

Department of Environmental Protection

Jeb Bush
Governor

Division of Air Resource Management
2600 Blair Stone Road, MS 5500
Tallahassee, Florida 32399-2400
Telephone: (850) 488-0114 FAX: (850) 922-6979

Colleen M. Castille
Secretary

April 15, 2005

Mr. Ralf Brookes
Save Our Bay Air and Canals
1217 East Cape Coral Parkway 107
Cape Coral, FL 33904

Dear Mr. Brookes:

Thank you for your recent correspondence to Secretary Castille regarding air pollution emissions from the Tampa Electric Company's Big Bend Power Plant. Specifically, you expressed concern about the health impacts on Apollo Beach residents due to particulate matter (PM₁₀ and PM_{2.5}).

Clean air for the citizens of the State of Florida is of utmost importance to me as well as to Secretary Castille. As you may know, Florida is one of only three states east of the Mississippi River that is in attainment with all of the health-based national ambient air quality standards set by the U.S. Environmental Protection Agency ("EPA"), including PM₁₀. Florida has achieved success in meeting these standards despite being the fourth most populous state in the nation, and accommodating all of the power plants, industry, and mobile sources needed to support such a large population.

As part of our effort to meet the ambient air quality standards, we have significantly reduced emissions from older plants in Florida. For example, since 1999, SO₂ emissions have been reduced by approximately 300,000 tons per year ("TPY") and NO_x emissions have been reduced by 40,000 TPY through a combination of enforcement, conversion to cleaner fuels, and implementation of the federal acid rain requirements signed into law by President George H. W. Bush in 1990. These emission decreases occurred at the same time the State's electrical power generation capabilities increased by approximately 30%.

In Tampa Bay, the area where you live, emission reduction projects have been implemented at several older power plants. These emission reduction projects in the Tampa Bay area include voluntary changes that are being made at the Florida Power & Light ("FP&L") Manatee Power Plant, as well as changes implemented by the Tampa Electric Company ("TECO") at the TECO Big Bend and Gannon Plants.

Precursors to PM_{2.5}, such as NO_x and SO₂, have been decreased dramatically at the TECO facilities. NO_x emissions from the TECO Big Bend Plant have been cut in half since they peaked in the mid-1990s and annual SO₂ emissions were reduced from 107,000 tons in 1998 to less than 12,000 tons in 2002 following installation of a scrubber on Units 1 and 2. TECO will also be installing selective catalytic reduction ("SCR") equipment at its Big Bend Plant starting in 2007.

"More Protection, Less Process"

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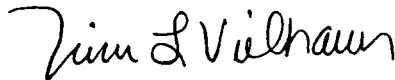
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Similarly, NO_x emissions from the TECO Gannon Power Plant (now called the Bayside Plant) located in the city of Tampa, which peaked at 40,000 tons in 1995, have been reduced to less than 600 TPY in 2004 following a conversion from coal to natural gas. Mercury emissions were reduced because of the fuel switch. The Bayside Plant will emit less than 400 tons of SO₂ in 2004.

In addition to reducing emissions at power plants, the State also is investing in cleaner sources of fuel. For example, in 1999 the transportation capacity of the natural gas pipeline system in the State was about 1.4 billion standard cubic feet per day ("bscfd"). Today that capacity stands at approximately 3.4 bscfd. This increased supply of natural gas assists in the State's efforts to improve the environment, providing much of the inherently clean fuel needed to power plants.

In summary, the State of Florida has worked very hard to meet the health-based national ambient air quality standards established by EPA and it is the only heavily populated state east of the Mississippi River to do so. The State has made this progress while increasing the power generating capacity in the State and maintaining a diverse fuel base. We intend to continue this effort to protect the environment while meeting the energy consumption needs of the citizens of the State. Thank you again for your letter. Please do not hesitate to contact me at 850-488-0114 if you would like to discuss this topic further.

Sincerely,



Trina L. Vielhauer
Chief, Bureau of Air Regulation

cc: Richard Drew, Division of Water Resource Management

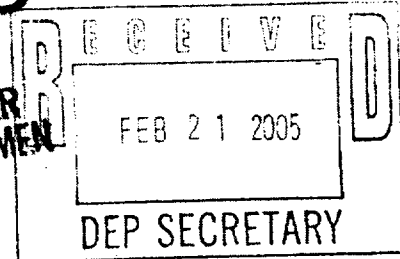
RALF BROOKES, ATTORNEY

February 16, 2005

State of Florida
 Department of Environmental Protection
 Secretary Colleen Castille
 And Agency Clerk
 Via fax 850-245-2128 (fax)

RECEIVED

FEB 23 2005

DIRECTOR - WATER
RESOURCE MANAGEMENT

In re: Proposed Industrial Wastewater Permit (State Equivalent NPDES) Tampa Electric Company FL0000817-007-IW1S/NR

Because Save Our Bay Air and Canals, Inc. cannot currently afford legal representation or water quality expert testimony it will not seek a formal administrative hearing at the state level.

However, SOBAC believes the proposed agency action to approve the proposed Industrial Wastewater permit for Tampa Electric Company DEP File # FL0000817-007-IW1S/NR is in violation of state water quality standards, state statutes and federal Clean Water Act.

In particular SOBAC alleges as unlawful:

- the lack of any total discharge flow amount (i.e., how much water can be discharged on a daily, weekly, monthly or annual basis),
- the Dissolved Oxygen criteria set forth in the proposed permit would allow discharges below the Florida Water Quality Standard for Dissolved Oxygen and
- the extremely high Thermal criteria (the proposed temperature amount of 109 degrees and rise of 16.8 degrees appears to violate Florida Water Quality Standards)
- the maximum allowable discharge for iron appears to exceed the Florida Water Quality Standard and iron has been linked to unnatural or harmful algal blooms (e.g., unnatural population explosions of micro-organisms).

SOBAC also believes based on studies conducted in the vicinity of the discharge that there are adverse impacts and substantial harm to benthic organisms and aquatic life and vegetation, adversely affecting the flora and fauna of the area (underwater video and reconnaissance reveals a veritable "moonscape" devoid of most life forms except pollution and heat tolerant species) most likely resulting from low D.O., high temperature and other toxic pollutants. Potential pollutants, such as copper, are listed only as report and required only to quarterly grab sample.

Quarterly sampling is antiquated especially when inexpensive continuous monitoring technology now exists, and the maximum water quality standard is inadequately listed only as "report" rather than the Florida Water Quality Standard. SOBAC believes this is legally inadequate to ensure that the permit assures compliance with state water quality standards. Why not list the state water quality standard as the "instantaneous maximum"? Footnote 2 allows the applicant to discontinue even this quarterly reporting after year 1 of the 5 year

permit - at one of the largest discharges from a power plant in the entire Tampa Bay region. This quarterly report only criteria is disturbing and calls the entire program into question.

The once-through cooling system is inadequate and wasteful of natural resources because it sucks in micro-organisms, fish eggs and larvae through an antiquated intake. Because no limit on the amount of water withdrawn or discharged is established by the permit the amount of larvae and fish eggs destroyed is not known with certainty.

The intake returns and screening is inadequate and does not represent the best available technology for cooling water systems for power plants. Cooling water towers, recirculating systems, recycling and dry cooling are all available technologies in use at power plants across the USA such as the FPL plant in Ft. Myers.

The use of coal as a fuel source also results in water pollution that can be reduced by conversion to natural gas. Conversion of this aging dinosaur of a plant, that is frequently listed on NGO list of the nations "Dirty Dozen" power plants. Natural gas is available in the Tampa Bay regions and the conversion of this polluter, Big Bend Power Plant, should be accelerated similar to other Tampa Electric Company plants in the Tampa Bay region.

SOBAC supports a rate increase to accomplish and accelerate the natural gas conversion if necessary. Currently, the brown haze emanating from Big Bend Power Plant can be visually seen and traced from the Big Bend Power Plant across Tampa Bay and on some days all the way to Manatee and Sarasota Counties.

Currently, the Big Bend Power Plant is depressing property values, releasing particulate coal dust (including PM 10 and PM 2.5) that lands on the homes of SOBAC members and is also likely found in the lungs of Apollo Beach residents and school children at Apollo Beach Elementary. We request the a public health survey be initiated in Apollo Beach to determine whether any adverse health effects are being experienced from the water and air discharges of the Big Bend Power Plant.

Sincerely yours,



Ralf Brookes, Attorney
Attorney for SOBAC

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File

OFFICE OF THE ATTORNEY GENERAL

CHARLIE CRIST
ATTORNEY GENERAL
STATE OF FLORIDA

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March 8, 2005

Mr. Ralf Brooks, Attorney
Save Our Bay Air and Canals, Inc.
1217 East Cape Coral Parkway 107
Cape Coral, Florida 33904

Dear Mr. Brooks:

This office is in receipt of your letter to Attorney General Charlie Crist concerning the proposed industrial waste permit for the Tampa Electric Company. The Attorney General has asked me to respond on his behalf.

Based on your letter, the organization you represent has decided not to request a formal administrative hearing at the state level due to lack of funds. However, your organization wanted its concerns to be addressed by the Department of Environmental Protection (DEP). To be of assistance, this office is asking Ms. Colleen Castille, Secretary of the DEP, to respond to the issues you have raised concerning the subject permit.

I appreciate your bringing this matter to the attention of this office.

Sincerely,

Diana Sawaya-Crane
Cabinet Aide

Cc: Colleen Castille w/ copy of Mr. Brooks' letter.
Allen Hubbard

DSC/meb



MAR 8 2005

Division of Marketing
Section

AI#EO-9498

DRAFT

Drafted by: Allen Hubbard

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Due: 4/19/2005

April __, 2005

Mr. Ralf Brookes

Save Our Bays Air and Canals

1217 East Cape Coral Parkway 107

Cape Coral, FL 33904

Dear Mr. Brookes:

Secretary Castille asked me to respond to your February 16, 2005 letter, written on behalf of SOBAC, concerning the Industrial Wastewater permit (FL0000817) for the Tampa Electric Company (TEC) Big Bend Power Plant in Hillsborough County. First of all, I want to thank you and SOBAC for your continuing attention to water quality issues in Tampa Bay.

Your letter expresses the opinion that the referenced wastewater permit is not in conformance with Florida Statutes and regulations and the Clean Water Act (CWA). Although we respect your opinion, we disagree. After a lengthy and rigorous permit renewal application process, the

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Department determined that the applicant had provided reasonable assurances pursuant to Rule 62-620.320, Florida Administrative Code (F.A.C.) that the permitted discharge is in accordance with applicable requirements of Section 403, Florida Statutes (F.S.) and Department rules. Moreover, the United States Environmental Protection Agency has concurred with the Department that the proposed permit and the final permit (issued March 17, 2005) meet the requirements of the CWA and applicable federal and state rules.

Your letter also expressed SOBAC's concern that "particulate coal dust" emissions from the Big Bend plant may impact health and property in the Apollo Beach area, and you requested that a public health survey be conducted to assess this concern. In this regard, we have contacted the Division of Air Resources Management which will coordinate the Department's efforts to follow-up on your request. This effort will be lead by Trina Vielhauer, Chief of the Bureau of Air Regulation. >

Thank you again for your concern regarding the industrial wastewater permit for the Big Bend power plant.

Sincerely,

Richard D. Drew, Chief
Bureau of Water Facilities Regulation

Mr. Ralf Brookes
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RDD/bwfr/aph

cc: Mimi Drew, Division of Water Resource Management

Deborah Getzoff, Southwest District

Diana Sawaya-Crane, Office of the Attorney General

Lisa Conti, Department of Health

Trina Vielhauer, Division of Air Resource Management

Elsa Potts, P.E., Office of Wastewater Management

Vincent Seibold, P.E., Administrator, Industrial Wastewater Section

Vielhauer, Trina

From: Seibold, Vince
Sent: Thursday, April 14, 2005 4:42 PM
To: Vielhauer, Trina
Cc: Potts, Elsa; Drew, Richard; Hubbard, Allen
Subject: TECO Big Bend - SOBAC

Trina,

As per my voicemail, I am forwarding a draft response letter, copy of the third party (SOBAC) letter, and a copy of a letter from the Office of the Attorney General. Please review and let us know what you think in regards to coordinating the appropriate agency response. This is an action item from the Secretary's office with a due date of April 19th.

Feel free to contact us with any questions.

Thanks.

4/14/2005