

**STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

NOTICE OF FINAL PERMIT

Electronically Sent – Received Receipt Requested.

In the Matter of an
Application for Permit by:

Florida Power and Light Company
19050 State Road 62
Parrish, Florida 34219-9220

DEP File No. 0810010-013-AC
Manatee Power Plant
Excess Emissions Modification

Authorized Representative:

Mr. Paul Plotkin, Plant General Manager

Enclosed is Final Air Construction Permit No. 0810010-013-AC that modifies the language of air construction permit 0810010-012-AC dealing with excess emissions for the Unit 3 combined cycle gas turbine system located at the Manatee Power Plant in Parrish, Manatee County. It also establishes these changes as applicable Title V air operation permit conditions. The facility is located at 19050 State Road 62, Parrish, Florida 34219-9220. This permit is issued pursuant to Chapter 403, Florida Statutes.

Any party to this order 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.

Executed in Tallahassee, Florida.



Trina L. Vielhauer, Chief
Bureau of Air Regulation

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Notice of Final Permit (including the "Final Permit") was sent by electronic mail (with received receipt requested), or a link to these documents available electronically on a publicly accessible server, before the close of business on _____ to the person(s) listed:

Mr. Paul Plotkin, Florida Power and Light Company: pplotkin@fpl.com

Ms. Sheila M. Wilkinson, Florida Power and Light Company: Sheila.Wilkinson@fpl.com

Mr. Kennard Kosky, Golder Associates: kkosky@golder.com

Ms. Katy Forney, U.S. EPA Region 4: forney.kathleen@epa.gov

Ms. Ana Oquendo, U.S. EPA Region 4: oquendo.ana@epamail.epa.gov

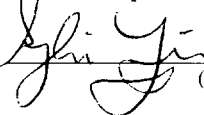
Ms. Mara Nasca, Southwest District Office: mara.nasca@dep.state.fl.us

Ms. Barbara Friday, DEP BAR: Barbara.Friday@dep.state.fl.us (for posting with U.S. EPA, Region 4)

Ms. Vickie Gibson, DEP BAR: Victoria.Gibson@dep.state.fl.us (read file copy)

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)

12/9/08
(Date)

FINAL DETERMINATION

PERMITTEE

Florida Power and Light Company
19050 State Road 62
Parrish, Florida 34219-9220

PERMITTING AUTHORITY

Florida Department of Environmental Protection
Division of Air Resource Management
Bureau of Air Regulation, Title V Section
2600 Blair Stone Road, MS 5505
Tallahassee, Florida 32399-2400

PROJECT

Air Permit No. 0810010-013-AC

Manatee Power Plant

This permit modifies the language of air construction permit 0810010-012-AC dealing with excess emissions for the Unit 3 combined cycle gas turbine system located at the Manatee Power Plant in Parrish, Manatee County. It also establishes these changes as applicable Title V air operation permit conditions.

NOTICE AND PUBLICATION

The Department distributed an "Intent to Issue Permit" package on October 29, 2008. The applicant published the "Public Notice of Intent to Issue" in the Bradenton Herald on November 4, 2008. No petitions for administrative hearings or extensions of time to petition for an administrative hearing were filed. No comments were received from the applicant, EPA Region 4, or the public at large.

CONCLUSION

The final action of the Department is to issue the permit with no changes.



Florida Department of Environmental Protection

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

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

PERMITTEE

Florida Power and Light Company
19050 State Road 62
Parrish, Florida 34219-9220

Authorized Representative:

Mr. Paul Plotkin, Plant General Manager

Air Permit No. 0810010-013-AC
Facility ID No. 0810010
SIC No. 4931
Excess Emissions Modification

Permit Expires: December 31, 2008

PROJECT AND LOCATION

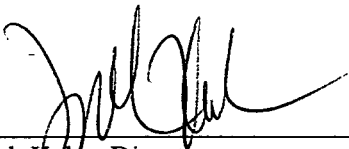
This permit modifies the language of air construction permit 0810010-012-AC dealing with excess emissions for the Unit 3 combined cycle gas turbine system located at the Manatee Power Plant (the facility). The facility is located in Manatee County at 19050 State Road 62, Parrish, Florida 34219-9220.

STATEMENT OF BASIS

This air pollution construction permit is issued under the provisions of Chapter 403 of the Florida Statutes (F.S.), and Chapters 62-4, 62-204, 62-210, 62-212, 62-296 and 62-297 of the Florida Administrative Code (F.A.C.) and Title 40, Parts 60 and 63 of the Code of Federal Regulations (CFR). The permittee is authorized to install the proposed equipment in accordance with the conditions of this permit and as described in the application, approved drawings, plans, and other documents on file with the Department.

CONTENTS

- Section 1. General Information
- Section 2. Administrative Requirements
- Section 3. Emissions Units Specific Conditions
- Section 4. Appendices



Joseph Kahn, Director
Division of Air Resource Management

12/8/2008

(Date)

SECTION 1. GENERAL INFORMATION

FACILITY AND PROJECT DESCRIPTION

This nominal 2,750 megawatt (MW) facility consists of two fossil fuel steam generators, a “4-on-1” gas-fired combined cycle unit and associated support equipment.

Fossil Fuel Steam Generators, Unit 1 and Unit 2: Each unit is a Foster-Wheeler Steam Generator rated at 800 MW (900 MW gross capacity) output. These units burn a variable combination of natural gas, No. 6 fuel oil, No. 2 fuel oil, propane, and used oil from Florida power and Light Company (FPL) operations, discharging pollutants through a stack 499 feet above ground level. Each unit is equipped with multiple cyclones, a flue gas recirculation system and staged combustion and also operates a Westinghouse tandem compound, reheat-type extraction turbine.

Combined Cycle Gas Turbine System, Unit 3: This unit consists of four (“4-on-1”) nominal 170 MW General Electric Model PG7241(FA) gas-fired turbine-electrical generator sets with evaporative inlet cooling systems, an automated gas turbine control system, an inlet air filtration system, four 495 million British thermal units per hour (MMBtu/hr) supplementary-fired heat recovery steam generators (HRSG) with selective catalytic reduction (SCR) reactors, a single nominal 470 MW steam-electrical generator that serves all four gas turbine/HRSG systems, four 120 feet high exhaust stacks, and associated support equipment. The total generating capacity of the “4-on-1” combined cycle system Unit 3 is 1150 MW.

ID	Emission Unit Description
005	Unit 3A Gas Turbine (170 MW) with Heat Recovery Steam Generator (HRSG) (495 MMBtu/hr)
006	Unit 3B Gas Turbine (170 MW) with Heat Recovery Steam Generator (HRSG) (495 MMBtu/hr)
007	Unit 3C Gas Turbine (170 MW) with Heat Recovery Steam Generator (HRSG) (495 MMBtu/hr)
008	Unit 3D Gas Turbine (170 MW) with Heat Recovery Steam Generator (HRSG) (495 MMBtu/hr)

Both the current Title V air operation permit and underlying air construction (AC) permit have language concerning the combined cycle unit system that addresses excess emissions resulting from startup, shutdown, or documented malfunctions (i.e., imposes a limit of two hours in any 24-hour period per unit). The applicant has requested a change to allow more flexibility in cycling a specific turbine on or off during the same day to meet system demand load. However, in this AC action, we are recommending compromise language to avoid unlimited cycling up and down of a specific turbine during the period. This approach is described in the Technical Evaluation and Preliminary Determination document.

REGULATORY CLASSIFICATION

Title III: The facility is a potential major source of hazardous air pollutants (HAP).

NESHAP: The facility does not operate units subject to the National Emission Standards for Hazardous Air Pollutants (NESHAP) in 40 Code of Federal Regulations (CFR) 63.

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

Title V: The facility is a Title V major source of air pollution in accordance with Chapter 213, Florida Administrative Code (F.A.C.).

PSD: The facility is a Prevention of Significant Deterioration (PSD)-major stationary source in accordance with Rule 62-212.400, F.A.C.

SECTION 1. GENERAL INFORMATION

RELEVANT DOCUMENTS

The following relevant documents are not a part of this permit, but helped form the basis for this permitting action: the permit application and additional information received to make it complete, the draft air construction permit, and the Technical Evaluation and Preliminary Determination.

SECTION 2. ADMINISTRATIVE REQUIREMENTS

1. Permitting Authority: The Permitting Authority for this project is the Bureau of Air Regulation in the Division of Air Resource Management of the Department. The mailing address for the Bureau of Air Regulation is 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400.
2. Compliance Authority: All documents related to compliance activities such as reports, tests, and notifications shall be submitted to the Southwest District Office. The mailing address and phone number of the Southwest District Office are: 13051 North Telecom Parkway, Temple Terrace, Florida 33637-0926, Telephone: 813/632-7600, Fax: 813/744-6084.
3. Appendices: The following Appendices are attached as part of this permit: Appendix GC (General Conditions); and Appendix C (Common State Regulatory Requirements).
4. Applicable Regulations, Forms and Application Procedures: Unless otherwise specified in this permit, the construction and operation of the subject emissions units shall be in accordance with the capacities and specifications stated in the application. The facility is subject to all applicable provisions of: Chapter 403, F.S.; and Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-214, 62-296 and 62-297, F.A.C. Issuance of this permit does not relieve the permittee from compliance with any applicable federal, state, or local permitting or regulations.
5. New or Additional Conditions: For good cause shown and after notice and an administrative hearing, if requested, the Department may require the permittee to conform to new or additional conditions. The Department shall allow the permittee a reasonable time to conform to the new or additional conditions, and on application of the permittee, the Department may grant additional time. [Rule 62-4.080, F.A.C.]
6. Modifications: No emissions unit shall be constructed or modified without obtaining an air construction permit from the Department. Such permit shall be obtained prior to beginning construction or modification. [Rules 62-210.300(1) and 62-212.300(1)(a), F.A.C.]

SECTION 3. EMISSIONS UNITS SPECIFIC CONDITIONS

The specific conditions in this section apply to the following emissions units:

EU No.	Brief Description
005	Unit 3A Gas Turbine (170 MW) with Heat Recovery Steam Generator (HRSG) (495 MMBtu/hr)
006	Unit 3B Gas Turbine (170 MW) with Heat Recovery Steam Generator (HRSG) (495 MMBtu/hr)
007	Unit 3C Gas Turbine (170 MW) with Heat Recovery Steam Generator (HRSG) (495 MMBtu/hr)
008	Unit 3D Gas Turbine (170 MW) with Heat Recovery Steam Generator (HRSG) (495 MMBtu/hr)

{Permitting Note: The units remain subject to the applicable requirements of current Title V Air Operation Permit No. 0810010-011-AV.}

PREVIOUS APPLICABLE REQUIREMENTS

1. Other Permits: Specific Condition 2 of this permit replaces Specific Condition 16 in air construction permit 0810010-012-AC. [Rule 62-4.070, F.A.C.]

SECTION III PART A of 0810010-012-AC. Note: Double underline indicates additions.

2. Excess Emissions Allowed: As specified in this condition, excess emissions resulting from startup, shutdown, and documented malfunctions are allowed provided that operators employ the best operational practices to minimize the amount and duration of emissions during such incidents. A “documented malfunction” means a malfunction that is documented within one working day of detection by contacting the Compliance Authority by telephone, facsimile transmittal, or electronic mail. For each gas turbine/HRSG system, excess emissions resulting from startup, shutdown, or documented malfunctions shall not exceed two hours in any 24-hour period (or shall not exceed eight hours per 4-unit site, with the additional provision of a limit of 2 startup periods per 24 hours per unit) except for the following specific cases.

- a. *Steam Turbine Cold Startup*: For cold startup of the steam turbine system, excess emissions from any gas turbine/HRSG system shall not exceed eight (8) hours in any 24-hour period. Cold startup of the steam turbine system shall be completed within twelve hours. A cold “startup of the steam turbine system” is defined as startup of the 4-on-1 combined cycle system following a shutdown of the steam turbine lasting at least 48 hours. *{Permitting Note: During a cold startup of the steam turbine system, each gas turbine/HRSG system is sequentially brought on line at low load to gradually increase the temperature of the steam-electrical turbine and prevent thermal metal fatigue. Note that shutdowns and documented malfunctions are separately regulated in accordance with the requirements of this condition.}*
- b. *Shutdown*: For shutdown of the steam turbine system, excess emissions from any gas turbine/HRSG system shall not exceed three (3) hours in any 24-hour period.
- c. *Gas Turbine/HRSG System Cold Startup*: For cold startup of a gas turbine/HRSG system, excess emissions shall not exceed four (4) hours in any 24-hour period. “Cold startup of a gas turbine/HRSG system” is defined as a startup after the pressure in the high-pressure (HP) steam drum falls below 450 psig for at least a one-hour period.

Ammonia injection shall begin as soon as operation of the gas turbine/HRSG system achieves the operating parameters specified by the manufacturer. As authorized by Rule 62-210.700(5), F.A.C., the above conditions allow excess emissions only for specifically defined periods of startup, shutdown, and documented malfunction of the gas turbines. [Design; Rules 62-212.400(BACT) and 62-210.700, F.A.C.; Applicant’s requests dated March 6, 2006, and July 3, 2008.]

SECTION 4. APPENDIX C
COMMON STATE REGULATORY REQUIREMENTS

{Permitting Note: Unless otherwise specified by permit, the following conditions apply to all emissions units and activities at the facility.}

EMISSIONS AND CONTROLS

1. Plant Operation - Problems: If temporarily unable to comply with any of the conditions of the permit due to breakdown of equipment or destruction by fire, wind or other cause, the permittee shall notify each Compliance Authority as soon as possible, but at least within one working day, excluding weekends and holidays. The notification shall include: pertinent information as to the cause of the problem; steps being taken to correct the problem and prevent future recurrence; and, where applicable, the owner's intent toward reconstruction of destroyed facilities. Such notification does not release the permittee from any liability for failure to comply with the conditions of this permit or the regulations. [Rule 62-4.130, F.A.C.]
2. Circumvention: The permittee shall not circumvent the air pollution control equipment or allow the emission of air pollutants without this equipment operating properly. [Rule 62-210.650, F.A.C.]
3. Excess Emissions Allowed: Excess emissions resulting from startup, shutdown or malfunction of any emissions unit shall be permitted 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 longer duration. [Rule 62-210.700(1), F.A.C.]
4. Excess Emissions Prohibited: Excess emissions caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure that may reasonably be prevented during startup, shutdown or malfunction shall be prohibited. [Rule 62-210.700(4), F.A.C.]
5. Excess Emissions - Notification: In case of excess emissions resulting from malfunctions, the permittee shall notify the Department or the appropriate Local Program in accordance with Rule 62-4.130, F.A.C. A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Department. [Rule 62-210.700(6), F.A.C.]
6. VOC or OS Emissions: No person shall store, pump, handle, process, load, unload or use in any process or installation, volatile organic compounds or organic solvents without applying known and existing vapor emission control devices or systems deemed necessary and ordered by the Department. [Rule 62-296.320(1), F.A.C.]
7. Objectionable Odor Prohibited: No person shall cause, suffer, allow or permit the discharge of air pollutants, which cause or contribute to an objectionable odor. An "objectionable odor" means any odor present in the outdoor atmosphere which by itself or in combination with other odors, is or may be harmful or injurious to human health or welfare, which unreasonably interferes with the comfortable use and enjoyment of life or property, or which creates a nuisance. [Rules 62-296.320(2) and 62-210.200(217), F.A.C.]
8. General Visible Emissions: No person shall cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity equal to or greater than 20 percent opacity. This regulation does not impose a specific testing requirement. [Rule 62-296.320(4)(b)1, F.A.C.]
9. Unconfined Particulate Emissions: During the construction period, unconfined particulate matter emissions shall be minimized by dust suppressing techniques such as covering and/or application of water or chemicals to the affected areas, as necessary. [Rule 62-296.320(4)(c), F.A.C.]

TESTING REQUIREMENTS

10. Required Number of Test Runs: For mass emission limitations, a compliance test shall consist of three complete and separate determinations of the total air pollutant emission rate through the test section of the stack or duct and three complete and separate determinations of any applicable process variables corresponding to the three distinct time periods during which the stack emission rate was measured; provided, however, that three complete and separate determinations shall not be required if the process variables are not subject to variation during a compliance test, or if three determinations are not necessary in order to calculate the unit's emission rate. The three required test runs shall be completed within one consecutive five-day period. In the event that a sample is lost or one of the three runs must be discontinued because of circumstances beyond the control of the owner or operator, and a valid third run cannot be obtained within the five-day period allowed for the test, the Secretary or his or her designee may accept the results of two complete runs as proof of compliance, provided that the arithmetic mean of the two complete runs is at least 20% below the allowable emission limiting standard. [Rule 62-297.310(1), F.A.C.]

SECTION 4. APPENDIX C
COMMON STATE REGULATORY REQUIREMENTS

11. Operating Rate During Testing: Testing of emissions shall be conducted with the emissions unit operating at permitted capacity. Permitted capacity is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. If it is impractical to test at permitted capacity, an emissions unit may be tested at less than the maximum permitted capacity; in this case, subsequent emissions unit operation is limited to 110 percent of the test rate until a new test is conducted. Once the unit is so limited, operation at higher capacities is allowed for no more than 15 consecutive days for the purpose of additional compliance testing to regain the authority to operate at the permitted capacity. [Rule 62-297.310(2), F.A.C.]
12. Calculation of Emission Rate: For each emissions performance test, the indicated emission rate or concentration shall be the arithmetic average of the emission rate or concentration determined by each of the three separate test runs unless otherwise specified in a particular test method or applicable rule. [Rule 62-297.310(3), F.A.C.]
13. Test Procedures: Tests shall be conducted in accordance with all applicable requirements of Chapter 62-297, F.A.C.
- a. *Required Sampling Time*. Unless otherwise specified in the applicable rule, the required sampling time for each test run shall be no less than one hour and no greater than four hours, and the sampling time at each sampling point shall be of equal intervals of at least two minutes. The minimum observation period for a visible emissions compliance test shall be thirty (30) minutes. The observation period shall include the period during which the highest opacity can reasonably be expected to occur.
 - b. *Minimum Sample Volume*. Unless otherwise specified in the applicable rule or test method, the minimum sample volume per run shall be 25 dry standard cubic feet.
 - c. *Calibration of Sampling Equipment*. Calibration of the sampling train equipment shall be conducted in accordance with the schedule shown in Table 297.310-1, F.A.C.
- [Rule 62-297.310(4), F.A.C.]
14. Determination of Process Variables:
- a. *Required Equipment*. The owner or operator of an emissions unit for which compliance tests are required shall install, operate, and maintain equipment or instruments necessary to determine process variables, such as process weight input or heat input, when such data are needed in conjunction with emissions data to determine the compliance of the emissions unit with applicable emission limiting standards.
 - b. *Accuracy of Equipment*. Equipment or instruments used to directly or indirectly determine process variables, including devices such as belt scales, weight hoppers, flow meters, and tank scales, shall be calibrated and adjusted to indicate the true value of the parameter being measured with sufficient accuracy to allow the applicable process variable to be determined within 10% of its true value.
- [Rule 62-297.310(5), F.A.C.]
15. Sampling Facilities: The permittee shall install permanent stack sampling ports and provide sampling facilities that meet the requirements of Rule 62-297.310(6), F.A.C.
16. Test Notification: The owner or operator shall notify the Department, at least 15 days prior to the date on which each formal compliance test is to begin, of the date, time, and place of each such test, and the test contact person who will be responsible for coordinating and having such test conducted for the owner or operator. [Rule 62-297.310(7)(a)9, F.A.C.]
17. Special Compliance Tests: When the Department, after investigation, has good reason (such as complaints, increased visible emissions or questionable maintenance of control equipment) to believe that any applicable emission standard contained in a Department rule or in a permit issued pursuant to those rules is being violated, it shall require the owner or operator of the emissions unit to conduct compliance tests which identify the nature and quantity of pollutant emissions from the emissions unit and to provide a report on the results of said tests to the Department. [Rule 62-297.310(7)(b), F.A.C.]
18. Test Reports: The owner or operator of an emissions unit for which a compliance test is required shall file a report with the Department on the results of each such test. The required test report shall be filed with the Department as soon as practical but no later than 45 days after the last sampling run of each test is completed. The test report shall provide sufficient detail on the emissions unit tested and the test procedures used to allow the Department to

SECTION 4. APPENDIX C
COMMON STATE REGULATORY REQUIREMENTS

determine if the test was properly conducted and the test results properly computed. As a minimum, the test report, other than for an EPA or DEP Method 9 test, shall provide the following information:

1. The type, location, and designation of the emissions unit tested.
2. The facility at which the emissions unit is located.
3. The owner or operator of the emissions unit.
4. The normal type and amount of fuels used and materials processed, and the types and amounts of fuels used and material processed during each test run.
5. The means, raw data and computations used to determine the amount of fuels used and materials processed, if necessary to determine compliance with an applicable emission limiting standard.
6. The type of air pollution control devices installed on the emissions unit, their general condition, their normal operating parameters (pressure drops, total operating current and GPM scrubber water), and their operating parameters during each test run.
7. A sketch of the duct within 8 stack diameters upstream and 2 stack diameters downstream of the sampling ports, including the distance to any upstream and downstream bends or other flow disturbances.
8. The date, starting time and duration of each sampling run.
9. The test procedures used, including any alternative procedures authorized pursuant to Rule 62-297.620, F.A.C. Where optional procedures are authorized in this chapter, indicate which option was used.
10. The number of points sampled and configuration and location of the sampling plane.
11. For each sampling point for each run, the dry gas meter reading, velocity head, pressure drop across the stack, temperatures, average meter temperatures and sample time per point.
12. The type, manufacturer and configuration of the sampling equipment used.
13. Data related to the required calibration of the test equipment.
14. Data on the identification, processing and weights of all filters used.
15. Data on the types and amounts of any chemical solutions used.
16. Data on the amount of pollutant collected from each sampling probe, the filters, and the impingers, are reported separately for the compliance test.
17. The names of individuals who furnished the process variable data, conducted the test, analyzed the samples and prepared the report.
18. All measured and calculated data required to be determined by each applicable test procedure for each run.
19. The detailed calculations for one run that relate the collected data to the calculated emission rate.
20. The applicable emission standard and the resulting maximum allowable emission rate for the emissions unit plus the test result in the same form and unit of measure.
21. A certification that, to the knowledge of the owner or his authorized agent, all data submitted are true and correct. When a compliance test is conducted for the Department or its agent, the person who conducts the test shall provide the certification with respect to the test procedures used. The owner or his authorized agent shall certify that all data required and provided to the person conducting the test are true and correct to his knowledge.

[Rule 62-297.310(8), F.A.C.]

RECORDS AND REPORTS

19. Records Retention: All measurements, records, and other data required by this permit shall be documented in a permanent, legible format and retained for at least five (5) years following the date on which such measurements, records, or data are recorded. Records shall be made available to the Department upon request. [Rules 62-4.160(14) and 62-213.440(1)(b)2, F.A.C.]
20. Annual Operating Report: The permittee shall submit an annual report that summarizes the actual operating rates and emissions from this facility. Annual operating reports shall be submitted to the Compliance Authority by March 1st of each year May 1st for 2009 and April 1st of each year thereafter. [Rule 62-210.370(2 3), F.A.C.]

SECTION 4. APPENDIX GC
GENERAL PERMIT CONDITIONS

The permittee shall comply with the following general conditions from Rule 62-4.160, F.A.C.

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, Florida Statutes. 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), Florida Statutes, 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 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 Florida Statutes 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 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 and 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 Florida Statutes or Department rules, except where such use is prescribed by Sections 403.73

SECTION 4. APPENDIX GC
GENERAL PERMIT CONDITIONS

and 403.111, Florida Statutes. 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 Florida Statutes after a reasonable time for compliance, provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.
11. This permit is transferable only upon Department approval in accordance with Florida Administrative Code 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.
13. This permit also constitutes:
 - a. Determination of Best Available Control Technology (not applicable to project);
 - b. Determination of Prevention of Significant Deterioration (not applicable to project); and
 - c. Compliance with New Source Performance Standards (not applicable to project).
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 or 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:
 - 1) The date, exact place, and time of sampling or measurements;
 - 2) The person responsible for performing the sampling or measurements;
 - 3) The dates analyses were performed;
 - 4) The person responsible for performing the analyses;
 - 5) The analytical techniques or methods used; and
 - 6) 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.

MEMORANDUM

To: Joseph Kahn

From: Trina L. Vielhauer

Subject: Manatee Power Plant
Air Construction Permit No. 0810010-013-AC

Date: December 5, 2008

Attached is the final air construction permit for the subject facility. This permit modifies the language of air construction permit 0810010-012-AC dealing with excess emissions for the Unit 3 combined cycle gas turbine system located at the Manatee Power Plant in Parrish, Manatee County.

The Department distributed an "Intent to Issue Permit" package on October 29, 2008. The applicant published the "Public Notice of Intent to Issue" in the Bradenton Herald on November 4, 2008. No petitions for administrative hearings or extensions of time to petition for an administrative hearing were filed. No comments were received from the applicant, EPA Region 4, or the public at large.

I recommend your signature.

Livingston, Sylvia

From: Oquendo.Ana@epamail.epa.gov
Sent: Thursday, December 11, 2008 4:32 PM
To: Livingston, Sylvia
Subject: Re: FPL - MANATEE POWER PLANT; 0810010-013-AC
Attachments: 0810010-013-AC_Signatures.pdf



0810010-013-AC_Si
gnatures.pdf ...

Sylvia, I was able to access the documents. Thanks.

Wishing you a great day!

Ana M. Oquendo
Air Permits Section
Air, Pesticides and Toxics Management Division U.S. Environmental Protection Agency,
Region 4
61 Forsyth Street, S.W.
Atlanta, GA 30303

email. oquendo.ana@epa.gov
phone. 404-562-9781
fax. 404-562-9019

Please consider the environment before printing this email.

"Livingston,
Sylvia"
<Sylvia.Livingst
on@dep.state.fl.
us>

12/09/2008 05:00
PM

To
<pplotkin@fpl.com>,
<Sheila_Wilkinson@fpl.com>
cc
<kkosky@golder.com>, Kathleen
Forney/R4/USEPA/US@EPA, Ana
Oquendo/R4/USEPA/US@EPA, "Nasca,
Mara"
<Mara.Nasca@dep.state.fl.us>,
"Friday, Barbara"
<Barbara.Friday@dep.state.fl.us>,
"Gibson, Victoria"
<Victoria.Gibson@dep.state.fl.us>
Subject
FPL - MANATEE POWER PLANT;
0810010-013-AC

Dear Sir/ Madam:

Attached is the official; Notice of Final Permit for the project referenced below. Click

on the link displayed below to access the permit project documents and send a "reply" message verifying receipt of the document(s) provided in the link; this may be done by selecting "Reply" on the menu bar of your e-mail software, noting that you can view the documents, and then selecting "Send". We must receive verification that you are able to access the documents. Your immediate reply will preclude subsequent e-mail transmissions to verify accessibility of the document (s).

Click on the following link to access the permit project documents:

http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf_permit_zip_files/0810010.013.AC.F_pdf.zip

Owner/Company Name: FLORIDA POWER and LIGHT (PMT).

Facility Name: MANATEE POWER PLANT

Project Number: 0810010-013-AC

Permit Status: FINAL

Permit Activity: CONSTRUCTION

Facility County: MANATEE

Processor: Tom Cascio:

The Bureau of Air Regulation is issuing electronic documents for permits, notices and other correspondence in lieu of hard copies through the United States Postal System, to provide greater service to the applicant and the engineering community. Access these documents by clicking on the link provided above, or search for other project documents using the "Air Permit Documents Search" website at <http://www.dep.state.fl.us/air/eproducts/apds/default.asp>.

Permit project documents addressed in this email may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible, and verify that they are accessible. Please advise this office of any changes to your e-mail address or that of the Engineer-of-Record. If you have any problems opening the documents or would like further information, please contact the Florida Department of Environmental Protection, Bureau of Air Regulation at (850)488-0114.

<<0810010-013-AC_Signatures.pdf>>

Sylvia Livingston

Bureau of Air Regulation

Division of Air Resource Management (DARM)

850/921-9506

sylvia.livingston@dep.state.fl.us

Note: The attached document is in Adobe Portable Document Format (pdf).

Adobe Acrobat Reader can be downloaded for free at the following internet site:

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

The Department of Environmental Protection values your feedback as a customer. DEP Secretary Michael W. Sole is committed to continuously assessing and improving the level and quality of services provided to you. Please take a few minutes to comment on the quality of service you received. Simply click on this link to the DEP Customer Survey. Thank you in advance for completing the survey. (See attached file: 0810010-013-AC_Signatures.pdf)

Livingston, Sylvia

From: Plotkin, Paul [Paul.Plotkin@fpl.com]
Sent: Tuesday, December 09, 2008 6:03 PM
To: Livingston, Sylvia; pplotkin@fpl.com; Sheila_Wilkinson@fpl.com; Maxwell, Mary; Washington, Kevin
Cc: kkosky@golder.com; forney.kathleen@epa.gov; oquendo.ana@epamail.epa.gov; Nasca, Mara; Friday, Barbara; Gibson, Victoria
Subject: RE: FPL - MANATEE POWER PLANT; 0810010-013-AC

I can view the documents.

Regards,

Paul Plotkin
PGM Manatee Energy Center
Office: (941) 776-5211
Cell : (941) 812-6978

This transmission is intended to be delivered to the named addressee(s) only and may contain information this is confidential or legally privileged. If this information is received in error by anyone other than the named addressee(s), the recipient should immediately notify the sender by E-mail or via telephone at (941) 776-5211 and permanently delete the original and any copy, including printout of the information. In no event shall this information be read, used, copied, reproduced, stored or retained by anyone other than the named addressee(s), except with the expressed consent of the sender or the named addressee(s).

From: Livingston, Sylvia [mailto:Sylvia.Livingston@dep.state.fl.us]
Sent: Tuesday, December 09, 2008 5:01 PM
To: pplotkin@fpl.com; Sheila_Wilkinson@fpl.com
Cc: kkosky@golder.com; forney.kathleen@epa.gov; oquendo.ana@epamail.epa.gov; Nasca, Mara; Friday, Barbara; Gibson, Victoria
Subject: FPL - MANATEE POWER PLANT; 0810010-013-AC

Dear Sir/ Madam:

Attached is the official **Notice of Final Permit** for the project referenced below. Click on the link displayed below to access the permit project documents and send a "reply" message verifying receipt of the document(s) provided in the link; this may be done by selecting "Reply" on the menu bar of your e-mail software, noting that you can view the documents, and then selecting "Send". **We must receive verification that you are able to access the documents.** Your immediate reply will preclude subsequent e-mail transmissions to verify accessibility of the document(s).

Click on the following link to access the permit project documents:

http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf_permit_zip_files/0810010.013.AC.F_pdf.zip

Owner/Company Name: FLORIDA POWER and LIGHT (PMT)
Facility Name: MANATEE POWER PLANT
Project Number: 0810010-013-AC
Permit Status: FINAL
Permit Activity: CONSTRUCTION
Facility County: MANATEE
Processor: Tom Cascio

The Bureau of Air Regulation is issuing electronic documents for permits, notices and other correspondence in lieu of hard copies through the United States Postal System, to provide greater service to the applicant and the engineering

12/10/2008