

# Department of Environmental Protection

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

David B. Struhs Secretary

June 11, 2001

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Ralph L. Metcalf II, P.E., Director Department of Sanitary Sewers, City of Tampa 2700 Maritime Boulevard Tampa, Florida 33605

RE:

City of Tampa Howard F. Curren AWT Facility Project No. 0570373-010-AC (PSD-FL-291A)

Permit Modification - Revised Hours Limit for Engines 7 and 8

Dear Mr. Metcalf:

Enclosed is one copy of the draft permit modification package for Engines 7 and 8 at the City of Tampa's Howard F. Curren AWT Facility. The draft modification letter approves the request to revise the hours of operation to provide additional flexibility in the event of a malfunction or other unforeseen problem with an engine. The draft modification revises the restriction on operation from 6500 hours per year per engine to 13,000 hours per year for both engines combined. The Department's Preliminary Determination, Intent to Issue Air Construction Permit and the Public Notice of Intent to Issue Air Construction Permit are also included.

The <u>Public Notice of Intent to Issue Air Construction Permit</u> must be published one time only, as soon as possible, in the legal advertisement section of a newspaper of general circulation in the area affected, pursuant to the requirements Chapter 50, Florida Statutes. Proof of publication, i.e., newspaper affidavit, must be provided to the Department's Bureau of Air Regulation office within seven days of publication. Failure to publish the notice and provide proof of publication may result in the denial of the permit.

Please submit any written comments you wish to have considered concerning the Department's proposed action to A. A. Linero, P.E., Administrator, New Source Review Section at the above letterhead address. If you have any other questions, please contact Jeff Koerner at 850/921-9536.

Sincerely,

C. H. Fancy, P.E., Chief Bureau of Air Regulation

CHF/AAL/jfk

Enclosures

"More Protection, Less Process"

Printed on recycled paper.

In the Matter of an Application for Permit by:

Mr. Ralph L. Metcalf II, P.E., Director Department of Sanitary Sewers, City of Tampa 2700 Maritime Boulevard Tampa, Florida 33605 Project No. 0570373-010-AC Air Permit No. PSD-FL-291A Permit Modification Howard F. Curren AWT Facility Revised Hours Limit, Engines 7 and 8 Hillsborough County

#### INTENT TO ISSUE AIR CONSTRUCTION PERMIT

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit modification (copy attached) for the proposed project, as detailed in the application specified above and the enclosed Project Evaluation and Preliminary Determination, for the reasons stated below.

On May 29, 2001, the Department received an application from the City of Tampa requesting modification of Air Permit No. PSD-FL-291 for the Howard F. Curren AWT Facility located at Hookers Point between McKay Bay and Hillsborough Bay in Hillsborough County, Florida. The applicant requests a revised limit on hours of operation for Engines 7 and 8 to provide additional flexibility in the event of a malfunction or other unforeseen problem with an engine. The Department has permitting jurisdiction under the provisions of Chapter 403 of the Florida Statutes (F.S.) and Chapters 62-4, 62-210, and 62-212 of the Florida Administrative Code (F.A.C.). The above actions are not exempt from permitting procedures. The Department has determined that a permit modification is required because the request is to modify terms of the initial PSD air construction permit.

The Department intends to issue this air construction permit based on the belief that reasonable assurances have been provided to indicate that operation of these emission units will not adversely impact air quality, and the emission units will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C.

Pursuant to Section 403.815, F.S., and Rule 62-110.106(7)(a)1, 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. The notice shall be published one time only in the legal advertisement section of a newspaper of general circulation in the area affected. Rule 62-110.106(7)(b), F.A.C., requires that the applicant cause the notice to be published as soon as possible after notification by the Department of its intended action. For the purpose of these rules, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting 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 Department at the address or telephone number listed below. The applicant shall provide proof of publication to the Department's Bureau of Air Regulation, at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400 (Telephone: 850/488-0114; Fax 850/922-6979). You must provide proof of publication within seven days of publication, pursuant to Rule 62-110.106(5), F.A.C. No permitting action for which published notice is required shall be granted until proof of publication of notice is made by furnishing a uniform affidavit in substantially the form prescribed in section 50.051, F.S. to the office of the Department issuing the permit. Failure to publish the notice and provide proof of publication may result in the denial of the permit pursuant to Rules 62-110.106(9) and (11), F.A.C.

The Department will issue the final permit with the attached conditions unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed permit issuance action for a period of fourteen (14) days from the date of publication of <u>Public Notice of Intent to Issue Air Permit</u>. Written comments should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, FL 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the proposed permit and require, if applicable, another Public Notice.

The Department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below

Mr. Ralph L. Metcalf City of Tampa Howard F. Curren AWT Plant Page 2 Draft Air Permit No. PSD-FL-291A Engines 7 and 8 Revised Limit on Hours

and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen (14) days of receipt of this notice of intent. 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 public notice or within fourteen (14) days of receipt of this notice of intent, whichever occurs first. Under section 120.60(3), F.S., however, any person who asked the Department for notice of agency action may file a petition within fourteen 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 Department'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 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 indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and (g) A statement of the relief sought by the petitioner, stating precisely the action 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 Department'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 Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation is not available in this proceeding.

In addition to the above, a person subject to regulation has a right to apply for a variance from or waiver of the requirements of particular rules, on certain conditions, under Section 120.542, F.S. The relief provided by this state statute applies only to state rules, not statutes, and not to any federal regulatory requirements. Applying for a variance or waiver does not substitute or extend the time for filing a petition for an administrative hearing or exercising any other right that a person may have in relation to the action proposed in this notice of intent.

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. The petition must specify the following information: (a) The name, address, and telephone number of the petitioner; (b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any; (c) Each rule or portion of a rule from which a variance or waiver is requested; (d) The citation to the statute underlying (implemented by) the rule identified in (c) above; (e) The type of action requested; (f) The specific facts that would justify a variance or waiver for the petitioner; (g) The reason why the variance or waiver would serve the purposes of the underlying statute (implemented by the rule); and (h) A statement whether the variance or waiver is permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

The Department will grant a variance or waiver when the petition demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of those terms is defined in Section 120.542(2), F.S., and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner.

Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable by the Administrator of the EPA and by any person

Mr. Ralph L. Metcalf City of Tampa Howard F. Curren AWT Plant Page 3 Draft Air Permit No. PSD-FL-291A Engines 7 and 8 Revised Limit on Hours

under the Clean Air Act unless and until the Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

Executed in Tallahassee, Florida.

C. H. Fancy, P.É., Chief Bureau of Air Regulation

#### CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this <u>Intent to Issue Air Construction Permit</u>

Modification (including the <u>Public Notice of Intent to Issue</u>, <u>Project Evaluation and Preliminary Determination</u>, and the Draft Modification) was sent by certified mail (\*) and copies were mailed by U.S. Mail before the close of business on 6/3/0/1 to the persons listed:

Ralph L. Metcalf, II, P.E. \*
Shannon K. Todd, TECO
Tom Davis, P.E., ECT
Bill Thomas, P.E., SWD

Jerry Campbell, HCEPC Mr. Gregg Worley, EPA Mr. John Bunyak, NPS

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.

## PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT MODIFICATION

# STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Project No. 0570373-010-AC Draft Air Permit No. PSD-FL-291A

City of Tampa, Howard F. Curren AWT Facility
Palm Beach County

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit modification to revise the hours of operation to provide additional flexibility in the event of a malfunction or other unforeseen problem with an engine. The applicant's authorized representative is Mr. Ralph L. Metcalf II, P.E., Director of the Department of Sanitary Sewers for the City of Tampa. The mailing address is 2700 Maritime Boulevard, Tampa, Florida 33605.

The draft modification revises the restriction on operation from 6500 hours per year per engine to 13,000 hours per year for both engines combined. This does not result in any increase in emissions or alter control equipment, emissions standards, heat input capacity, monitoring conditions or other requirements associated with emissions or previous determinations of the Best Available Control Technology. The Department will approve the request and issue the final permit with the attached conditions unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed permit issuance action for a period of fourteen (14) days from the date of publication of this Public Notice of Intent to Issue Air Construction Permit Modification. Written comments should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, FL 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the proposed permit and require, if applicable, another Public Notice.

The Department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57 of the Florida Statutes (F.S.), before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below. Mediation is not available in this proceeding.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen (14) days of receipt of this notice of intent. 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 public notice or within fourteen (14) days of receipt of this notice of intent, whichever occurs first. Under section 120.60(3), F.S., however, any person who asked the Department 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 of the Florida Administrative Code (F.A.C.).

A petition that disputes the material facts on which the Department'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 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 indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed

action; and (g) A statement of the relief sought by the petitioner, stating precisely the action 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 Department'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 Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

A complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

Dept. of Environmental Protection Bureau of Air Regulation New Source Review Section Suite 4, 111 S. Magnolia Drive Tallahassee, Florida 32301 Telephone: 850/488-0114 Dept. of Environmental Protection Southwest District Office Air Resources Section 3804 Coconut Palm Drive Tampa, Florida 33619-8218 Telephone: 813/744-6100 Hillsborough County Environmental Protection Commission Air Management Division 1410 North 21 Street Tampa, Florida 33605 Telephone: 813/272-5530

The complete project file includes the application, technical evaluations, draft permit modification, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the project engineer in the New Source Review Section at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/488-0114, for additional information.

## (DRAFT MODIFICATION)

(Date)

#### CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Ralph L. Metcalf II, P.E., Director Department of Sanitary Sewers, City of Tampa 2700 Maritime Boulevard Tampa, Florida 33605

RE: City of Tampa Howard F. Curren AWT Facility
Project No. 0570373-010-AC (PSD-FL-291A)
Permit Modification – Revised Hours Limit for Engines 7 and 8

#### Dear Mr. Metcalf:

On May 29, 2001, the Department received your request to revise the limits on hours of operation for Engines 7 and 8 to provide additional flexibility in the event of a malfunction or other unforeseen problem with an engine. Based on the information provided and additional discussions, this request is approved. Condition No. 1 in Section III on Page 10 is modified as follows:

#### From:

"Hours of Operation: Each emissions unit shall not operate more than 6,500 hours in any consecutive 12 month period. [Rule 62-210.200, F.A.C., Definitions-Potential to Emit (PTE), and limitation on PTE to avoid PSD for CO and VOC]"

#### To:

"Hours of Operation: Combined operation of both emissions units shall not exceed 13,000 hours in any consecutive 12 month period. [Rule 62-210.200, F.A.C., Definitions-Potential to Emit (PTE), and limitation on PTE to avoid PSD for CO and VOC; Revised on (Date) with PSD-FL-291A]"

This permit modification is issued pursuant to Chapter 403 of the Florida Statutes. Attached is a copy the original Page 10 and the revised Page 10 of Permit No. PSD-FL-291. 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

# AIR CONSTRUCTION PERMIT SECTION III. EMISSIONS UNITS SPECIFIC CONDITIONS

The following specific conditions apply to the following emissions units after construction:

EMISSIONS UNIT NO.	EMISSIONS UNIT DESCRIPTION
017	Engine 7 with nominal 2.9 MW generator: 4073 brake hp natural gas fired Waukesha Model 16V-AT27GL engine coupled to a nominal 2.9 MW electrical generator. Maximum heat input rate is 27.2 mmBtu/hr (HHV) based on a natural gas heating value of 1025 Btu/cf.
018	Engine 8 with nominal 2.9 MW generator: 4073 brake hp natural gas fired Waukesha Model 16V-AT27GL engine coupled to a nominal 2.9 MW electrical generator. Maximum heat input rate is 27.2 mmBtu/hr (HHV) based on a natural gas heating value of 1025 Btu/cf.

[Note: These emissions units are subject to the requirements for Prevention of Significant Deterioration pursuant to Rule 62-212.400, F.A.C., for NOx and of the state rules as indicated in this permit. Emissions of CO and VOC are limited to ensure that this project will not exceed the PSD significance level for these pollutants.]

### **OPERATIONAL REQUIREMENTS**

- 1. Hours of Operation: Each emissions unit shall not operate more than 6,500 hours in any consecutive 12 month period. [Rule 62-210.200, F.A.C., Definitions-Potential to Emit (PTE), and limitation on PTE to avoid PSD for CO and VOC]
- 2. <u>Natural Gas Fuel Only</u>: These engines shall burn only pipeline natural gas. [Rules 62-4.070(3) and 62-210.200, F.A.C., Definitions-Potential to Emit (PTE)]

[Note: This condition and the hours of operation limitation will effectively limit SO<sub>2</sub> emissions to approximately 0.5 tons per year, and use of natural gas will limit PM<sub>10</sub> emissions to approximately 5.8 tons per year based on the highest manufacturer's emission factor.]

## EMISSION LIMITATIONS AND PERFORMANCE STANDARDS

3. <u>Visible Emissions</u>: These emissions units are subject to the VE requirements of specific condition 9 in Section II of this permit. [Rule 62-296.320, F.A.C.]

[Note: Regular compliance testing for visible emissions is not required by this permit.] .

4. <u>Emissions Limited</u>: Emissions from each emissions unit shall not exceed the following limits for the following pollutants:

POLLUTANT	EMISSION LIMIT	AVERAGING TIME
VOC	5.0 pounds/hour	3 hours
NOx	14.0 pounds/hour	3 hours
CO	14.9 pounds/hour	3 hours

<sup>&</sup>lt;sup>1</sup> The averaging times correspond to the required length of sampling for the initial and subsequent emission tests.

<sup>&</sup>lt;sup>2</sup> NOx emissions are to be reported as NO<sub>2</sub>.

## Memorandum

## Florida Department of **Environmental Protection**

TO:

Clair Fancy, Bureau of Air Regulation

THROUGH: (Al Linero, New Source Review Section)

FROM:

Jeff Koerner, New Source Review Section

DATE:

June 8, 2001

SUBJECT:

Project No. 0570373-010-AC (PSD-FL-291A)

City of Tampa Howard F. Curren AWT Facility

Permit Modification - Revised Hours Limit for Engines 7 and 8

Attached is the draft permit modification package for Engines 7 and 8 at the City of Tampa's Howard F. Curren AWT Facility. The draft modification letter approves the request to revise the hours of operation to provide additional flexibility in the event of a malfunction or other unforeseen problem with an engine. The draft modification revises the restriction on operation from 6500 hours per year per engine to 13,000 hours per year for both engines combined. I spoke with the original permit engineer for this project, Joe Kahn. He did not believe that this change would affect any of the previous PSD applicability determinations.

Day #74 is August 10, 2001. I recommend your approval of the attached Intent to Issue package for this project.

AAL/jfk

Attachments

SENDER: COMPLETE THIS SECTION.	COMPLETE THIS SECTION ON DELIVERY
<ul> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	A Received by (Riease Print Clearly)  B. Date of Delivery  C. Signature  Agent  Addressee  D. Is delivery address different from item 1?  Yes
1. Article Addressed to:	If YES, enter delivery address below:
Mr. Ralph L. Metcalf, II, P.E. Director Dept. of Sanitary Sewers, City of Tampa 2700 Maritime Blvd. Tampa, FL 33605	3. Selvice Type  Certified Mail
	4. Restricted Delivery? (Extra Fee)
<sup>2</sup> 7Article Number (Cosy, from service label) 7000 0600 0026 4129 8474	
7000 0000 0020 4129 8474	
PS Form 3811, July 1999 Domestic Re	eturn Receipt 102595-99-M-1789
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11	Recipient's Name (Please Print Clearly) ito be completed by mailer) Mr. Ralph L. Metcalf, II						
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70	City, State, ZIP-4 Tampa, FL	33605					
	PS Form 3800, February 2	.000	See Reverse for Instructions	ı			