

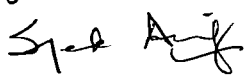


Memorandum

Florida Department of
Environmental Protection

TO: Michael G. Cooke

THRU: Trina Vielhauer 
Jeff Koerner 

FROM: Syed Arif  6/27

DATE: June 27, 2005

SUBJ: Seminole Electric Cooperative Incorporated
Payne Creek Generating Station
DEP File No. 0490340-004-AC; PSD-FL-214C

Attached for approval and signature is the final modification for the above referenced permit. The facility was required to do a combined public notice that included Title V Revision. No comments were received during the public notice period.

The permit modification is to include excess emissions provisions for startup, shutdown or malfunction for Emissions Units 1 and 2.

I recommend your approval and signature.

mike,
This allows additional time
for excess emissions due to startup &
shutdowns. We have done this at
other facilities.



FINAL DETERMINATION

**Seminole Electric Cooperative, Incorporated (SECI)
Payne Creek Generating Station
DEP File No. PSD-FL-214C / 0490340-004-AC**

An Intent to Issue a PSD Permit Modification for SECI, Payne Creek Generating Station, located near Bowling Green, Hardee County, Florida, was distributed on April 21, 2005. The Public Notice of Intent to Issue PSD Permit Modification was published in the Herald-Advocate on May 12, 2005. Copies of the draft permit modification were available for public inspection at the Department offices in Tampa and Tallahassee.

The Department received no comments from the public, the applicant, the EPA Region 4 office or the National Park Service.

The final action of the Department is to issue the construction permit as proposed.



Department of Environmental Protection

Jeb Bush
Governor

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

Colleen M. Castille
Secretary

July 5, 2005

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Michael P. Opalinski, Vice President of Technical Services
Seminole Electric Cooperative, Inc.
16313 North Dale Mabry Highway
Tampa, Florida 33688-2000

Re: Payne Creek Generating Station
Project No. 0490340-004-AC / PSD-FL 214C
Modification of Permit No. PSD-FL-214A, Unit's 1 and 2 Excess Emissions Conditions

Dear Mr. Opalinski:

On November 2, 2004, the Department received your request to make several changes to the PSD air construction permit 214A for Unit's 1 and 2. Based on your application, the Department makes the following determinations and modifies this permit accordingly.

MODIFICATION OF PERMIT NO. PSD-FL-214A (UNIT'S 1 AND 2)

Applicant Request: For a day with a cold startup, the applicant requests up to 6 hours of excess emissions from any Combustion Turbine (CT)/Heat Recovery Steam Generator (HRSG) units. Similarly, the applicant requests 2 hours of excess emissions per startup event and no more than three startup events in any 24-hour period from any CT/HRSG units resulting from a hot and warm startups. Additionally, applicant requests 2 hours of excess emissions per shutdown event and no more than three shutdown events in any 24-hour period from any CT/HRSG units.

Determination: The request is approved provided the applicant meets the following three provisions:

- NOx excess emissions data shall not be excluded from the annual NOx emissions cap. This is necessary to maintain an enforceable emissions cap.
- The permittee shall submit quarterly reports that identify the amount of NOx emission data excluded from compliance determination with the short-term limit due to startups, shutdowns, documented malfunctions and fuel switches.
- Excess emissions greater than 6 hours in any 24-hour period shall be reported to the Department's Southwest District Office within 24 hours.

Accordingly, the following revisions of Permit No. PSD-FL-214A will be made.

Revise Condition No. B.4 as follows:

"Excess emissions from a turbine resulting from startup, shutdown, malfunction, fuel switch or load change shall be reported in accordance with 40 CFR 60.334(c) and accepted 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 a longer duration~~ except for the following specific cases:

- a. For cold startups, excess emissions from any CT/heat recovery steam generator (HRSG) unit shall not exceed six hours in any 24-hour period. "Cold startup" is defined as a startup following a CT/HRSG shutdown of 48 hours or more.

"More Protection, Less Process"

Printed on recycled paper.

- b. For hot and warm startups, excess emissions from any CT/HRSO unit shall not exceed two hours per startup event, and no more than three startup events in any 24-hour period. "Hot and warm startup" is defined as a startup following a CT/HRSO shutdown of less than 48 hours.
- c. For shutdowns, excess emissions from any CT/HRSO unit shall not exceed two hours per shutdown event, and no more than three shutdown events in any 24-hour period.

All quality-assured hourly NOx emissions data shall be used when demonstrating compliance with the emissions cap. When monitoring data is not available, substitution for missing data shall be handled as required by Title IV (40 CFR 75).

New Condition Nos. E.5, E.6 and E.7 are added as follows:

5. The permittee shall notify the Department's Southwest District Office by telephone, facsimile transmittal or electronic mail within 24 hours if the NOx excess emissions exceed six hours in any 24-hour period.
[Applicant Request]
6. The permittee shall include the NOx excess emissions data in determining compliance with the annual facility-wide emission cap of 906 tpy.
[Rule 62-4.070(3), F.A.C.]
7. Quarterly NOx Monitoring Report. Within 30 days following each calendar quarter, the permittee shall submit a report to the Department's Southwest District Office that summarizes the following information for the quarter.
 - a. Identify the hours of NOx emission data excluded from compliance determination with the short-term limit due to each of the following: startups, shutdowns, documented malfunctions and fuel switches.
 - b. For each malfunction, identify the: date; approximate time range; duration (hours) of the malfunction; NOx emission levels during the malfunction; problem and cause of the problem (if known); and corrective action taken (if any).
 - c. Identify the hours of NOx monitoring system down time due to each of the following: monitor malfunctions; non-monitor malfunctions; quality assurance calibrations; other known causes; and unknown causes. Identify the monitor availability.
[Rules 62-4.070(3), 62-4.130, 62-4.160(14)(b), and Rule 62-210.700(6), F.A.C.]

Details of the Department's review are available in the Technical Evaluation and Preliminary Determination that accompanied the Draft Permit modification package. This permit modification is issued pursuant to Chapter 403 of the Florida Statutes. Attached are copies of air construction permit No. PSD-FL-214A. A copy of this letter shall be filed with the referenced permit and shall become part of the permit.

Any party to this order (permit modification) has the right to seek judicial review of it under Section 120.68 of the Florida Statutes 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 thirty (30) days after this order is filed with the clerk of the Department.

Sincerely,



Michael G. Cooke, Director
Division of Air Resource Management

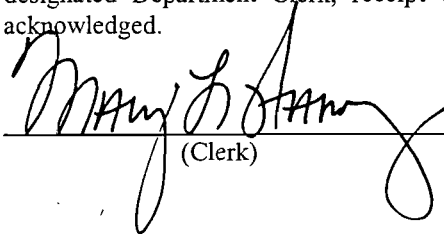
CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Notice of Final Permit Modification was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on 7/5/05 to the persons listed:

Mr. Michael P. Opalinski, Seminole Electric Cooperative, Inc.*
Mr. Tom Davis, P.E., Environmental Consulting & Technology, Inc.
Mr. Joel Smolen, DEP-SWD
Mr. Gregg Worley, EPA Region 4

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)

7/5/05

Date)

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

7001 0320 0001 3692 2763

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	

Postmark
Here

Mr. Michael Opalinski, Vice President
 of Technical Services
 Seminole Electric Cooperative, Inc.
 Payne Creek Generating Station
 16313 North Dale Mabry Highway
 Tampa, Florida 33688-2000

PS Form 3811, January 2004 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Michael Opalinski, Vice President
 of Technical Services
 Seminole Electric Cooperative, Inc.
 Payne Creek Generating Station
 16313 North Dale Mabry Highway
 Tampa, Florida 33688-2000

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X *[Signature]* Agent Addressee

B. Received by (Printed Name) C. Date of Delivery
 _____ 2/2/06

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number (Transfer from service label) 7001 0320 0001 3692 2763

AFFIDAVIT OF PUBLICATION
The Herald-Advocate
Published Weekly at Wauchula, Florida

RECEIVED

MAY 23 2005

STATE OF FLORIDA,
COUNTY OF HARDEE

Before the undersigned authority personally appeared Denise Moya BUREAU OF AIR REGULATION
who on oath says he is the bookkeeper of The Herald-Advocate, a
newspaper published at Wauchula, in Hardee County, Florida; that the attached copy of advertise-
ment, being a Public Notice of Intent
in the matter of Sevinde Electric Cooperative
in the _____ Court, was published in said newspaper in the issues
of May 12, 2005

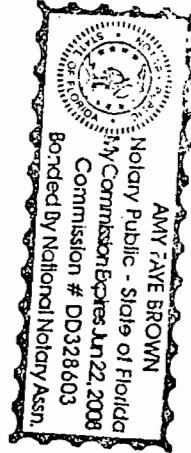
Affiant further says that the said Herald-Advocate is a newspaper published at Wauchula, in said Hardee County, Florida, and that the said newspaper has heretofore been continuously published in said Hardee County, Florida, each week and has been entered as second class mail matter at the post office in Wauchula, in said Hardee County, Florida, for a period of one year next preceding the publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Denise Moya

Sworn to and subscribed before me this 12 day of May
A.D. 2005

Amy Jaye Brown
Notary Public
My Commission Expires June 22, 2008

My Commission Expires _____



Applicant: The applicant
Mabry Highway, Tampa, FL
Opalinski, Vice President of

Facility Location: The app
County Road 663, Bowling C

Project: The applicant subm
Title V Air Operation Permit
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Details of the project are prov
Determination".

Permitting Authority: App
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Permitting Authority's phys
Air Regulation, 111 South M
Authority's mailing address
Tallahassee, Florida 32399-
850/488-0114 and facsimile

Project File: A complete p
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the Permitting Authority. T
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applicant, exclusive of confic
DRAFT Title V Air Operat
website: <http://www.dep.st>
at the Florida Department of
Tampa, Florida 33619-1352

Notice of Intent to Issue A
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62-297, F.A.C. The Permit
Air Operation Permit Revis
with the conditions of the
Revision unless a response
or a significant change of t

Comments: The Permittit
Permit for a period of four
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Department's official wet

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MAY 23 2005

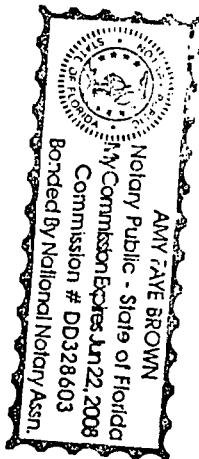
BUREAU OF AIR REGULATION

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AND A TITLE V AIR OPERATION PERMIT REVISION
STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

DRAFT Air Construction Permit No. 0490340-004-AC
DRAFT Title V Air Operation Permit Revision No. 0490340-005-AV
Payne Creek Generating Station
Hardee County

Applicant: The applicant for this project is Seminole Electric Cooperative, Inc., 16313 North Dale Mabry Highway, Tampa, Florida 33688-2000. The applicant's responsible official is Mr. Michael P. Opalinski, Vice President of Technical Services.

Facility Location: The applicant operates a nominal 488 MW Power Plant, which is located at 6697 County Road 663, Bowling Green, Hardee County, Florida.

Project: The applicant submitted to the Permitting Authority for an Air Construction Permit modification and Title V Air Operation Permit revision. Air Construction Permit Project No. 0490340-004-AC involves the modification of air construction permit No. PSD-FL-214A for the combined cycle gas turbines. The applicant requested increase in authorized periods of excess emissions to 6 hours per day for cold startups; and increase authorized periods of excess emissions to 2 hours per startup event and no more than three startup events in a day for hot and warm startups. Additionally, the applicant requested increase in authorized excess emissions to 2 hours per shutdown event and no more than three shutdown events in a day. Lastly, the applicant requested a concurrent revision of Title V Air Operation Permit No. 0490340-002-AV to incorporate the above request. The revision will be issued as DRAFT Title V Air Operation Permit No. 0490340-005-AV.

Details of the project are provided in the application and the enclosed "Technical Evaluation and Preliminary Determination".

Permitting Authority: Applications for an Air Construction Permit modification and a Title V major source air operation permit revision are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, 62-213 and 62-214 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from construction and Title V permitting procedures and an Air Construction Permit modification and Title V Air Operation Permit revision are required to modify or continue operations at the facility. The Department of Environmental Protection, Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination regarding this project. The Permitting Authority's physical address is: Florida Department of Environmental Protection, Bureau of Air Regulation, 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301. The Permitting Authority's mailing address is: Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Mail Station #5505. The Permitting Authority's telephone number is 850/488-0114 and facsimile number is 850/922-6979.

Project File: A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at address indicated above for the Permitting Authority. The complete project file includes the DRAFT Permits, the Statement of Basis, the application, the Technical Evaluation and Preliminary Determination and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may view the DRAFT Title V Air Operation Permit revision and file electronic comments by visiting the following website: <http://www.dep.state.fl.us/air/eproducts/ards/>. A copy of the complete project file is also available at the Florida Department of Environmental Protection, Southwest District Office, 3804 Coconut Palm Drive, Tampa, Florida 33619-1352. Telephone: 813/744-6100.

Notice of Intent to Issue Air Permit: The Permitting Authority gives notice of its intent to issue a permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of the facility will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-214, 62-256, 62-257, 62-281, 62-296, and 62-297, F.A.C. The Permitting Authority will issue the Air Construction Permit and the PROPOSED Title V Air Operation Permit Revision and subsequent FINAL Title V Air Operation Permit Revision in accordance with the conditions of the DRAFT Air Construction Permit and the DRAFT Title V Air Operation Permit Revision unless a response received in accordance with the following procedures results in a different decision or a significant change of terms or conditions.

Comments: The Permitting Authority will accept written comments concerning the DRAFT Air Construction Permit for a period of fourteen (14) days and will accept written comments concerning the DRAFT Title V Air Operation Permit Revision for a period of thirty (30) days from the date of publication of this Public Notice. Written comments must be post-marked, and all e-mail or facsimile comments must be received by the close of business (5 pm), on or before the end of this 14 or 30-day period by the Permitting Authority at the above address, email or facsimile. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location on the Department's official web site for notices at <http://tlhora6.dep.state.fl.us/onw> and in a newspaper of general circulation in the area affected by the permitting action. For additional information, contact the Permitting Authority at the above address or above number.

interested party has a significant interest in a public meeting, it will publish notice of the time, date, and location on the Department's official web site for notices at <http://tlhora6.dep.state.fl.us/onw> and in a newspaper of general circulation in the area affected by the permitting action. For additional information, contact the Permitting Authority at the above address or phone number. If written comments or comments received at a public meeting result in a significant change to the DRAFT Air Construction Permit or the DRAFT Title V Air Operation Permit Revision, the Permitting Authority shall issue a Revised DRAFT Air Construction Permit or a Revised DRAFT Title V Air Operation Permit Revision and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

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 of the parties listed below must be filed within fourteen (14) days of receipt of this Written Notice of Intent to Issue Air Construction Permit and Title V Air Operation Permit Revision. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within fourteen (14) days of publication of the attached Public Notice or within fourteen (14) days of receipt of this Written Notice of Intent to Issue Air Construction Permit and Title V Air Operation Permit Revision, 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 fourteen (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 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 how and when each petitioner received notice of the agency action or proposed action; (d) A statement of all disputed issues of material fact. If there are more than one, the petition must so state; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; 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 Intent to Issue Air Construction Permit and Title V Air Operation Permit Revision. 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.

Objections: Finally, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within sixty (60) days of the expiration of the Administrator's 45 (forty-five) day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to the issuance of any Title V air operation permit revision. Any petition shall be based only on objections to the Permit that were raised with reasonable specificity during the thirty (30) day public comment period provided in the Public Notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460. For more information regarding EPA review and objections, visit EPA's Region 4 web site at <http://www.epa.gov/region4/air/permits/Florida.htm>.

HIGHLANDS TODAY & THE TAMPA TRIBUNE
Published Daily
Sebring, Highlands County, Florida

State of Florida }
County of Highlands } ss.

Before the undersigned authority personally appeared C. Offner, who on oath says that she is Advertising Billing Supervisor of Highlands Today & The Tampa Tribune, daily newspapers published at Sebring in Highlands County, Florida; that the attached copy of advertisement being a

LEGAL NOTICE HIGHLANDS TODAY

in the matter of PUBLIC NOTICE OF INTENT

was published in said newspaper in the issues of
MAY 6, 2005

Affiant further says that the said Highlands Today & The Tampa Tribune are newspapers published at Sebring in said Highlands County, Florida, and the said newspapers have heretofore been continuously published in said Highlands County, Florida, each day and have been entered as second class mail matter at the post office in Sebring, in said Highlands County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, this advertisement for publication in the said newspaper.

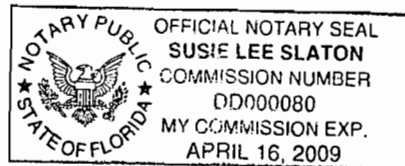
C. Offner

Sworn to and subscribed by me, this 06 day
of MAY, A.D. 20 05

Personally Known or Produced Identification _____
Type of Identification Produced _____

(SEAL)

Susie Lee Slaton



RECEIVED

MAY 20 2005

BUREAU OF AIR REGULATION

in oath says
Tribune, daily
ached copy

PUBLIC NOTICE OF INTENT
TO ISSUE AN AIR
CONSTRUCTION PERMIT
AND A TITLE V AIR
OPERATION PERMIT
REVISION

STATE OF FLORIDA
DEPARTMENT OF
ENVIRONMENTAL
PROTECTION
DRAFT Air Construction
Permit No. 0490340-004-AC
DRAFT Title V Air Operation
Permit Revision No.
0490340-005-AV Payne
Creek Generating Station
Hardee County

Applicant: The applicant for this project is Seminole Electric Cooperative, Inc., 16313 North Dale Mabry Highway, Tampa, Florida 33688-2000. The applicant's responsible official is Mr. Michael P. Opalinski, Vice President of Technical Services.

Facility Location: The applicant operates a nominal 488 MW Power Plant, which is located at 6697 County Road 663, Bowling Green, Hardee County, Florida.

Project: The applicant submitted to the Permitting Authority for an Air Construction Permit modification and Title V Air Operation Permit revision. Air Construction Permit Project No. 0490340-004-AC involves the modification of air construction permit No. PSD-FL-214A for the combined cycle gas turbines. The applicant requested increase in authorized periods of excess emissions to 6 hours per day for cold startups; and increase authorized periods of excess emissions to 2 hours per startup event and no more than three startup events in a day for hot and warm startups. Additionally, the applicant requested increase in authorized excess emissions to 2 hours per shutdown event and no more than three shutdown events in a day. Lastly, the applicant requested a concurrent revision of Title V Air Operation Permit No. 0490340-002-AV to incorporate the above request. The revision will be issued as DRAFT Title V Air Operation Permit No. 0490340-005-AV. Details of the project are provided in the application and the enclosed "Technical Evaluation and Preliminary Determination".

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Permitting Authority: Applications for an Air Construction Permit modification and a Title V major source air operation permit revision are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, 62-213 and 62-214 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from construction and Title V permitting procedures and an Air Construction Permit modification and Title V Air Operation Permit revision are required to modify or continue operations at the facility. The Department of Environmental Protection, Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination regarding this project. The Permitting Authority's physical address is: Florida Department of Environmental Protection, Bureau of Air Regulation, 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301. The Permitting Authority's mailing address is: Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, Mail Station #5505. The Permitting Authority's telephone number is 850/489-0114 and facsimile number is 850/922-6979.

Project File: A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at address indicated above for the Permitting Authority. The complete project file includes the DRAFT Permits, the Statement of Basis, the application, the

Technical Evaluation and Preliminary Determination and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may view the DRAFT Title V Air Operation Permit revision and file electronic comments by visiting the following website: www.dep.state.fl.us/air/eproducts/ards/. A copy of the complete project file is also available at the Florida Department of Environmental Protection, Southwest District Office, 3804 Coconut Palm Drive, Tampa, Florida 33619-1352. Telephone: 813/744-6100.

Notice of Intent to Issue Air Permit: The Permitting Authority gives notice of its intent to issue a permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of the facility will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-214, 62-256, 62-257, 62-281, 62-296, and 62-297, F.A.C. The Permitting Authority will issue the Air Construction Permit and the PROPOSED Title V Air Operation Permit Revision and subsequent FINAL Title V Air Operation Permit Revision in accordance with the conditions of the DRAFT Air Construction Permit and the DRAFT Title V Air Operation Permit Revision unless a response received in accordance with the following procedures results in a different decision or a significant change of terms or conditions.

Comments: The Permitting Authority will accept written comments concerning the DRAFT Air Construction Permit for a period of fourteen (14) days and will accept written comments concerning the DRAFT Title V Air Operation Permit Revision for a period of thirty (30) days from the date of publication of this Public Notice. Written comments must be post-marked, and all e-mail or facsimile comments must be received by the close of business (5 pm), on or before the end of this 14 or 30-day period by the Permitting Authority at the above address, email or facsimile. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location on the Department's official web site for notices at www.tlhora6.dep.state.fl.us/onw and in a newspaper of general circulation in the area affected by the permitting action. For additional information, contact the Permitting Authority at the above address or phone number. If written comments or comments received at a public meeting result in a significant change to the DRAFT Air Construction Permit or the DRAFT Title V Air Operation Permit Revision, the Permitting Authority shall issue a Revised DRAFT Air Construction Permit or a Revised DRAFT Title V Air Operation Permit Revision and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

Petitions: A person

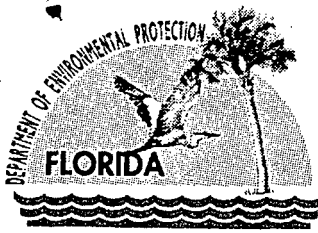
whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed with (received by) the Department's Agency Clerk in 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 of the parties listed below must be filed within fourteen (14) days of receipt of this Written Notice of Intent to Issue Air Construction Permit and Title V Air Operation Permit Revision. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within fourteen (14) days of publication of the attached Public Notice or within fourteen (14) days of receipt of this Written Notice of Intent to Issue Air Construction Permit and Title V Air Operation Permit Revision, 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 fourteen (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 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 how and when each petitioner received notice of the agency action or proposed action; (d) A statement of all disputed issues of material fact. If there are none, the petition must so state; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; 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 Intent to Issue Air Construction Permit and Title V Air Operation Permit Revision. 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.

Objections: Finally, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within sixty (60) days of the expiration of the Administrator's 45 (forty-five) day review period as established at 42 U.S.C. Section 7661d(b)(1) to object to the issuance of any Title V air operation permit revision. Any petition shall be based only on objections to the Permit that were raised with reasonable specificity during the thirty (30) day public comment period provided in the Public Notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460. For more information regarding EPA review and objections, visit EPA's Region 4 web site at www.epa.gov/region4/air/permits/Florida.htm

AD#51900
SB7714 05/06/2005



Jeb Bush
Governor

Department of Environmental Protection

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

Colleen M. Castille
Secretary

April 19, 2005

Mr. Michael P. Opalinski
Vice President of Technical Services
Seminole Electric Cooperative, Inc.
16313 North Dale Mabry Highway
Tampa, Florida 33688-2000

Re: Payne Creek Generating Station
DRAFT Air Construction Project No. 0490340-004-AC / PSD-FL-214C
{Modification of Permit No. PSD-FL-214A}
DRAFT Title V Air Operation Permit Revision Project No. 0490340-005-AV
{Revision to Title V Air Operation Permit No. 0490340-002-AV}

Dear Mr. Opalinski:

On November 2, 2004, you submitted an application for an Air Construction Permit Modification and Title V Air Operation Permit Revision for the Payne Creek Generating Station located at 6697 County Road 663 in Bowling Green, Hardee County. Enclosed are the following documents: "Technical Evaluation and Preliminary Determination", "DRAFT Air Construction Permit Modification", "DRAFT Title V Air Operation Permit Revision", "Statement of Basis", and "Public Notice of Intent to Issue Air Construction Permit Modification and Title V Air Operation Permit Revision".

The "Technical Evaluation and Preliminary Determination" summarizes the Permitting Authority's technical review of the application and provides the rationale for making the preliminary determination to issue a DRAFT Construction Permit Modification. The proposed "DRAFT Air Construction Permit Modification and DRAFT Title V Air Operation Permit Revision" includes specific conditions that regulate the emissions units at this facility. The "Written Notice of Intent to Issue an Air Construction Permit Modification and a Title V Air Operation Permit Revision" provides important information regarding: the Permitting Authority's intent to issue a Title V air operation permit revision and air construction permit modification (DRAFT Permit); the requirements for publishing a Public Notice of the Permitting Authority's intent to issue the DRAFT Permit; the procedures for submitting comments on the DRAFT Permit; the requirements for requesting a public meeting; the requirements for filing a petition for an administrative hearing; and the availability of mediation. The "Public Notice of Intent to Issue an Air Construction Permit Modification and a Title V Air Operation Permit Revision" is the actual notice that you must publish in the legal advertisement section of a newspaper of general circulation in the area affected by this project.

If you have any questions, please contact the Project Engineer, Syed Arif, at 850-921-9528.

Sincerely,

Trina L. Vielhauer, Chief
Bureau of Air Regulation

Enclosures

"More Protection, Less Process"

Printed on recycled paper.

**WRITTEN NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT
AND A TITLE V AIR OPERATION PERMIT REVISION**

*In the Matter of an
Application for Permits by:*

Mr. Michael P. Opalinski, V.P. of Technical Services
Seminole Electric Cooperative, Inc.
16313 North Dale Mabry Highway
Tampa, Florida 33688-2000

Air Construction Permit Project No. **0490340-004-AC**
DRAFT Title V Permit Revision No. **0490340-005-AV**
Payne Creek Generating Station
Hardee County, Florida

Facility Location: The applicant requests an Air Construction Permit modification and Title V Air Operation Permit revision for the Payne Creek Generating Station located at 6697 County Road 663 in Bowling Green, Hardee County, Florida.

Project: On November 2, 2004, the applicant applied to the Permitting Authority for an Air Construction Permit modification and Title V Air Operation Permit revision. Air Construction Permit Project No. 0490340-004-AC involves the modification of air construction permit No. PSD-FL-214A for the combined cycle gas turbines. The applicant requested increase in authorized periods of excess emissions to 6 hours per day for cold startups; and increase authorized periods of excess emissions to 2 hours per startup event and no more than three startup events in a day for hot and warm startups. Additionally, the applicant requested increase in authorized periods of excess emissions to 2 hours per shutdown event and no more than three shutdown events in a day. Lastly, the applicant requested a concurrent revision of Title V Air Operation Permit No. 0490340-002-AV to incorporate the above request. The revision will be issued as DRAFT Title V Air Operation Permit No. 0490340-005-AV.

Details of the project are provided in the application and the enclosed "Technical Evaluation and Preliminary Determination".

Permitting Authority: Applications for an Air Construction Permit modification and a Title V Air Operation Permit revision are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, and 62-213 and 62-214, Florida Administrative Code (F.A.C.). The proposed project is not exempt from construction and Title V permitting procedures and an Air Construction Permit modification and Title V Air Operation Permit revision are required to modify or continue operations at the facility. The Department of Environmental Protection, Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination regarding this project. The Permitting Authority's physical address is: Florida Department of Environmental Protection, Bureau of Air Regulation, 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301. The Permitting Authority's mailing address is: Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Mail Station #5505. The Permitting Authority's telephone number is 850/488-0114 and facsimile number is 850/922-6979.

Project File: A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at the address indicated above for the Permitting Authority. The complete project file includes the DRAFT Permits, the Statement of Basis, the application, the Technical Evaluation and Preliminary Determination and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may view the DRAFT Title V Air Operation Permit revision and file electronic comments by visiting the following website: <http://www.dep.state.fl.us/air/eproducts/ards/>. A copy of the complete project file is also available at the Florida Department of Environmental Protection, Southwest District Office, 3804 Coconut Palm Drive, Tampa, Florida 33619-1352. Telephone: 813/744-6100.

Notice of Intent to Issue Air Permit: The Permitting Authority gives notice of its intent to issue a permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of the facility will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-214, 62-256, 62-257, 62-281, 62-296, and

Seminole Electric Cooperative, Inc.
Payne Creek Generating Station

Air Construction Permit No. **0490340-004-AC**
DRAFT Title V Permit Revision No. **0490340-005-AV**

**WRITTEN NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT
AND A TITLE V AIR OPERATION PERMIT REVISION**

62-297, F.A.C. The Permitting Authority will issue the Air Construction Permit and the PROPOSED Title V Air Operation Permit Revision and subsequent FINAL Title V Air Operation Permit Revision in accordance with the conditions of the DRAFT Air Construction Permit and the DRAFT Title V Air Operation Permit Revision unless a response received in accordance with the following procedures results in a different decision or a significant change of terms or conditions.

Public Notice: Pursuant to Section 403.815, F.S. and Rules 62-110.106 and 62-210.350, F.A.C., you (the applicant) are required to publish at your own expense the enclosed "Public Notice of Intent to Issue Air Construction Permit Modification and Title V Air Operation Permit Revision" (Public Notice). The Public Notice shall be published one time only as soon as possible in the legal advertisement section of a newspaper of general circulation in the area affected by this project. The newspaper used must meet the requirements of Sections 50.011 and 50.031, F.S. in the county where the activity is to take place. If you are uncertain that a newspaper meets these requirements, please contact the Permitting Authority at above address or phone number. Pursuant to Rule 62-110.106(5), F.A.C., the applicant shall provide proof of publication to the Permitting Authority at the above address within seven (7) days of publication. Failure to publish the notice and provide proof of publication may result in the denial of the permit pursuant to Rule 62-110.106(11), F.A.C.

Comments: The Permitting Authority will accept written comments concerning the DRAFT Air Construction Permit for a period of fourteen (14) days and will accept written comments concerning the DRAFT Title V Air Operation Permit Revision for a period of thirty (30) days from the date of publication of this Public Notice. Written comments must be post-marked, and all e-mail or facsimile comments must be received by the close of business (5 pm), on or before the end of this 14 or 30-day period by the Permitting Authority at the above address, email or facsimile. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location on the Department's official web site for notices at <http://tlhora6.dep.state.fl.us/onw> and in a newspaper of general circulation in the area affected by the permitting action. For additional information, contact the Permitting Authority at the above address or phone number. If written comments or comments received at a public meeting result in a significant change to the DRAFT Air Construction Permit or the DRAFT Title V Air Operation Permit Revision, the Permitting Authority shall issue a Revised DRAFT Air Construction Permit or a Revised DRAFT Title V Air Operation Permit Revision and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

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 of the parties listed below must be filed within fourteen (14) days of receipt of this Written Notice of Intent to Issue Air Construction Permit and Title V Air Operation Permit Revision. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within fourteen (14) days of publication of the attached Public Notice or within fourteen (14) days of receipt of this Written Notice of Intent to Issue Air Construction Permit and Title V Air Operation Permit Revision, 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 fourteen (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 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.

**Seminole Electric Cooperative, Inc.
Payne Creek Generating Station**

**Air Construction Permit No. 0490340-004-AC
DRAFT Title V Permit Revision No. 0490340-005-AV**

**WRITTEN NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT
AND A TITLE V AIR OPERATION PERMIT REVISION**

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 how and when each petitioner received notice of the agency action or proposed action; (d) A statement of all disputed issues of material fact. If there are none, the petition must so state; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; 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 Intent to Issue Air Construction Permit and Title V Air Operation Permit Revision. 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.

Objections: Finally, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within sixty (60) days of the expiration of the Administrator's 45 (forty-five) day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to the issuance of any Title V air operation permit revision. Any petition shall be based only on objections to the Permit that were raised with reasonable specificity during the thirty (30) day public comment period provided in the Public Notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460. For more information regarding EPA review and objections, visit EPA's Region 4 web site at <http://www.epa.gov/region4/air/permits/Florida.htm>.

Executed in Tallahassee, Florida.



Trina L. Vielhauer, Chief
Bureau of Air Regulation

WRITTEN NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT
AND A TITLE V AIR OPERATION PERMIT REVISION

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this "Written Notice of Intent to Issue Air Construction Permit and Title V Air Operation Permit Revision" package (including the Public Notice, the Technical Evaluation and Preliminary Determination, the Statement of Basis, and the Draft Permit) was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on 4/21/05 to the persons listed below.

Mr. Michael P. Opalinski, Seminole Electric Cooperative, Inc.*
Mr. Tom Davis, P.E., ECT, Inc. (tdavis@ectinc.com)
Mr. Jerry Kissel, DEP-SWD
U. S. EPA Region 4

Clerk Stamp

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

Barbara J. Friday 4/21/05
(Clerk) (Date)

**PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT
AND A TITLE V AIR OPERATION PERMIT REVISION**

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

DRAFT Air Construction Permit No. **0490340-004-AC**
DRAFT Title V Air Operation Permit Revision No. **0490340-005-AV**
Payne Creek Generating Station
Hardee County

Applicant: The applicant for this project is Seminole Electric Cooperative, Inc., 16313 North Dale Mabry Highway, Tampa, Florida 33688-2000. The applicant's responsible official is Mr. Michael P. Opalinski, Vice President of Technical Services.

Facility Location: The applicant operates a nominal 488 MW Power Plant, which is located at 6697 County Road 663, Bowling Green, Hardee County, Florida.

Project: The applicant submitted to the Permitting Authority for an Air Construction Permit modification and Title V Air Operation Permit revision. Air Construction Permit Project No. 0490340-004-AC involves the modification of air construction permit No. PSD-FL-214A for the combined cycle gas turbines. The applicant requested increase in authorized periods of excess emissions to 6 hours per day for cold startups; and increase authorized periods of excess emissions to 2 hours per startup event and no more than three startup events in a day for hot and warm startups. Additionally, the applicant requested increase in authorized excess emissions to 2 hours per shutdown event and no more than three shutdown events in a day. Lastly, the applicant requested a concurrent revision of Title V Air Operation Permit No. 0490340-002-AV to incorporate the above request. The revision will be issued as DRAFT Title V Air Operation Permit No. 0490340-005-AV.

Details of the project are provided in the application and the enclosed "Technical Evaluation and Preliminary Determination".

Permitting Authority: Applications for an Air Construction Permit modification and a Title V major source air operation permit revision are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, 62-213 and 62-214 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from construction and Title V permitting procedures and an Air Construction Permit modification and Title V Air Operation Permit revision are required to modify or continue operations at the facility. The Department of Environmental Protection, Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination regarding this project. The Permitting Authority's physical address is: Florida Department of Environmental Protection, Bureau of Air Regulation, 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301. The Permitting Authority's mailing address is: Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Mail Station #5505. The Permitting Authority's telephone number is 850/488-0114 and facsimile number is 850/922-6979.

Project File: A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at address indicated above for the Permitting Authority. The complete project file includes the DRAFT Permits, the Statement of Basis, the application, the Technical Evaluation and Preliminary Determination and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may view the DRAFT Title V Air Operation Permit revision and file electronic comments by visiting the following website: <http://www.dep.state.fl.us/air/eproducts/ards/>. A copy of the complete project file is also available at the Florida Department of Environmental Protection, Southwest District Office, 3804 Coconut Palm Drive, Tampa, Florida 33619-1352. Telephone: 813/744-6100.

Notice of Intent to Issue Air Permit: The Permitting Authority gives notice of its intent to issue a permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of the facility will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-214, 62-256, 62-257, 62-281, 62-296, and 62-297, F.A.C. The Permitting Authority will issue the Air Construction Permit and the PROPOSED Title V

(Public Notice to be Published in the Newspaper)

**PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT
AND A TITLE V AIR OPERATION PERMIT REVISION**

Air Operation Permit Revision and subsequent FINAL Title V Air Operation Permit Revision in accordance with the conditions of the DRAFT Air Construction Permit and the DRAFT Title V Air Operation Permit Revision unless a response received in accordance with the following procedures results in a different decision or a significant change of terms or conditions.

Comments: The Permitting Authority will accept written comments concerning the DRAFT Air Construction Permit for a period of fourteen (14) days and will accept written comments concerning the DRAFT Title V Air Operation Permit Revision for a period of thirty (30) days from the date of publication of this Public Notice. Written comments must be post-marked, and all e-mail or facsimile comments must be received by the close of business (5 pm), on or before the end of this 14 or 30-day period by the Permitting Authority at the above address, email or facsimile. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location on the Department's official web site for notices at <http://tlhora6.dep.state.fl.us/onw> and in a newspaper of general circulation in the area affected by the permitting action. For additional information, contact the Permitting Authority at the above address or phone number. If written comments or comments received at a public meeting result in a significant change to the DRAFT Air Construction Permit or the DRAFT Title V Air Operation Permit Revision, the Permitting Authority shall issue a Revised DRAFT Air Construction Permit or a Revised DRAFT Title V Air Operation Permit Revision and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

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 of the parties listed below must be filed within fourteen (14) days of receipt of this Written Notice of Intent to Issue Air Construction Permit and Title V Air Operation Permit Revision. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within fourteen (14) days of publication of the attached Public Notice or within fourteen (14) days of receipt of this Written Notice of Intent to Issue Air Construction Permit and Title V Air Operation Permit Revision, 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 fourteen (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 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 how and when each petitioner received notice of the agency action or proposed action; (d) A statement of all disputed issues of material fact. If there are none, the petition must so state; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; 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.

(Public Notice to be Published in the Newspaper)

**PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT
AND A TITLE V AIR OPERATION PERMIT REVISION**

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 Intent to Issue Air Construction Permit and Title V Air Operation Permit Revision. 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.

Objections: Finally, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within sixty (60) days of the expiration of the Administrator's 45 (forty-five) day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to the issuance of any Title V air operation permit revision. Any petition shall be based only on objections to the Permit that were raised with reasonable specificity during the thirty (30) day public comment period provided in the Public Notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460. For more information regarding EPA review and objections, visit EPA's Region 4 web site at <http://www.epa.gov/region4/air/permits/Florida.htm>.

**TECHNICAL EVALUATION
&
PRELIMINARY DETERMINATION**

PROJECT

Permit Project No. 0490340-004-AC
Modification of Air Permit No. PSD-FL-214A

Permit Project No. 0490340-005-AV
Revision of Title V Air Operation Permit No. 0490340-002-AV

COUNTY

Hardee

APPLICANT

Seminole Electric Cooperative, Incorporated
Payne Creek Generating Station
ARMS Facility ID No. 0490340

**PERMITTING
AUTHORITY**

Florida Department of Environmental Protection
Division of Air Resources Management
Bureau of Air Regulation
North Permitting Section



April 7, 2005

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

1. GENERAL INFORMATION

Applicant Name and Address

Seminole Electric Cooperative, Inc.
16313 North Dale Mabry Highway
Tampa, Florida 33688-2000

Authorized Representative/Responsible Official:

Mr. Michael P. Opalinski, Vice President of Technical Services

Processing Schedule

11/02/04 Received application
02/02/05 Received waiver through facsimile for the processing time requirements of a construction permit

Facility Description and Location

SECI operates Payne Creek Generating Station (SIC No. 4911) located at 6697 County Road 663 in Bowling Green, Hardee County, Florida. The UTM coordinates are Zone 17, 405.049 km East, and 3057.712 km North (Latitude: 27° 38' 30" North and Longitude: 81° 57' 45" West). This is an area that is in attainment (or designated as unclassifiable) for all air pollutants subject to the Florida and National Ambient Air Quality Standards (NAAQS).

Regulatory Categories

Title III: Based on the Title V permit, the facility is a synthetic minor source of hazardous air pollutants (HAP).

Title IV: The facility operates emissions units subject to the acid rain provisions of the Clean Air Act.

Title V: The facility is a Title V major source of air pollution because potential emissions of at least one regulated pollutant exceed 100 tons per year. Regulated pollutants include pollutants such as carbon monoxide (CO), nitrogen oxides (NO_x), particulate matter (PM/PM₁₀), sulfur dioxide (SO₂), and volatile organic compounds (VOC).

PSD: The existing facility is located in an area currently designated as "attainment" or "unclassifiable" for each pollutant subject to a National Ambient Air Quality Standard. The plant is considered a "fossil fuel fired steam electric plant of more than 250 million BTU per hour of heat input", which is one of the 28 PSD source categories with the lower PSD applicability threshold of 100 tons per year. Potential emissions of at least one regulated pollutant exceed 100 tons per year. Therefore, the facility is classified as a major source of air pollution with respect to Rule 62-212.400, F.A.C., the Prevention of Significant Deterioration (PSD) of Air Quality.

NSPS: The facility operates units subject to the New Source Performance Standards of 40 CFR 60 (Subpart GG for the gas turbines.).

2. PROJECT DESCRIPTION

Seminole Electric Cooperative, Inc. (SECI) submitted an application on November 2, 2004 requesting revision to the excess emissions provisions of Title V Permit No. 0490340-002-AV and air construction permit PSD-FL-214A. SECI operates two Siemens Westinghouse combined-cycle combustion turbines (CT) at its Payne Creek Generating Station located in Bowling Green, Hardee County. Additionally, SECI submitted on February 2, 2005, a waiver on the processing time requirements of the air construction permit to accommodate the processing time frames of the Title V air operation permit.

The Payne Creek Generating Station CT/heat recovery steam generators (HRSG) units are each equipped with selective catalytic reduction (SCR) and oxidation catalyst (CatOx) control systems to reduce emissions of NO_x and CO/VOC, respectively. The Department's Title V permit includes NO_x, CO and VOC emission limits, both

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

in concentration (ppmvd) and mass (lb/hr) that reflect the performance of these control technologies.

Both catalytic control technologies (i.e., SCR and CatOx) have temperature constraints below which the control technologies will not be effective. For SCR, the catalyst is not effective in reducing NO_x at SCR inlet temperatures below approximately 600°F. For this reason, ammonia is not injected until the minimum inlet SCR operating temperature is reached otherwise the ammonia would pass through the system unreacted. Similarly, the CatOx catalyst is not effective in oxidizing CO/VOC below a minimum catalyst inlet temperature of approximately 500°F. Excess emissions of CO and VOC, although not readily quantifiable, may also occur during startup/shutdown events.

Emissions of NO_x and CO/VOC will be higher during the low CT loads that occur during startups and shutdowns. Excess emissions during these startup/shutdown events are unavoidable due to emission control system temperature constraints and the inherent CT emissions that occur at low loads. A longer period of excess emissions is required for cold starts due to the warm-up period required for a steam turbine generator (STG). Startup with one CT/HRSG unit requires the equivalent of 70 MW of CT load to raise the HRSG steam pressure to the level needed to bring the STG on line. This type of startup (i.e., use of only one CT/HRSG unit) causes problems since the HRSG steam temperature is too high resulting in uneven warming of the STG casing. This uneven warming causes the STG cover temperature to rise faster than the STG base temperature. To prevent equipment damage, there are protective trips that occur when this temperature difference reaches 100°F. Once the CT has tripped, the startup cycle must be repeated. Once the STG is on line, the thermal growth of the STG rotor is much more rapid than the thermal growth of the STG casing since the outer casing is solid and not separated by an inner and outer casing. The STG casing growth (i.e., expansion) is very slow. This prevents the CT from increasing in load until the STG casing warms up.

Based on the above, the preferred STG startup approach is with both CT's at approximately 30 MW. This keeps the HRSG steam temperature low so that the STG can be warmed more evenly. This approach also allows the STG to synchronize to the grid faster. However, CT load must be maintained relatively low as the STG rotor growth does not proceed at the same rate as the STG casing. Accordingly, CT load is slowly increased until the STG casing reaches its normal temperature in order to avoid damaging the STG. Once this condition is reached, CT load is increased to the levels that result in compliance with permit limits. A summary of excess emissions based on NO_x CEMS data for 2002-2004 is provided in Table 1.

The proposed changes will affect the following emission units.

EU No.	Emissions Unit Description
001	Combined-Cycle Combustion Turbine with Heat Recovery Steam Generator: Unit 1
002	Combined-Cycle Combustion Turbine with Heat Recovery Steam Generator: Unit 2

The applicant requests the following changes to Permit No. PSD-FL-214A for Unit's 001 and 002 combined cycle gas turbine.

- Cold Startup:** Authorize up to 6 hours of excess emissions from any combustion turbine (CT)/heat recovery steam generator (HRSG) unit in any 24-hour period from cold startups. Cold startup is defined as startup following a CT/HRSG shutdown of 48 hours or more. NO_x emissions from such periods would still be included to demonstrate compliance with the annual facility-wide emission cap of 906 tpy.
- Hot and Warm Startup:** Authorize up to 2 hours of excess emissions per startup event and no more than three startup events in any 24-hour period from any CT/HRSG unit resulting from hot and warm startups. Hot and warm startup is defined as a startup following a CT/HRSG shutdown of less than 48 hours. NO_x emissions from such periods would still be included to demonstrate compliance with the annual facility-wide emission cap of 906 tpy.
- Shutdown:** Authorize up to 2 hours of excess emissions per shutdown event and no more than three shutdown events in any 24-hour period from any CT/HRSG. NO_x emissions from such periods would still

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

be included to demonstrate compliance with the annual facility-wide emission cap of 906 tpy.

The applicant also requests the following changes to Air Permit No. 0490340-002-AV.

4. Title V Revision: Simultaneous revision of the Title V Permit to incorporate the above changes.

3. DEPARTMENT REVIEW

Startup (Permit No. PSD-FL-214A)

PSD permit 214A for Unit's 001 and 002 included the following condition (B.4):

"Excess emissions from a turbine resulting from startup, shutdown, malfunction, fuel switch or load change shall be reported in accordance with 40 CFR 60.334(c) and accepted 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 a longer duration. The permittee shall provide a general description of the procedure to be followed during periods of startup, shutdown, malfunction, fuel switch or load change to ensure that the best operational practices to minimize emissions will be adhered to and the duration of any excess emissions will be minimized. The description should be submitted to the Department along with the initial compliance test data. The description may be updated as needed by submitting such update to the Department within thirty (30) days of implementation."

For a day with a cold startup, the applicant requests up to 6 hours of excess emissions from any CT/HRSG units. Similarly, the applicant requests 2 hours of excess emissions per startup event and no more than three startup events in any 24-hour period from any CT/HRSG units resulting from a hot and warm startups. Additionally, applicant requests 2 hours of excess emissions per shutdown event and no more than three shutdown events in any 24-hour period from any CT/HRSG units. Although the likelihood of such multiple occurrences is relatively low, the Department does recognize the possibility. The Department approves the request and will modify the PSD air permit accordingly, provided the applicant meets the following three provisions:

- NO_x excess emissions data shall not be excluded from the annual NO_x emissions cap. This is necessary to maintain an enforceable emissions cap.
- The permittee shall submit quarterly reports that identify the amount of NO_x emission data excluded from compliance determination with the short-term limit due to startups, shutdowns, documented malfunctions and fuel switches.
- Excess emissions greater than 6 hours in any 24-hour period shall be reported to the Department's Southwest District Office within 24 hours.

Accordingly Specific Condition B.4 of PSD Permit 214A will be modified to read as follows:

"Excess emissions from a turbine resulting from startup, shutdown, malfunction, fuel switch or load change shall be reported in accordance with 40 CFR 60.334(c) and accepted 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 a longer duration~~ except for the following specific cases:

- a. For cold startups, excess emissions from any CT/heat recovery steam generator (HRSG) unit shall not exceed six hours in any 24-hour period. "Cold startup" is defined as a startup following a CT/HRSG shutdown of 48 hours or more.
- b. For hot and warm startups, excess emissions from any CT/HRSG unit shall not exceed two hours per startup event, and no more than three startup events in any 24-hour period. "Hot and warm startup" is defined as a startup following a CT/HRSG shutdown of less than 48 hours.

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

- c. For shutdowns, excess emissions from any CT/HRSG unit shall not exceed two hours per shutdown event, and no more than three shutdown events in any 24-hour period.

All quality-assured hourly NOx emissions data shall be used when demonstrating compliance with the emissions cap. When monitoring data is not available, substitution for missing data shall be handled as required by Title IV (40 CFR 75).

The permittee shall provide a general description of the procedure to be followed during periods of startup, shutdown, malfunction, fuel switch or load change to ensure that the best operational practices to minimize emissions will be adhered to and the duration of any excess emissions will be minimized. The description should be submitted to the Department along with the initial compliance test data. The description may be updated as needed by submitting such update to the Department within thirty (30) days of implementation.”

Additionally new Specific Conditions E.5, E.6 and E.7 are added to read as follows:

5. The permittee shall notify the Department’s Southwest District Office by telephone, facsimile transmittal or electronic mail within 24 hours if the NOx excess emissions exceed six hours in any 24-hour period.

[Applicant Request]

6. The permittee shall include the NOx excess emissions data in determining compliance with the annual facility-wide emission cap of 906 tpy.

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

7. “Quarterly NOx Monitoring Report. Within 30 days following each calendar quarter, the permittee shall submit a report to the Department’s Southwest District Office that summarizes the following information for the quarter.

- a. Identify the hours of NOx emission data excluded from compliance determination with the short-term limit due to each of the following: startups, shutdowns, documented malfunctions and fuel switches.
- b. For each malfunction, identify the: date; approximate time range; duration (hours) of the malfunction; NOx emission levels during the malfunction; problem and cause of the problem (if known); and corrective action taken (if any).
- c. Identify the hours of NOx monitoring system down time due to each of the following: monitor malfunctions; non-monitor malfunctions; quality assurance calibrations; other known causes; and unknown causes. Identify the monitor availability.

[Rules 62-4.070(3), 62-4.130, 62-4.160(14)(b), and Rule 62-210.700(6), F.A.C.]

Permit Project No. 0490340-005-AV (Revision to Title V Permit Air Operation Permit No. 0490340-002-AV)

The applicant requests a simultaneous revision of the Title V operating permit to incorporate the above changes. The Department approves the request and will provide a single public notice package for the revised permits. The public notice will allow 30 days for public comment. If no administrative hearing is requested and no comments are received that would result in substantial changes, the two air construction permits (PSD-FL-214C and 0490340-004-AC) will be issued as final permitting actions. The Title V revision will continue to the “proposed permit” phase of the Title V permitting process.

4. PRELIMINARY DETERMINATION

The Department makes a preliminary determination that the proposed project will comply with all applicable state and federal air pollution regulations as conditioned by the draft permits. This determination is based on a technical review of the complete application, reasonable assurances provided by the applicant, and the specific conditions of the draft permits. Syed Arif is the project engineer responsible for reviewing the application and drafting the permit. Additional details of this analysis may be obtained by contacting the project engineer at the Department's Bureau of Air Regulation at Mail Station #5505, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

Table 1. Payne Creek Generating Station (Revised 3/17/05)
Excess Emissions Summary - Startup/Shutdown/Malfunction

No. of Days	Duration and NO _x Concentrations of Daily Excess Emission Events											
	2002				2003				2004			
	CT1		CT2		CT1		CT2		CT1		CT2	
	(hrs)	(ppmvd NO _x)	(hrs)	(ppmvd NO _x)	(hrs)	(ppmvd NO _x)	(hrs)	(ppmvd NO _x)	(hrs)	(ppmvd NO _x)	(hrs)	(ppmvd NO _x)
1	3.0	13	3.0	13	4.0	37	5.8	23	2.3	26	2.6	29
2	5.0	26	4.0	28	3.0	12	4.0	20	2.8	31	2.4	21
3	3.0	29	3.0	37	8.2	23	9.8	24	2.7	15	3.9	19
4	3.0	20	3.0	19	3.0	10	2.0		3.4	22	2.6	23
5	3.0	40	4.0	37	4.3	45	2.1	26	2.4	25	3.0	22
6	9.0	13	3.0	21	4.8	46	3.0	37	2.2	16	2.6	20
7	3.0	32	6.0	56	3.4	25	8.0	12	2.0	14	2.5	26
8	3.0	25	3.0	28	2.5	29	3.0	9	2.7	14	2.1	27
9	4.0	36	3.0	28	2.2	29	2.1	17	11.8	41	3.3	22
10	3.0	18	3.0	28	2.6	19	2.0	24	6.4	30	3.0	23
11	3.0	27	3.0	22	2.2	23	2.7	17			2.8	19
12	3.0	24	7.0	31	4.1	24	3.6	17			2.9	16
13	3.0	28	4.0	45	5.2	30	4.4	20			3.4	12
14	4.0	21	5.0	26	2.2	21	2.6	17			3.1	18
15	4.0	24	12.0	35	2.2	21	2.9	17			3.3	16
16	5.0	19	3.0	40	2.3	16	2.8	48			4.5	39
17	3.0	27	3.0	38	3.0	13	3.0	44			4.0	16
18	3.0	20	3.0	30	3.0	11	3.0	58			2.4	15
19	6.0	22	3.0	24	5.6	22	3.1	22			8.1	30
20	3.0	21	4.0	25	2.4	26	5.0	10			2.4	28
21	3.0	25	4.0	47			10.0	10				
22	3.0	26	3.0	40			3.0	27				
23	4.0	25	4.0	22			3.0	12				
24	3.0	34	3.0	24			2.1	20				
25	3.0	26	6.0	23			3.6	13				
26	3.0	26	3.0	23								
27	4.0	22	3.0	30								
28	3.0	91	3.0	22								
29	3.0	26	3.0	20								
30	3.0	12	3.0	14								
31	3.0	24	4.0	18								
32	3.0	28	3.0	20								
33	4.0	24	3.0	20								
34	3.0	21	4.0	24								
35	3.0	25	3.0	20								
36	3.0	23	3.0	25								
37	4.8	38	3.0	20								
38	3.5	28	3.0	18								
39	2.9	43	2.3	25								
40			4.5	30								

2002 - 2004

Frequency of Excess Emission Events		
(hrs/day)	Events	%
0 - 3	99	64.3
>3 - 4	28	18.2
>4 - 5	11	7.1
>5 - 6	8	3.9
>6	10	6.5
Totals	154	100.0

Notes:

Malfunction events shown in bold type.
NO_x concentrations are corrected to 15% oxygen.

Sources: ECT, 2005.
SECI, 2005.

May xx, 2005

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Michael P. Opalinski, Vice President of Technical Services
Seminole Electric Cooperative, Inc.
16313 North Dale Mabry Highway
Tampa, Florida 33688-2000

Re: Payne Creek Generating Station
Project No. 0490340-004-AC / PSD-FL 214C
Modification of Permit No. PSD-FL-214A, Unit's 1 and 2 Excess Emissions Conditions

Dear Mr. Opalinski:

On November 2, 2004, the Department received your request to make several changes to the PSD air construction permit 214A for Unit's 1 and 2. Based on your application, the Department makes the following determinations and modifies this permit accordingly.

MODIFICATION OF PERMIT NO. PSD-FL-214A (UNIT'S 1 AND 2)

Applicant Request: For a day with a cold startup, the applicant requests up to 6 hours of excess emissions from any Combustion Turbine (CT)/Heat Recovery Steam Generator (HRSG) units. Similarly, the applicant requests 2 hours of excess emissions per startup event and no more than three startup events in any 24-hour period from any CT/HRSG units resulting from a hot and warm startups. Additionally, applicant requests 2 hours of excess emissions per shutdown event and no more than three shutdown events in any 24-hour period from any CT/HRSG units.

Determination: The request is approved provided the applicant meets the following three provisions:

- NOx excess emissions data shall not be excluded from the annual NOx emissions cap. This is necessary to maintain an enforceable emissions cap.
- The permittee shall submit quarterly reports that identify the amount of NOx emission data excluded from compliance determination with the short-term limit due to startups, shutdowns, documented malfunctions and fuel switches.
- Excess emissions greater than 6 hours in any 24-hour period shall be reported to the Department's Southwest District Office within 24 hours.

Accordingly, the following revisions of Permit No. PSD-FL-214A will be made.

Revise Condition No. B.4 as follows:

"Excess emissions from a turbine resulting from startup, shutdown, malfunction, fuel switch or load change shall be reported in accordance with 40 CFR 60.334(c) and accepted 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 a longer duration~~ except for the following specific cases:

- a. For cold startups, excess emissions from any CT/heat recovery steam generator (HRSG) unit shall not exceed six hours in any 24-hour period. "Cold startup" is defined as a startup following a CT/HRSG shutdown of 48 hours or more.

- b. For hot and warm startups, excess emissions from any CT/HRSG unit shall not exceed two hours per startup event, and no more than three startup events in any 24-hour period. "Hot and warm startup" is defined as a startup following a CT/HRSG shutdown of less than 48 hours.
- c. For shutdowns, excess emissions from any CT/HRSG unit shall not exceed two hours per shutdown event, and no more than three shutdown events in any 24-hour period.

All quality-assured hourly NOx emissions data shall be used when demonstrating compliance with the emissions cap. When monitoring data is not available, substitution for missing data shall be handled as required by Title IV (40 CFR 75).

New Condition Nos. E.5, E.6 and E.7 are added as follows:

5. The permittee shall notify the Department's Southwest District Office by telephone, facsimile transmittal or electronic mail within 24 hours if the NOx excess emissions exceed six hours in any 24-hour period.
[Applicant Request]
6. The permittee shall include the NOx excess emissions data in determining compliance with the annual facility-wide emission cap of 906 tpy.
[Rule 62-4.070(3), F.A.C.]
7. Quarterly NOx Monitoring Report. Within 30 days following each calendar quarter, the permittee shall submit a report to the Department's Southwest District Office that summarizes the following information for the quarter.
 - a. Identify the hours of NOx emission data excluded from compliance determination with the short-term limit due to each of the following: startups, shutdowns, documented malfunctions, and fuel switches.
 - b. For each malfunction, identify the: date, approximate time range, duration (hours) of the malfunction; NOx emission levels during the malfunction; problem and cause of the problem (if known); and corrective action taken (if any).
 - c. Identify the hours of NOx monitoring system down time due to each of the following: monitor malfunctions; non-monitor malfunctions; quality assurance calibrations; other known causes; and unknown causes. Identify the monitor availability.
[Rules 62-4.070(3), 62-4.130, 62-4.160(14)(b), and Rule 62-210.700(6), F.A.C.]

Details of the Department's review are available in the Technical Evaluation and Preliminary Determination that accompanied the Draft Permit modification package. This permit modification is issued pursuant to Chapter 403 of the Florida Statutes. Attached are copies of air construction permit No. PSD-FL-214A. A copy of this letter shall be filed with the referenced permit and shall become part of the permit.

Any party to this order (permit modification) has the right to seek judicial review of it under Section 120.68 of the Florida Statutes 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 thirty (30) days after this order is filed with the clerk of the Department.

Sincerely,

(DRAFT)

Michael G. Cooke, Director
Division of Air Resource Management

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Notice of Final Permit Modification was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on _____ to the persons listed:

- Mr. Michael P. Opalinski, Seminole Electric Cooperative, Inc.*
- Mr. Tom Davis, P.E., Environmental Consulting & Technology, Inc.
- Mr. Jerry Kissel, DEP-SWD
- Mr. Gregg Worley, EPA Region 4

Clerk Stamp

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

(Clerk)

(Date)



Jeb Bush
Governor

Department of Environmental Protection

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

David B. Struhs
Secretary

PERMITTEE:
Seminole Electric Cooperative
Incorporated
P.O. Box 272000
Tampa, FL 33688-2000

Permit Number: PSD-FL-214A/PA-89-25SA
Issued: 9/28/95 **Revised:** 7/21/99
County: Polk & Hardee
Latitude/Longitude: 27°38'30"N
81°57'45"W
Project: 488 MW Combined Cycle
Power Plant

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Chapters 62-212 and 62-4. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawings, plans, and other documents attached hereto or on file with the Department and specifically described as follows:

For a 488 MW (nominal) combined cycle power plant consisting of two 157.5 MW (nominal) combustion turbines (CTs), two heat recovery steam generators (HRSGs), a 173 MW (nominal) steam turbine generator and a 4.4 million gallon fuel oil storage tank. The maximum heat input at 32°F is 1962 MMBtu/hr/CT (natural gas) and 1888 MMBtu/hr/CT (oil). The plant will be located at the Polk and Hardee County site near Bowling Green, Florida which is also the site of a 295 MW power plant which is operated by Hardee Power Partners Limited (HPPL). The combustion turbines are to be Westinghouse Model 501F (D) or equivalent and equipped with dry low NO_x combustors and a Selective Catalytic Reduction (SCR) system for natural gas firing and wet injection for fuel oil firing. The CT will be fired with natural gas and No. 2 low sulfur fuel oil with a sulfur content limit not to exceed 0.05 percent, by weight, as a back-up only. Each CT will also be equipped with a carbon monoxide oxidation catalyst control system.

The source shall be constructed in accordance with the permit application, plans, documents, amendments and drawings, except as otherwise noted in the General and Specific Conditions.

Howard L. Rhodes, Director
Division of Air Resources
Management

PERMITTEE:
Seminole Electric Cooperative Inc.

Permit Number: PSD-FL-214A
(PA-89-25SA)

Attachments are listed below:

1. Seminole Electric Cooperative Incorporated's (SECI) application received May 9, 1994.
2. Department's letters dated June 27, September 21, and November 16, 1994.
3. SECI's letters dated August 26, October 6, and November 23, 1994.
4. SECI's letter dated February 9, 1995.
5. SECI's letters dated December 1 and December 21, 1998; January 29 and February 11, 1999.

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 403.161, 403.727, or 403.859 through 403.861, F.S. 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 acknowledgment 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 F.S. 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

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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:

- 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 F.S. 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 F.S. after a reasonable time for compliance, provided, however, the permittee does not waive any other rights granted by F.S. or Department rules.

11. This permit is transferable only upon Department approval in accordance with 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.

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

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13. This permit also constitutes:

- (X) Determination of Best Available Control Technology (BACT)
- (X) Determination of Prevention of Significant Deterioration (PSD)
- (X) 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.

16. Circumvention. No person shall circumvent any air pollution control device, or allow the emission of air pollutants without the applicable air pollution control device operating properly pursuant to Rule 62-210.650 F.A.C.

SPECIFIC CONDITIONS:

The construction and operation of the project shall be in accordance with all applicable provisions of Chapters 62-210 through 62-297 and 62-4, Florida Administrative Code (F.A.C.), and 40 CFR 60, Subpart GG, Appendix A, Appendix B, and Appendix F (1994 version). The following emission limitations and conditions reflect the BACT determinations for the 315 megawatts (nominal) (MW; two 157.5 MW (nominal) combined cycle combustion turbines) of generating

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capacity. Each combustion turbine (CT) will be connected to a heat recovery steam generator (HRSG), which will recover the waste heat to produce steam for utilization in a single 173 MW (nominal) steam turbine. There is no fuel firing in the associated HRSG. The facility will have a total nominal generating capacity of 488 MW (nominal). In addition to the foregoing, the project shall comply with the following Specific Conditions:

A. General Requirements

1. Pursuant to Rule 62-212.200(56), F.A.C., Potential to Emit (PTE), the maximum heat input to each Westinghouse 501F (D) CT, or equivalent, at an ambient temperature of 32°F, shall neither exceed 1,962 MMBtu/hr while firing natural gas nor 1,888 MMBtu/hr while firing fuel oil.
2. Pursuant to Rule 62-212.200(56), F.A.C., PTE, the CTs may operate continuously, i.e., 8,760 hrs/year.
3. Pursuant to Rule 62-212.200(56), F.A.C., PTE, only natural gas or No. 2 fuel oil is allowed to be fired in the CTs. The maximum sulfur content limit of the No. 2 fuel oil shall not exceed 0.05 percent, by weight.
4. Pursuant to Rule 62-212.200(56), F.A.C., PTE, the maximum No. 2 fuel oil consumption allowed to be burned is 41,751,000 gallons per year, which is equivalent to 1500 hours per CT per year of operation at full load (not to exceed 3,000 hrs/yr between the two CTs). The No. 2 fuel oil is to be used as a back-up fuel only.
5. Pursuant to Rule 62-296.310(3), F.A.C., Unconfined Emissions of Particulate Matter (PM), the emissions of unconfined PM shall be minimized during the construction period by covering or watering dust generating areas.

B. Emission Limits

1. Pursuant to Rule 62-212.410, F.A.C., BACT, the maximum allowable emission limitations from two CTs, when firing natural gas or No. 2 fuel oil, shall not exceed the following:

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MAXIMUM ALLOWABLE EMISSION LIMITATIONS

<u>POLLUTANT</u>	<u>FUEL</u>	<u>CONCENTRATION</u>	<u>lbs/hr(a)</u>	<u>TPY(b)</u>	<u>TPY(TOTAL)^c</u>
NO _x	Gas	9 ppmvd(d)	68	596	906
	Oil	42 ppmvd(e)	336	504	
CO	Gas	20 ppmvd	71	622	618
	Oil	25 ppmvd	91	136	
PM/PM ₁₀	Gas		7	65	147
	Oil		67	100	
SO ₂	Gas		5	47	182
	Oil		101	152	
VOC	Gas	5 ppmvd	10	88	99
	Oil	10 ppmvd	21	31	
Sulfuric Acid Mist	Gas		1	6	39
	Oil		22	34	
Beryllium	Oil		0.0049	0.007	0.007
Arsenic	Oil		0.0097	0.014	0.014
Visible Emissions	Gas		≤ 10 percent opacity		
	Oil		≤ 10 percent opacity		

(a) The emission limitations in lbs/hr/CT are a 1-hour average as determined pursuant to the Performance Testing conducted pursuant to Condition C.1 below.

(b) The annual emission limitations (TPY) for natural gas are based on two CTs operating at full load for 8,760 hours per year. The annual emission limitations (TPY) for fuel oil are based on the equivalent of full-load operation for a maximum of 1500 hours per year for each of the two CTs (not to exceed 3,000 hrs/yr between the two CTs). The emission calculations are also based at a worst case ambient temperature of 32°F.

(c) Maximum allowable emissions from two CTs if any fuel oil is burned at the facility during the year. The emission calculations are also based at an ambient temperature of 59°F.

(d) The natural gas NO_x allowable emission limitation of 9 ppmvd is corrected to 15 percent O₂. An interim limit of 12 ppmvd (91 lb/hr/CT, 797 TPY) corrected to 15 percent O₂ shall be allowed for a period of one year from the startup date. Compliance shall be determined through the initial and annual compliance tests.

(e) The fuel oil NO_x allowable emission limitation of 42 ppmvd is corrected to 15 percent oxygen. Compliance shall be determined through the initial and annual compliance tests. The annual compliance test will be required if the fuel oil is fired for more than 400 hours in the preceding 12-months.

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For fuel oil firing, NO_x emissions of 42 ppmvd @ 15 percent O₂ are based on fuel bound nitrogen (FBN) content of 0.015 percent by weight or less. When FBN levels are above this percentage, the CTs may produce higher NO_x concentrations due to increased fuel NO_x formation. When FBN levels are above 0.015 percent, the operator shall employ all reasonable measures to maintain the NO_x concentrations below 42 ppmvd. However, NO_x emissions (ppmvd and lb/hr), as calculated from the formula below, shall be allowed if the permittee submits data (FBN levels from most recent fuel shipment or as fired fuel sampling and hourly averages of: fuel rate, heat rate, ambient conditions, and NO_x control system parameters) which demonstrates that emissions (hourly averages) above 42 ppmvd are due solely to FBN levels above 0.015 percent.

The emission level for NO_x is adjusted for higher fuel nitrogen contents up to a maximum of 0.030 percent by weight as follows:

FUEL BOUND NITROGEN (% by weight)	NO _x LEVELS (ppmvd @ 15% O ₂)	NO _x EMISSIONS (lb/hr/CT) ¹	NO _x EMISSIONS INCREASE (TPY) ¹
0.015 or less	42	336.2	0
0.020	44	352.1	0
0.025	46	368.2	0
0.030	48	384.2	0

1 - From 336.2 lb/hr/CT at 32⁰F basis.

For intermediate values of FBN use the formula:

$$STD = 0.0042 + F$$

where,

STD = allowable NO_x emissions (ppmvd @ 15% O₂)

F = NO_x emission allowance for fuel bound nitrogen and

N (fuel bound nitrogen), is defined as follows:

N (% by weight)	F (NO _x % by volume)
0 < N ≤ 0.015	0
0.015 < N ≤ 0.030	0.04 (N - 0.015)
0.030 < N	0.0006

2. The following estimated CT emissions are tabulated for PSD tracking purposes only:

ESTIMATED EMISSIONS

<u>POLLUTANT</u>	<u>FUEL</u>	<u>TPY</u>
Lead	Oil(a,b)	0.16
Fluoride	Oil(a,b)	0.090
Mercury	Gas(c)	0.0003
	Oil(a,b)	0.024

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(a) The annual emission limitations (TPY) for fuel oil are based on full-load operation for a total of 3,000 hours per year between the two CTs at an ambient temperature of 59°F.

(b) The No. 2 fuel oil shall have a maximum sulfur content limit of 0.05 percent, by weight.

(c) The annual emission limitation (TPY) for natural gas is based on two CTs operating at full-load for 8,760 hours per year at an ambient temperature of 59°F.

3. The permittee will install a dry low-NO_x (DLN) combustor or an SCR system on each CT. Ammonia slip from the SCR system shall not exceed 10 ppm. The permittee shall make every practicable effort to achieve the lowest possible NO_x emission rate, but must not exceed 12 ppmvd at 15 percent O₂ per CT on a continuous basis when firing natural gas during the first year of operation. The final limit for NO_x one year after startup will be 9 ppmvd at 15% O₂.

4. Excess emissions from a turbine resulting from start up, shutdown, malfunction, fuel switch or load change shall be reported in accordance with 40 CFR 60.334(c) and accepted 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 a longer duration. The permittee shall provide a general description of the procedures to be followed during periods of start up, shutdown, malfunction, fuel switch or load change to ensure that the best operational practices to minimize emissions will be adhered to and the duration of any excess emissions will be minimized. The description should be submitted to the Department along with the initial compliance test data. The description may be updated as needed by submitting such update to the Department within thirty (30) days of implementation.

5. Excess emissions from fuel switching shall not exceed 15 minutes.

6. Excess emissions due to fuel bound nitrogen levels above 0.015 percent are allowed pursuant to Condition B.1 foot note (e) of the emission limitation table.

C. Performance Testing

1. Initial (I) compliance tests shall be performed on each CT using both fuels. Testing of emissions shall be conducted at 95-100% of the manufacturer's rated heat input based on the average ambient air temperature for the CT during the test. Annual (A) compliance tests shall be performed on the CT with the fuel(s) used for more than 400 hours in the preceding 12-month period. Tests at permit renewal shall also be performed on the non-PSD pollutants. Tests and procedures shall be in accordance with 40 CFR 60.335. Tests shall be conducted using EPA reference methods in accordance with 40 CFR 60, Appendix A, as adopted by reference in Chapter 62-297, F.A.C, and follows:

a. Reference Method 5B for PM (I, A: for oil only; assumption is that all PM is PM₁₀).

b. Reference Method 9 for VE (I, A).

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- c. Reference Method 10 for CO (I, A).
- d. Reference Method 20 for NOx (I, A) or Method 7E if sampling downstream of the heat recovery steam generator.
- e. Reference Method 18 or 25A for VOC (I, A).
- f. Reference Method 8 for H₂SO₄ Mist (I, A).
- g. Trace elements of Beryllium (Be) and Arsenic (As) shall be tested (I, for oil only) using EMTIC Interim Test Methods. As an alternative, EPA Method 104 for Be may be used; or, Be and As may be determined from fuel analysis using either Method 7090 or 7091 and sample extraction using Method 3040, as described in the EPA solid waste regulations SW 846.
- h. ASTM D4294 (or equivalent) for sulfur content of distillate oil (I and A), which can be used for determining SO₂ emissions annually.
- i. ASTM D1072-80, D3031-81, D4084-82, or D3246-81 (or equivalent) for sulfur content of natural gas (I; and, A if deemed necessary by the Department).
- j. Other USEPA or DEP approved test methods for the permitted facilities may be used for compliance testing after departmental approval. Unless the permittee requests to modify a reference method, or to use a method for which a method was not designed, such approval shall not constitute an alternative test procedure under Section 62-297.620, F.A.C., or otherwise require modification of the permit.

2. The maximum sulfur content of the fuel oil shall not exceed 0.05 percent, by weight. Compliance shall be demonstrated in accordance with the requirements of 40 CFR 60.334(b).

3. As an alternative to Condition C.1.i above, natural gas supplier data for sulfur content may be submitted. However, the applicant is responsible for ensuring that the procedures above are used for determination of fuel sulfur content. Analysis may be performed by the owner or operator, a service contractor retained by the owner or operator, the fuel vendor, or any other qualified agency pursuant to 40 CFR 60.335(e) (1993 version). Any request for a future custom monitoring schedule shall be made in writing to the Department's Bureau of Air Regulation. Any custom schedule approved by the USEPA pursuant to 40 CFR 60.334(b) (1993 version) will be recognized as enforceable provisions of the permit.

D. Monitoring Requirements

Monitoring of operations shall be in accordance with 40 CFR 60.334. Also, and for each CT, the permittee shall install, operate, and maintain a continuous emission monitoring system (CEMS) to monitor nitrogen oxides in accordance with 40 CFR 60, Appendix F, and, if necessary, a diluent gas (CO₂ or O₂). The Federal Acid Rain Program requirements of 40 CFR 75 shall apply.

1. Each CEMS shall meet performance specifications of 40 CFR 60, Appendix B.

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2. CEMS data shall be recorded and reported in accordance with Rule 62-297.500, F.A.C.; 40 CFR 60; and, 40 CFR 75, if it becomes applicable. The record shall include periods of start up, shutdown, load change, fuel switch, high fuel bound nitrogen, and malfunction.

3. A malfunction means any sudden and unavoidable failure of air pollution control equipment or process equipment to operate in a normal or usual manner. Failures that are caused entirely or in part by poor maintenance, careless operation or any other preventable upset condition or preventable equipment breakdown shall not be considered malfunctions.

4. The procedures under 40 CFR 60.13 shall be followed for installation, evaluation, and operation of all CEMS. In addition, 40 CFR 75 shall apply (Federal Acid Rain Program).

5. For purposes of the reports required under this permit, excess emissions, as determined pursuant to Condition B.6 herein, are defined as any calculated average emission rate which exceeds the applicable emission limitation in Condition B.1.

E. Notification, Reporting and Recordkeeping

1. To determine compliance with the natural gas and fuel oil firing heat input limitation, the permittee shall maintain daily records of natural gas and fuel oil consumption for each turbine, and provide the heating value for each fuel during the compliance test. All records shall be maintained for a minimum of three years after the date of each record and shall be made available to representatives of the Department upon request.

2. The project shall comply with all the applicable requirements of Chapters 62-210 through 62-297 and 62-4, F.A.C., and 40 CFR 60, Subparts A and GG. The requirements shall include:

- a. 40 CFR 60.7(a)(1) - By postmarking or delivering notification of the start of construction no more than 30 days after such date.
- b. 40 CFR 60.7(a)(2) - By postmarking or delivering notification of the anticipated date of the initial start up of each CT not less than 30 days prior to such date.
- c. 40 CFR 60.7(a)(3) - By postmarking or delivering notification of the actual start up of each turbine within 15 days after such date.
- d. 40 CFR 60.7(a)(5) - By postmarking or delivering notification of the date for demonstrating the CEMS performance, no less than 30 days prior to such date.
- e. 40 CFR 60.7(a)(6) - By postmarking or delivering notification of the anticipated date for conducting the opacity observations no less than 30 days prior to such date.
- f. 40 CFR 60.7(b) - By initiating a recordkeeping system to record the occurrence and duration of any start up, shutdown, load change, fuel switch, high fuel bound

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nitrogen, and malfunction of a turbine, malfunction of the air pollution control equipment, and the periods when the CEMS is inoperable.

- g. 40 CFR 60.7(c) - By postmarking or delivering a quarterly excess emissions and monitoring system performance report within 30 days after the end of each calendar quarter. This report shall contain the information specified in 40 CFR 60.7(c) and (d).
- h. 40 CFR 60.8(a) - By conducting all performance tests within 60 days after achieving the maximum turbine and boiler firing rates, but not more than 180 days after the initial start up of each CT.
- i. 40 CFR 60.8(d) - By postmarking or delivering notification of the date of each performance test required by this permit at least 30 days prior to the test date; and,
- j. Rule 62-297.345 - By providing stack sampling facilities for each turbine.
- k. All notifications and reports required by this specific condition shall be submitted to the Department's Southwest District office. Performance test results shall be submitted within 45 days of completion of such test.

3. The following information shall be submitted to the Department's Bureau of Air Regulation within 90 days after the permittee has made the selection of the following:

- a. Description of the final selection of the turbines, SCR and CO oxidation catalyst control systems. The descriptions shall include the specific make and model numbers and any changes in the proposed method of operation, fuels, emissions or equipment.
- b. Description of the CEMS selected. The description shall include the type of sensors and the manufacturer and model numbers of the equipment.

4. The following protocols shall be submitted to the Department's Southwest District office for approval:

- a. CEMS Protocol - Within 120 days after selection of the CEMS, but 180 days prior to the initial startup, a CEMS protocol describing the system, its installation, operating and maintenance characteristics and requirements. The protocol shall meet the requirements of 40 CFR 60.13, Appendix B and Appendix F or 40 CFR 75, and be approved within 60 days.
- b. Performance Test Protocol - At least 90 days prior to conducting the initial performance tests required by this permit, the permittee shall submit to the Department's Southwest District office a protocol outlining the procedures to be followed, the test methods and any differences between the reference methods and the test methods proposed to be used to verify compliance with the conditions of this permit. The Department shall approve the testing protocol within 60 days provided that it meets the requirements of this permit.

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c. Heat Input Curves - Within 120 days after final selection of the turbine, but 180 days prior to initial startup of the turbine, manufacturer's curves or equations of heat input and NOx emission rate (lbs/hr) corrections to other temperatures shall be provided to the Department.

d. Subject to the approval by the Department for technical validity while applying sound engineering principles, the manufacturer's curves shall be used to establish the heat input rates over a range of temperatures for the purposes of compliance determination.

F. Modifications

The permittee shall give written notification to the Department when there is any modification to this facility pursuant to Rule 62-212.200, F.A.C., Definitions - Modifications. This notice shall be submitted sufficiently in advance of any critical date involved to allow sufficient time for review, discussion, and revision of plans, if necessary. Such notice shall include, but not be limited to, information describing the precise nature of the change; modifications to any emission control system; production capacity of the facility before and after the change; and, the anticipated completion date of the change.

G. No. 2 Fuel Oil Storage Tank

The permittee shall be in compliance with the monitoring requirements of 40 CFR 60.116b(a) and (b).

H. Additional General Conditions

1. Pursuant to Rule 62-4.090, F.A.C., the permittee, for good cause, may request that this construction permit be extended. Such a request shall be submitted to the Department's Bureau of Air Regulation prior to 60 days before the expiration of the permit.

2. An application for an operation permit pursuant to Rule 62-4.220, F.A.C., is not required if the facility is also certified under the Power Plant Siting Act, Chapter 403, Part II, F.S. That certification serves as the operation permit also. The permittee must submit an application for an operation permit for a major source of pollution pursuant to Chapter 62-213, F.A.C.

3. Approval to construct shall become invalid if construction is not commenced by June, 2000, if construction is discontinued for a period of 18 months or more, or if construction is not completed by March 4, 2002. The Department may extend the 18-month period upon a satisfactory showing that an extension is justified. [40 CFR 52.21(r)(2)].



October 12, 2004

Mr. Jim Pennington, P.E.
Professional Engineer Administrator
Air Permitting North Section
Florida Department of Environmental Protection
111 South Magnolia Drive, Suite 4
Tallahassee, FL 32301

RECEIVED

NOV 02 2004

BUREAU OF AIR REGULATION

Re: Payne Creek Generating Station
Title V Permit No. 0490340-002-AV
Air Construction Permit PSD-FL-214A
Request for Permit Revision – Excess Emissions
0490340-004-AC 0490340-005-AV

Dear Mr. Pennington:

Seminole Electric Cooperative, Inc. (SECI) currently operates two Siemens Westinghouse combined-cycle combustion turbines (CT) at its Payne Creek Generating Station (PCGS) located in Bowling Green, Hardee County. Each CT includes an un-fired heat recovery steam generator (HRSG) equipped with an oxidation catalyst and selective catalytic reduction (SCR) emission control technologies. Operation of the PCGS is authorized by FINAL Title V Permit No. 0490340-002-AV issued with an effective date of January 1, 2003 and an expiration date of December 31, 2007. The purpose of this letter is to request a revision to the excess emission provisions of FINAL Permit No. 0490340-002-AV and air construction permit PSD-FL-214A.

Conditions A.10. and A.13 of FINAL Permit No. 0490340-002-AV limit excess emissions resulting from startup, shutdown, malfunction, fuel switch, or load change to no more than two hours in any 24 hour period unless specifically authorized by the Department for longer duration. Pursuant to the Department's authority to authorize longer durations, SECI requests the following revisions to these excess emission permit conditions:

Condition A.10.

From:

Excess emissions resulting from startup, shutdown or malfunction of any emissions unit shall be permitted provided (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.

To:

Excess emissions resulting from startup, shutdown or malfunction of any emissions unit shall be permitted provided (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~~ except for the following specific cases:

- a. For cold startups, excess emissions from any combustion turbine/HRSG unit shall not exceed six hours in any 24-hour period. "Cold startup" is defined as a startup following a combustion turbine/HRSG shutdown of 48 hours or more.
- b. For hot and warm startups, excess emissions from any combustion turbine/HRSG unit shall not exceed two hours per startup event, and no more than three startup events in any 24-hour period. "Hot and warm startup" is defined as a startup following a combustion turbine/HRSG shutdown of less than 48 hours.
- c. For shutdowns, excess emissions from any combustion turbine/HRSG unit shall not exceed two hours per shutdown event, and no more than three shutdown events in any 24-hour period.

Condition A.13.

From:

Excess emissions from a turbine resulting from startup, shutdown, malfunction, fuel switch or load change shall be reported in accordance with 40 CFR 60.334(c) and accepted 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 a longer duration. The permittee shall provide a general description of the procedures to be followed during periods of startup, shutdown, malfunction, fuel switch or load change to ensure that the best operational practices to minimize emissions will be adhered to and the duration of any excess emissions will be minimized. The description should be submitted to the Department along with the initial compliance test data. The description may be updated as needed by submitting such update to the Department within thirty (30) days of implementation.

To:

Excess emissions from a turbine resulting from startup, shutdown, malfunction, fuel switch or load change shall be reported in accordance with 40 CFR 60.334(c) and accepted 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 a longer~~

Mr. Jim Pennington

October 12, 2004

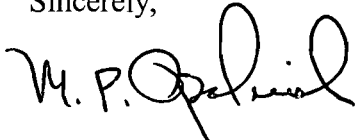
Page 3 of 3

~~duration~~ except for the specific cases authorized by Condition A.10. The permittee shall provide a general description of the procedures to be followed during periods of startup, shutdown, malfunction, fuel switch or load change to ensure that the best operational practices to minimize emissions will be adhered to and the duration of any excess emissions will be minimized. The description should be submitted to the Department along with the initial compliance test data. The description may be updated as needed by submitting such update to the Department within thirty (30) days of implementation.

The requested permit conditions are consistent with recent Department permits for combined cycle combustion turbine units that allow longer durations of excess emissions during startups and shutdowns. The duration of excess emissions requested for the PCGS CT/HRSG units are site-specific and reflect the manner in which these units operate in response to market demands for electricity. As noted previously, each combined-cycle HRSG is equipped with both oxidation catalyst and SCR control technologies to control emissions of CO/VOC and NO_x, respectively. These emission control systems will also reduce startup and shutdown emissions during periods when exhaust gas temperatures are within the functional operating range of the control technologies. In addition, each CT/HRSG unit startup event will have been preceded by a period of CT/HRSG unit shutdown during which time emissions were zero.

Completed Responsible Official and Professional Engineer Certifications are attached. Please contact Mike Roddy at 813/963-0994 if there are any questions concerning this permit revision request.

Sincerely,

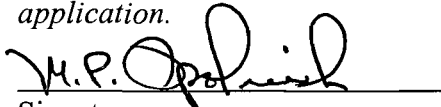
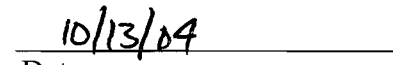
A handwritten signature in black ink, appearing to read "M. P. Opalinski". The signature is fluid and cursive, with a large initial "M" and "P".

Michael P. Opalinski

Vice President of Technical Services and Responsible Official

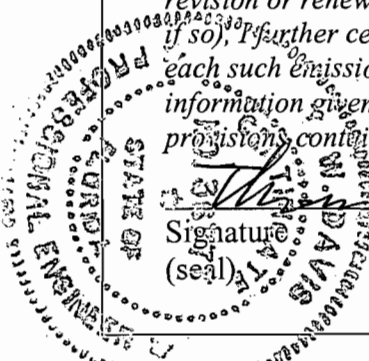
Attachments

Application Responsible Official Certification

1. Application Responsible Official Name: Michael P. Opalinski, Vice President of Technical Services
2. Application Responsible Official Qualification (Check one or more of the following options, as applicable): <input checked="" type="checkbox"/> For a corporation, the president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities applying for or subject to a permit under Chapter 62-213, F.A.C. <input type="checkbox"/> For a partnership or sole proprietorship, a general partner or the proprietor, respectively. <input type="checkbox"/> For a municipality, county, state, federal, or other public agency, either a principal executive officer or ranking elected official. <input checked="" type="checkbox"/> The designated representative at an Acid Rain source.
3. Application Responsible Official Mailing Address... Organization/Firm: Seminole Electric Cooperative, Inc. Street Address: 16313 North Dale Mabry Highway City: Tampa State: FL Zip Code: 33688-2000
4. Application Responsible Official Telephone Numbers... Telephone: (813) 963-0994 ext.1233 Fax: (813) 264-7906
5. Application Responsible Official Email Address: <u>mopalinski@seminole-electric.com</u>
6. Application Responsible Official Certification: <i>I, the undersigned, am a responsible official of the Title V source addressed in this air permit application. 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 and all other applicable requirements identified in this application to which the Title V source is subject. 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 the facility or any permitted emissions unit. Finally, I certify that the facility and each emissions unit are in compliance with all applicable requirements to which they are subject, except as identified in compliance plan(s) submitted with this application.</i>  Signature  Date

* Attach letter of authorization if not currently on file.

Professional Engineer Certification

1. Professional Engineer Name: Thomas W. Davis Registration Number: 36777
2. Professional Engineer Mailing Address... Organization/Firm: Environmental Consulting & Technology, Inc. Street Address: 3701 Northwest 98th Street City: Gainesville State: FL Zip Code: 32606-5004
3. Professional Engineer Telephone Numbers... Telephone: (352) 332-0444 ext. Fax: (352) 332-6722
4. Professional Engineer Email Address: <u>tdavis@ectinc.com</u>
5. Professional Engineer Statement: <i>I, the undersigned, hereby certify, except as particularly noted herein*, that:</i> <i>(1) To the best of my knowledge, there is reasonable assurance that the air pollutant emissions unit(s) and the air pollution control equipment described in this application for air permit, when properly operated and maintained, will comply with all applicable standards for control of air pollutant emissions found in the Florida Statutes and rules of the Department of Environmental Protection; and</i> <i>(2) To the best of my knowledge, any emission estimates reported or relied on in this application are true, accurate, and complete and are either based upon reasonable techniques available for calculating emissions or, for emission estimates of hazardous air pollutants not regulated for an emissions unit addressed in this application, based solely upon the materials, information and calculations submitted with this application.</i> <i>(3) If the purpose of this application is to obtain a Title V air operation permit (check here <input type="checkbox"/>, if so), I further certify that each emissions unit described in this application for air permit, when properly operated and maintained, will comply with the applicable requirements identified in this application to which the unit is subject, except those emissions units for which a compliance plan and schedule is submitted with this application.</i> <i>(4) If the purpose of this application is to obtain an air construction permit (check here <input type="checkbox"/>, if so) or concurrently process and obtain an air construction permit and a Title V air operation permit revision or renewal for one or more proposed new or modified emissions units (check here <input checked="" type="checkbox"/> if so), I further certify that the engineering features of each such emissions unit described in this application have been designed or examined by me or individuals under my direct supervision and found to be in conformity with sound engineering principles applicable to the control of emissions of the air pollutants characterized in this application.</i> <i>(5) If the purpose of this application is to obtain an initial air operation permit or operation permit revision or renewal for one or more newly constructed or modified emissions units (check here <input type="checkbox"/>, if so), I further certify that, with the exception of any changes detailed as part of this application, each such emissions unit has been constructed or modified in substantial accordance with the information given in the corresponding application for air construction permit and with all provisions contained in such permit.</i>  Signature: <u>Thomas W. Davis</u> Date: <u>10/13/04</u>

* Certification is applicable to the Seminole Electric Cooperative, Inc. request for revisions to current PSD air construction and Title V air operating permit provisions regarding excess emissions during startups and shutdowns at its Payne Creek Generating Station.

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

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T
 Se Mr. Michael Opalinski, Vice President
 of Technical Services
 St Seminole Electric Cooperative, Inc.
 or Payne Creek Generating Station
 Ci 16313 North Dale Mabry Highway
 Tampa, Florida 33688-2000

PS Form 3800, January 2001

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Michael Opalinski, Vice President
 of Technical Services
 Seminole Electric Cooperative, Inc.
 Payne Creek Generating Station
 16313 North Dale Mabry Highway
 Tampa, Florida 33688-2000

2. Article Number
(Transfer from service label)

7001 0320 0001 3692 2763

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee

B. Received by (*Printed Name*) C. Date of Delivery
 2/7/05

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (*Extra Fee*) Yes

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Dept. of Environmental Protection
Division of Air Resources Mgt.
Bureau of Air Regulation, NSR
2600 Blair Stone Rd., MS 5505
Tallahassee, FL 32399-2400

RECEIVED

JUL 11 2005

BUREAU OF AIR REGULATION

STATEMENT OF BASIS

Seminole Electric Cooperative, Inc.
Payne Creek Generating Station
Facility ID No.: 0490340
Hardee County

Initial Title V Air Operation Permit
DRAFT Permit No.: 0490340-005-AV

This Title V air operation permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, 62-213, and 62-214. 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 permitting authority, in accordance with the terms and conditions of this permit.

This facility consists of two nominal 157.5 megawatts (MW) combined-cycle Siemens Westinghouse 501F(D) combustion turbines. The combined-cycle turbines each include one unfired heat recovery steam generator (HRSG). The combustion turbines only operate in combined-cycle mode (i.e., the HRSGs are not equipped with bypass stacks). Steam generated by the two HRSGs is sent to one common nominal 173 MW steam turbine. The facility utilizes pipeline natural gas as its primary fuel source with distillate fuel oil serving as a backup fuel.

These emissions units are two nominal 157.5 megawatts (MW) combined-cycle Siemens Westinghouse 501F(D) combustion turbines equipped with dry low-NO_x (DLN) combustors. The combined-cycle turbines each include one unfired heat recovery steam generator (HRSG) equipped with selective catalytic reduction (SCR) for NO_x control and oxidation catalyst control systems for CO control. The turbines will also utilize water injection to control NO_x emissions when firing distillate fuel oil. The emissions units are regulated under Acid Rain, Phase II; NSPS - 40 CFR 60, Subpart GG, Standards of Performance for Stationary Gas Turbines, adopted and incorporated by reference in Rule 62-204.800(7), F.A.C.; Rule 62-212.400(5), F.A.C., Prevention of Significant Deterioration (PSD); Rule 62-212.400(6), F.A.C., Best Available Control Technology (BACT) Determination, dated September 27, 1995. The combined cycle combustion turbines began operation in December, 2001.

The proposed changes will affect the following emission units:

EU No.	Emissions Unit Description
001	Combined-Cycle Combustion Turbine with Heat Recovery Steam Generator: Unit 1
002	Combined-Cycle Combustion Turbine with Heat Recovery Steam Generator: Unit 2

The applicant requests the following changes to Permit No. PSD-FL-214A for Unit's 001 and 002 combined cycle gas turbine.

1. Cold Startup: Authorize up to 6 hours of excess emissions from any combustion turbine

(CT)/heat recovery steam generator (HRSG) unit in any 24-hour period from cold startups. Cold startup is defined as startup following a CT/HRSG shutdown of 48 hours or more. NOx emissions from such periods would still be included to demonstrate compliance with the annual facility-wide emission cap.

2. Hot and Warm Startup: Authorize up to 2 hours of excess emissions per startup event and no more than three startup events in any 24-hour period from any CT/HRSG unit resulting from hot and warm startups. Hot and warm startup is defined as a startup following a CT/HRSG shutdown of less than 48 hours. NOx emissions from such periods would still be included to demonstrate compliance with the annual facility-wide emission cap.
3. Shutdown: Authorize up to 2 hours of excess emissions per shutdown event and no more than three shutdown events in any 24-hour period from any CT/HRSG. NOx emissions from such periods would still be included to demonstrate compliance with the annual facility-wide emission cap.

Also included in this permit are miscellaneous unregulated/insignificant emissions units and/or activities.

Based on additional information amending the Title V permit application received July 10, 2002, this facility is a synthetic minor source of hazardous air pollutants (HAPs).

FINAL DETERMINATION

**Seminole Electric Cooperative, Incorporated (SECI)
Payne Creek Generating Station
DEP File No. PSD-FL-214C / 0490340-004-AC**

An Intent to Issue a PSD Permit Modification for SECI, Payne Creek Generating Station, located near Bowling Green, Hardee County, Florida, was distributed on April 21, 2005. The Public Notice of Intent to Issue PSD Permit Modification was published in the Herald-Advocate on May 12, 2005. Copies of the draft permit modification were available for public inspection at the Department offices in Tampa and Tallahassee.

The Department received no comments from the public, the applicant, the EPA Region 4 office or the National Park Service.

The final action of the Department is to issue the construction permit as proposed.



Department of Environmental Protection

Jeb Bush
Governor

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

Colleen M. Castille
Secretary

July 5, 2005

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Michael P. Opalinski, Vice President of Technical Services
Seminole Electric Cooperative, Inc.
16313 North Dale Mabry Highway
Tampa, Florida 33688-2000

Re: Payne Creek Generating Station
Project No. 0490340-004-AC / PSD-FL 214C
Modification of Permit No. PSD-FL-214A, Unit's 1 and 2 Excess Emissions Conditions

Dear Mr. Opalinski:

On November 2, 2004, the Department received your request to make several changes to the PSD air construction permit 214A for Unit's 1 and 2. Based on your application, the Department makes the following determinations and modifies this permit accordingly.

MODIFICATION OF PERMIT NO. PSD-FL-214A (UNIT'S 1 AND 2)

Applicant Request: For a day with a cold startup, the applicant requests up to 6 hours of excess emissions from any Combustion Turbine (CT)/Heat Recovery Steam Generator (HRSG) units. Similarly, the applicant requests 2 hours of excess emissions per startup event and no more than three startup events in any 24-hour period from any CT/HRSG units resulting from a hot and warm startups. Additionally, applicant requests 2 hours of excess emissions per shutdown event and no more than three shutdown events in any 24-hour period from any CT/HRSG units.

Determination: The request is approved provided the applicant meets the following three provisions:

- NOx excess emissions data shall not be excluded from the annual NOx emissions cap. This is necessary to maintain an enforceable emissions cap.
- The permittee shall submit quarterly reports that identify the amount of NOx emission data excluded from compliance determination with the short-term limit due to startups, shutdowns, documented malfunctions and fuel switches.
- Excess emissions greater than 6 hours in any 24-hour period shall be reported to the Department's Southwest District Office within 24 hours.

Accordingly, the following revisions of Permit No. PSD-FL-214A will be made.

Revise Condition No. B.4 as follows:

"Excess emissions from a turbine resulting from startup, shutdown, malfunction, fuel switch or load change shall be reported in accordance with 40 CFR 60.334(c) and accepted 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 a longer duration~~ except for the following specific cases:

- a. For cold startups, excess emissions from any CT/heat recovery steam generator (HRSG) unit shall not exceed six hours in any 24-hour period. "Cold startup" is defined as a startup following a CT/HRSG shutdown of 48 hours or more.

"More Protection, Less Process"

Printed on recycled paper.

- b. For hot and warm startups, excess emissions from any CT/HRSG unit shall not exceed two hours per startup event, and no more than three startup events in any 24-hour period. "Hot and warm startup" is defined as a startup following a CT/HRSG shutdown of less than 48 hours.
- c. For shutdowns, excess emissions from any CT/HRSG unit shall not exceed two hours per shutdown event, and no more than three shutdown events in any 24-hour period.

All quality-assured hourly NOx emissions data shall be used when demonstrating compliance with the emissions cap. When monitoring data is not available, substitution for missing data shall be handled as required by Title IV (40 CFR 75).

New Condition Nos. E.5, E.6 and E.7 are added as follows:

5. The permittee shall notify the Department's Southwest District Office by telephone, facsimile transmittal or electronic mail within 24 hours if the NOx excess emissions exceed six hours in any 24-hour period.
[Applicant Request]
6. The permittee shall include the NOx excess emissions data in determining compliance with the annual facility-wide emission cap of 906 tpy.
[Rule 62-4.070(3), F.A.C.]
7. Quarterly NOx Monitoring Report. Within 30 days following each calendar quarter, the permittee shall submit a report to the Department's Southwest District Office that summarizes the following information for the quarter.
 - a. Identify the hours of NOx emission data excluded from compliance determination with the short-term limit due to each of the following: startups, shutdowns, documented malfunctions and fuel switches.
 - b. For each malfunction, identify the: date; approximate time range; duration (hours) of the malfunction; NOx emission levels during the malfunction; problem and cause of the problem (if known); and corrective action taken (if any).
 - c. Identify the hours of NOx monitoring system down time due to each of the following: monitor malfunctions; non-monitor malfunctions; quality assurance calibrations; other known causes; and unknown causes. Identify the monitor availability.
[Rules 62-4.070(3), 62-4.130, 62-4.160(14)(b), and Rule 62-210.700(6), F.A.C.]

Details of the Department's review are available in the Technical Evaluation and Preliminary Determination that accompanied the Draft Permit modification package. This permit modification is issued pursuant to Chapter 403 of the Florida Statutes. Attached are copies of air construction permit No. PSD-FL-214A. A copy of this letter shall be filed with the referenced permit and shall become part of the permit.

Any party to this order (permit modification) has the right to seek judicial review of it under Section 120.68 of the Florida Statutes 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 thirty (30) days after this order is filed with the clerk of the Department.

Sincerely,



Michael G. Cooke, Director
Division of Air Resource Management

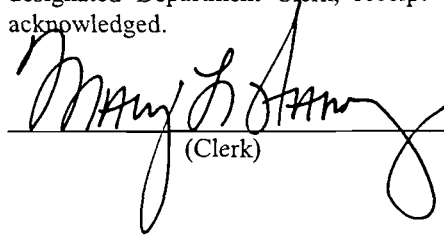
CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Notice of Final Permit Modification was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on 7/5/05 to the persons listed:

- Mr. Michael P. Opalinski, Seminole Electric Cooperative, Inc.*
- Mr. Tom Davis, P.E., Environmental Consulting & Technology, Inc.
- Mr. Joel Smolen, DEP-SWD
- Mr. Gregg Worley, EPA Region 4

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)

7/5/05

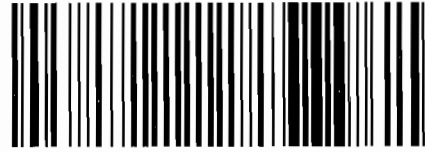
(Date)



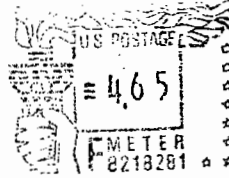
IN PARTNERSHIP WITH THOSE WE SERVE

16313 North Dale Mabry Highway
P.O. Box 272000
Tampa, Florida 33688-2000

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Mr. Jim Pennington, P.E.
Fla. Dept. of Environmental Protection
Air Permitting North Section
111 South Magnolia Drive, Suite 23
Tallahassee, FL 32301