, Victoria  
**Subject:** Letter - Michael Opalinski - Seminole Electric Cooperative, Inc.  
**Sent:** 9/20/2007 3:03 PM

was read on 9/20/2007 3:16 PM.



# Florida Department of Environmental Protection

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

Charlie Crist  
Governor

Jeff Kottkamp  
Lt. Governor

Michael W. Sole  
Secretary

September 20, 2007

*(Sent by Electronic Mail – Received Receipt Requested)*

Mr. Michael Opalinski, V.P. of Technical Services  
Seminole Electric Cooperative, Inc.  
P.O. Box 272000  
Tampa, FL 33688-2000

Re: Midulla Generating Station (formerly Payne Creek Generating Station)  
Combined Cycle Unit 1 – Rebuild of the Steam Turbine and Electrical Generator  
Exemption from the Requirement to Obtain an Air Construction Permit for Proposed Work

Dear Mr. Opalinski:

On September 10, 2007, we received your letter requesting an exemption from the requirement to obtain an air construction permit to replace the recently damaged steam turbine on combined cycle Unit 1 at the Midulla Generating Station. This is an existing power plant located in Hardee County at 6695 County Road 663, Bowling Green, Florida. Unit 1 experienced a major failure of the steam turbine low-pressure blading on April 14th, which resulted in severe vibration of the steam turbine and generator shaft. The failure caused a fire and severed lubricating oil lines to the generator, which fed the fire. The damage was limited to the steam turbine and enclosure, the generator and enclosure, and nearby equipment and buildings.

Combined cycle Unit 1 began commercial operation in 2001. The damaged steam turbine will be repaired or replaced with an identical unit. The electrical generator will be replaced with an identical unit except for the cooling system. The original generator was a direct air induction cooled generator, but the replacement generator will be a totally enclosed water-to-air cooled (TEWAC) unit. The replacement unit will require additional water for the heat exchanger. Nevertheless, replacement of the steam turbine and electrical generator will not increase the capacity of the unit, utilization of the unit or actual emissions.

**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 Department of Environmental Protection's Bureau of Air Regulation is the Permitting Authority responsible for making a determination for this project. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, Tallahassee, Florida 32301. The Permitting Authority's mailing address is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/488-0114.

**Determination:** The Department approves your request as described in your letter dated September 5, 2007. Pursuant to Rule 62.4.040(1)(b), F.A.C., the Department exempts the proposed work from the requirement to obtain an air construction permit. This determination may be revoked if the proposed activity is substantially modified or the basis for the exemption is determined to be materially incorrect. A copy of this letter shall be maintained at the site of the proposed activity. This permitting decision is made pursuant to Chapter 403, Florida Statutes.



## CASE-BY-CASE EXEMPTION

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**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, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by the applicant or any other parties must be filed within 21 days of receipt of this Written Notice of Exemption. A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Permitting Authority's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination; (c) A statement of when and how each petitioner received notice of the agency action or proposed decision; (d) A statement of all disputed issues of material fact; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action including an explanation of how the alleged facts relate to the specific rules or statutes; and, (g) A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the agency to take with respect to the agency's proposed action. A petition that does not dispute the material facts upon which the Permitting Authority's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Permitting Authority's final action may be different from the position taken by it in this Written Notice of Exemption. Persons whose substantial interests will be affected by any such final decision of the Permitting Authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

**Mediation:** Mediation is not available in this proceeding.

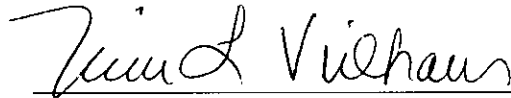
**Effective Date:** This permitting decision is final and effective on the date filed with the clerk of the Department unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition pursuant to Rule 62-110.106, F.A.C., and the petition conforms to the content requirements of Rules 28-106.201 and 28-106.301, F.A.C. Upon timely filing of a petition or a request for extension of time, this action will not be effective until further order of the Department.

**Appeal:** Any party to this permitting decision (order) has the right to seek judicial review of it under Section 120.68, F.S., by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department of Environmental Protection in the Office of General Counsel, Mail Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The notice must be filed within 30 days after this order is filed with the clerk of the Department.

CASE-BY-CASE EXEMPTION

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Executed in Tallahassee, Florida.



Trina Vielhauer, Chief  
Bureau of Air Regulation

The undersigned duly designated deputy agency clerk hereby certifies that this case-by-case exemption was sent by electronic mail with received receipt requested before the close of business on

9/20/07 to the persons listed below.

Mr. Michael Opalinski, SECI ([mopalinski@seminole-electric.com](mailto:mopalinski@seminole-electric.com))

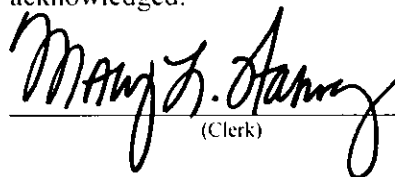
Mr. Mike Roddy, SECI ([wmroddy@seminole-electric.com](mailto:wmroddy@seminole-electric.com))

Mr. Mike Halpin, Siting Office ([Halpin\\_M@dep.state.fl.us](mailto:Halpin_M@dep.state.fl.us))

Ms. Cindy Zhang-Torres, SD Office ([Cindy.Zhang-Torres@dep.state.fl.us](mailto:Cindy.Zhang-Torres@dep.state.fl.us))

Clerk Stamp

**FILING AND ACKNOWLEDGMENT FILED**, on this date, pursuant to §120.52, Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

  
\_\_\_\_\_  
(Clerk)

9/20/07  
\_\_\_\_\_  
(Date)



RECEIVED

9/05/07

SEP 10 2007

BUREAU OF AIR REGULATION

Jeffrey F. Koerner  
FDEP-Division of Air Resources Management  
2600 Blair Stone Road  
MS # 5505  
Tallahassee, FL 32399-2400

Dear Mr. Koerner:

This letter is written in response to our recent phone conversation concerning the rebuild of our steam turbine at the Midulla Generating Station (formerly known as Payne Creek Generating Station). The rebuild is due to a major failure and fire that occurred in April of 2007, and Seminole is requesting confirmation from the Department that no permit is required for this like-kind rebuild.

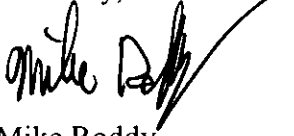
On April 14th at approximately 2034 eastern daylight savings time the steam turbine experienced a failure of the steam turbine low pressure blading that resulted in a severe vibration and movement of the steam turbine and generator shaft. A fire resulted that was exacerbated by the severing of the lubricating oil lines to the generator which allowed the oil to feed the fire. Damage was limited to the steam turbine, its enclosure, the generator and its enclosure, as well as damage to nearby equipment and buildings.

Clean up activities began the night of the incident within two hours after the fire was controlled. Oil contaminated soil and rock around the steam turbine generator pad were removed and disposed of through our Emergency Response Cleanup Contractor. Removal of damaged major equipment (steam turbine/generator) has been completed. Demolition of damaged concrete, steel etc will be performed in October 2007. Rebuild will commence in November 2007, with completion scheduled for May 2008.

The damaged steam turbine was a Siemens frame machine and will be repaired/replaced as required, with an identical machine. The electric generator will be replaced with an identical generator with the exception of the method of cooling. The original generator was a direct air induction cooled generator, whereas the replacement will be a Totally Enclosed Water to Air Cooled (TEWAC) unit. Additional cooling water will be required for the heat exchanger. Replacing the damaged steam turbine and generator will not result in an increase in the capacity or utilization of the unit, or increase actual emissions, as the steam turbine is not even an emission source (see attached Flow Diagram).

Thank you for your attention to this matter. As we discussed, Seminole understands, and requests confirmation from the Department that this rebuild project does not trigger any air permitting requirements. Please let me know if you have any further questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Roddy", with a long, sweeping flourish extending to the right.

Mike Roddy

Manager of Environmental Affairs