

Jeb Bush  
Governor

# Department of Environmental Protection

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

David B. Struhs  
Secretary

March 12, 2001

## CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Robert K. Alff  
Senior Vice President  
Calpine Eastern Corporation  
The Pilot House, 2<sup>nd</sup> Floor, Lewis Wharf  
Boston, MA 02110

Re: DEP File No. 0610083-001-AC  
Calpine Eastern Corporation  
Vero Beach 96 MW Peaker Project – Vero Beach Facility

Dear Mr. Alff:

On February 14, 2001 the Department received your application for an air construction permit for the above reference electric generating plant project to be located at the existing City of Vero Beach Utilities Plant in Indian River County. Based on our initial review, the application is incomplete. Pursuant to Rules 62-4, 62-204, 62-210, 62-212, and 62-297, F.A.C., please submit the information requested below:

1. Address all phases planned for this project, if any. [Rule 62-212.400(6)(b), F.A.C. and 40CFR51.166(j)(4)].
2. There is a discrepancy between the proposed emissions limits for NO<sub>x</sub> and CO in Table 2-3 (pages 19 of the application form) and Appendix A. Table 2-3 shows 249.7 TPY (oil) NO<sub>x</sub> emissions and 249.5 TPY (gas) CO emissions. However, Appendix A tables shows potential emissions at the requested hours of operation and at 32 °F to be 255.2 TPY of NO<sub>x</sub> (oil) (Table A-4) and 252.4 TPY of CO (gas) (see Table A-2). Please clarify.
3. Rule 62-210.200(156) F.A.C., defines "Facility" as: *All of the emissions units which are located on one or more contiguous or adjacent properties and which are under the control of the same person (or persons under common control).* Please establish in more detail the relationship between this project and the existing facility. Page 3-5 of the application states that the project "is not associated with the existing facility" and that "Calpine will own and control the operation of the project as a separate facility." However, it is not clear how the operation of this project will be independent from the existing operation. Please submit any information that will confirm that this new facility is not *under the control of the same person (or persons under common control)*. This information should include but not be limited to copies of the Asset Sale Agreement, the Power Purchase Agreement, and the responsible official(s) name(s) for the City of Vero Beach Utilities Plant and the new Vero Beach facility, etc.

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We need the above information to determine if your project is subject to PSD regulations. If the Department determines that your project is subject to PSD regulations after the review of the new information, you need to submit the appropriate application fee along with a complete BACT, an air quality analysis and any other requirements of Rule 62-212.400 F.A.C.

Rule 62-4.050(3), F.A.C. requires that all applications for a Department permit must be certified by a professional engineer registered in the State of Florida. This requirement also applies to responses to Department requests for additional information of an engineering nature. Permit applicants are advised that Rule 62-4.055(1), F.A.C. now requires applicants to respond to requests for information within 90 days. If an applicant requires more than ninety days in which to respond to a request for additional information, the applicant may notify the Department in writing of the circumstances, at which time the application shall be held in active status for one additional period of up to ninety days. Additional extensions shall be granted for good cause shown by the applicant. A showing that the applicant is making a diligent effort to obtain the requested additional information shall constitute good cause. Failure of an applicant to provide the timely requested information by the applicable deadline shall result in denial of the application.

If you have any questions regarding this matter, please call Teresa Heron at 850/921-9529 or e-mail her at [teresa.heron@dep.state.fl.us](mailto:teresa.heron@dep.state.fl.us).

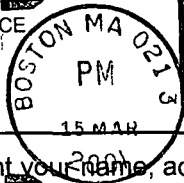
Sincerely,



A.A. Linero, P.E. Administrator  
New Source Review Section

Cc: Len Koslov, CD  
Ken Kosky, P.E.  
Gregg Worley, EPA  
John Bunyak, NPS

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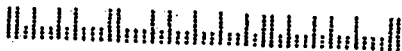
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Dept. of Environmental Protection  
Division of Air Resources Mgt.  
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2600 Blair Stone Rd., MS 5505  
Tallahassee, FL 32399-2400

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Mr. Robert K. Alff  
 Senior Vice President  
 Calpine Eastern Corporation  
 The Pilot House, 2nd Floor  
 Lewis Wharf  
 Boston, MA 02110

## 2. Article Number (Copy from service label)

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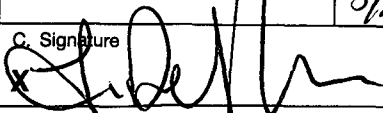
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Mr. Robert K. Alff

Street, Apt. No.; or PO Box No.

The Pilot House, 2nd Fl., Lewis Wharf

City, State, ZIP+4

Boston, MA 02110

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