



Jeb Bush
Governor

Department of Environmental Protection

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

David B. Struhs
Secretary

FILE

CERTIFIED MAIL - Return Receipt Requested

June 27, 2003

Mr. Kevin Washington
Senior Environmental Engineer
Manatee Plant
Florida Power & Light
P.O. Box 14000
Juno Beach, FL 33408

RE: Request for Additional Information for Title V Permit Renewal
Application No. 0810010-009-AV
Manatee Plant, Manatee County

Dear Mr. Washington:

Please clarify the following information that was supplied in the renewal application:

1. What is the capacity of the hydrazine mixing tank, what are the estimated potential annual hydrazine emissions, and what is the hydrazine used for? The wording in the application says "Hydrazine mixing tank on relief valves." Should this actually say "Hydrazine mixing tank **and** relief valves"?
2. If, as noted in the application, the NO_x continuous monitors for Unit 1 and Unit 2 were replaced (in May 2003?), please submit updated "Section I. Continuous Monitor Information" for each unit.

If you have any questions concerning this request, please contact me at (850) 921-9534 or Cindy.Phillips@dep.state.fl.us.

Sincerely,

Cindy L. Phillips, P.E.
Bureau of Air Regulation

c: Paul Plotkin, RO
Clarence G. Troxell, MCAP

**Coalition for Clean Air
re: Florida Power and Light's Manatee Plant**

Well, here we are again. Remember May, 1993 when Florida Power and Light (FPL) unveiled its proposal to burn the manufactured fuel from Venezuela called Orimulsion at its #1 and #2 electric generating units at its Manatee plant? This fuel would have been highly polluting; yet, it was endorsed and approved by the Florida Department of Environmental Protection (FDEP). Finally, the use of Orimulsion here was defeated in June 1998 thanks to a huge ground swell throughout Southwest Florida. Orimulsion went no further in this country. We're still experiencing severe polluting problems with the Manatee #1 and #2 units.

This report is a compilation of reports, newspaper articles, editorials and data from the Manatee plant. Also included here are some suggestions / recommendations that we're are making at this time.

1. Comparison of #1 and #2 units at FPL's Manatee plant with #1 and #2 units at FPL's Martin plant

We reported several times that these four units, each about 800 megawatts (mw), were built in approximately the same era. During the Orimulsion hearings, FPL testified that all four are "alike." The "gray" report (section 1) dated March 24, 2003 shows the problem with Manatee #1 and #2 units particularly when comparing them with the FPL Martin #1 and #2 units. In a Bradenton Herald article dated October 1, 2002, it states "*State leaders gave their blessing Monday to an FPL plan that would slash the release of smog-forming chemicals by as much as 40 percent by adding "reburn" gear to the plant.*" Then in a subsequent sentence the phrase, "*If effective...*" is added to the article. In the same article, Allan Bedwell, deputy secretary for FDEP is quoted as saying, "*With some of the additional things FPL is doing we could be seeing a 60 percent drop in nitrogen oxide (NOx) emissions at Manatee.*" What things are Bedwell and FPL referring to, and what will the actual annual emissions be, including emission rates? We'd like to know! We've seen nothing from Bedwell and FPL. Bedwell has told our coalition in July 2002 that what FPL is proposing in "reburn" has not been done elsewhere in the country. Again, we are being set up as guinea pigs.

2. 30-day rolling averages

The 30-day rolling average in monitoring pollution from the Manatee #1 and #2 stacks should be abandoned and revert back to an hourly / daily basis, the same as Martin #1 and #2 units. We think that the 30-day rolling average procedure was initiated in 1995 when a bill was passed in the State Senate without the knowledge of anyone in Manatee County. The bill was introduced by Sen. Charles Williams (D-Tallahassee) and co-sponsored by Sen. Charlie Crist (R-St. Petersburg), now Florida State Attorney General; and it passed unanimously. Isn't that a sad commentary? It's interesting to see the list of state senators at that time! What ever happened to local rules? Changing to 30-day rolling averages has caused high amounts of NOx emissions, 0.6 - 0.7#/mm BTUs when at full load. It doesn't take a medical genius or a research physicist to determine that detrimental effects would be greater. It also explains why the Manatee units' emissions are so much higher than any of the other FPL plants.

3. Monitoring

The Manatee plant makes use of a system called Continuous Emission Monitoring (CEM). Hourly emissions of NOx and SO₂ (sulfur dioxide) are recorded. Those reports are posted on the FPL web site and should be available daily. We have the right to know. When a FDEP staff member was asked why this hasn't been done before, the reply was "No one ever asked for it!"

4. Fuel Costs

FPL states that the Florida Public Service Commission (FPSC) requires that they burn the cheapest fuel. That means that Manatee #1 and #2 units would burn only oil for extended periods of time – a year maybe? An FPSC staff member was asked then how does FPL get to burn natural gas? The reply was, “FPL burns the lowest cost fuel that satisfies environmental requirements.” Wow – where does Manatee County stand?

If Manatee #1 and #2 were operated the same as Martin #1 and #2 for the entire year of 2002 without spending any capital, the amount of NOx emissions could have been reduced by 45% and the amount of SO2 by 53%. It would have cost FPL's phantom 1000 Kwh monthly user 18 cents a month or about one-half cent a day. An editorial (5/5/2002) in the addendum states, “*There's increasing evidence that air pollution increases the risk of cancer and is harmful to elderly residents, young children, and individuals with asthma and emphysema.*”

5. Bonuses

In a newspaper article appearing in the Sarasota Herald Tribune on April 10, 2001, the money received by FPL execs for a job that completely failed is quoted as follows, “*In an unusual move even in this day of multi-million-dollar executive salaries and bonuses, FPL chairman and chief executive James Broadhead and his top lieutenants will keep \$60 million in merger-related bonuses paid to them in cash in December after shareholders approved the deal.*” That would have gone a long way to install control equipment called ‘selective catalytic reduction equipment’ (SCRs) – see sections 4 and 5,

We are asking for an investigating committee to look into these points. Something needs to be done and we will not settle for lip service. Remember, “Government was created to protect the rights of the people!”

We want clean air!

8/14/03

Herald-Tribune

DIANE H. MCFARLIN, Publisher

JANET S. WEAVER, Executive Editor

THOMAS LEE TRYON, Editorial Page Editor

DIANE P. TENNANT, Managing Editor

WILLIAM H. HANSEN, Managing Publisher

EDITORIALS

Emission control

Local officials should press state to reassess FPL pollution

State environmental chief David Struhs told Gov. Jeb Bush and the Cabinet this spring that his agency would soon reassess pollution controls at Florida Power & Light's power plant in Parrish. Now that a key permit is up for state renewal, it's time for the Manatee County Commission and other local governments to remind Struhs of that commitment.

FPL won the Cabinet's approval in April to add a natural-gas unit to the Parrish plant, a move that's widely praised by environmentalists because natural gas burns more cleanly than other fossil fuels.

The improvement was long overdue. The Parrish plant's two oil-burning units spew a higher volume of smog-producing nitrogen oxide and sulfur dioxide than any other FPL facility in the state.

But even with natural gas, there's a chance pollution could increase at the Parrish plant. FPL plans to keep burning oil, especially if the price of natural gas is higher.

When the Cabinet OK'd the Parrish expansion plans this spring, Chief Financial Officer Tom Gallagher and Attorney General Charlie Crist asked about the likelihood of a full conversion to natural gas.

Struhs, who heads the state Department of Environmental Protection, said he and FPL officials believe it's better to have two fuel choices available because of supply and cost concerns. He said, however, that

his agency would look at imposing stricter pollution controls on the oil-burning units.

The permit for those units is now up for renewal, so this is an ideal time for the DEP to reassess the plant's emissions and the company's plans, and to recommend whether additional controls are needed.

On Tuesday, a coalition of local environmental groups will ask Manatee commissioners to appoint a committee to review

FPL's plans and determine whether the company is doing all it can to curb emissions.

FPL has agreed to install a "reburn" system to reduce pollutants from the oil burning units. But the coalition — led by Clarence Troxell, a former New Jersey utility official and father of Manatee Commissioner Amy Stein — wants a more advanced, more expensive system.

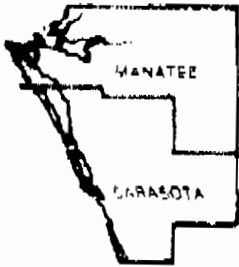
The group also wants the county to lobby the Legislature to repeal an unusual 1995 law that allows FPL to report

pollution totals at Parrish as a monthly rather than daily average. Critics contend FPL is able to disguise spikes in emissions this way.

The Manatee commission — and other governments in the region — should jump into the discussions about the Parrish permit. FPL certainly has an obligation to its customers to find the most cost-effective means to curb pollution. But local officials also have a duty to ensure that FPL and the DEP aren't cutting corners at the expense of public health.

With the permit for FPL's oil-burning units in Parrish up for renewal, this is an ideal time for the DEP to reassess the plant's emissions and the company's plans, and to recommend whether additional controls are needed.

BEST AVAILABLE COPY

MANASOTA-88**A Project for Environmental Quality 1968-2008**

Secretary David Struhs
FDEP
Marjory Stonemen Douglas Bldg.
3900 Commonwealth Blvd.
Tallahassee, Florida 32399-3000

8/16/03

Re: FPL Manatee Power Plant**Directors**

Glenn Compton

Mary Compton

Rebecca Eger

Charles Holmes

Edith Holmes

Mary Jelks, M.D.

Dani Kixmiller

Greg Nowaski

Joan Perry

Hilda Qay

Doris Schember

Janet Smith

Dear Mr. Struhs,

Please advise ManaSota-88 of any proposed agency action or agency action on Florida Power and Light Company's Manatee Power Plant located in Parrish, Florida.

Please advise ManaSota-88 of any warning notices or enforcement cases issued on FPL's Manatee Power Plant.

Also, please advise ManaSota-88 of any meetings before the State of Florida Siting Board on FPL's Manatee Power Plant.

Please send all advisories to.

Glenn Compton
Chairman - ManaSota-88
419 Rubens Drive
Nokomis, Florida 34275

Thank you,

A handwritten signature in cursive script that reads 'Glenn Compton'.

Chairman, ManaSota-88

cc: Allan F. Bedwell - Deputy Secretary, Regulatory Programs
Deborah A. Getzoff - Southwest District Director

**Information**

PO Box 1728
Nokomis, FL 34274
(941) 966-6256

Re: FPL-Manatee Power Plant Title V Permit Renewal Application
Project No. 0810010-009-AV

Interested Public

Mr. Clarence Troxell
A Citizen of Manatee County
email: Elihu46fl@aol.com
941/776-2047

Mr. Dave Miner
A Citizen of Manatee County
523 39th Street West
Bradenton, FL 34205
email: DWMINERESQ@aol.com
941/748-8122

Dr. Dan Kumarich
President, MCAP
Manatee County Citizens Against Pollution
{Chicago area home
14520 Lake Ridge Rd.
Orland Park, IL 60462}
email: kumarich@yahoo.com

Mr. Glenn Compton
Chairman, ManaSota-88
419 Rubens Drive
Nokomis, FL 34275
email: comptong@comcast.net
web site: <http://www.manasota-88.org>
941/966-6256

Mr. Rob Brown
Sr. Env. Administrator
Env. Resources Mgmt. Div.
Manatee County EMD
202 6th Ave. East
Bradenton, FL 34208
email: rob.brown@co.manatee.fl.us
941/742-5980
941/742-5996 fax

Permitting Events

The application was received on May 27, 2003.

Ms. Madeleine Havlick
2406 Sonoma DR
Nokomis, FL 34275

Susan McMillan
3311 46th Plaza E
Bradenton FL 34203

Mr. Paul Plotkin, R.O.

✓ Manatee Plant General Manager
Florida Power & Light Company
19050 State Road 62
Parrish, FL 34219-9220

Ms. Nancy Kierspe, D.R.

✓ Senior Environmental Engineer
FP&L Environmental Services
PO Box 14000
Juno Beach, FL 33408

Mr. Kennard F. Kosky, P.E.

✓ Golder Associates
6241 NW 23rd Street
Gainesville, FL 32653-1500

Mr. Kevin Washington, FPL

✓ Senior Environmental Engineer
FP&L Environmental Services
PO Box 14000
Juno Beach, FL 33408

— Mr. Jerry Kissel, FDEP-SWD Office

— Mr. Doug Beason, FDEP-OGC

— Mr. Wayne Hrydziusko, FDEP-Cabinet Affairs

✓ Senator Michael S. Bennett

3653 Cortez RD W, STE 90
Bradenton, FL 34210

✓ Ms. Karen Collins-Fleming, Manatee County EMD

Manatee County EMD
202 6th Avenue East
Bradenton, FL 34208

Mr. Clarence G. Troxell, Coalition for Clean Air

✓ 3321 Lakeside Circle
Parrish, FL 34219-9392

Shannon Staub, Chair

✓ Sarasota Board of County Commissioners
1660 Ringling Boulevard
Sarasota, FL 34236

Joan Perry

✓ Chairperson, Natural Resources

✓ League of Women Voters of Manatee County

PO Box 1511

Bradenton, FL 34206-1511

Dr. Dan Kumarich, President

✓ Manatee County Citizens Against Pollution (MCAP)

2946 Wilderness Blvd E

Parrish, FL 34219

Mr. Glenn Compton, Chairman

✓ ManaSota-88

419 Rubens Drive

Nokomis, FL 34275

Ms. Mary Sheppard

✓ Clean Air Subcommittee Chair

✓ Sierra Club Conservation Committee

4220 32nd Court East

Bradenton, FL 34208

✓ Mr. Frank Curcillo, President

Sarasota Citizens Against Pollution

5533 Avellino Place

Sarasota, FL 34238-4707

✓ Mr. Dave Miner

✓ 523 39th Street West

Bradenton, FL 34205

✓ Ms. Marjorie C. Sagman

4430 Exeter Drive #308

Longboat Key, FL 34228

✓ W.K. Williams

208 28th St Ct NW

Bradenton, FL 34205

Ms. Gesien McGrath

✓ 3301 Cortez Rd W Lot 43

✓ Bradenton, FL 34207-1039

✓ Ms. Margaret J. Cannon

548B Beach Road

Sarasota, FL 34242-1973

✓ H. J. Webb

2333 Fremont Drive

Sarasota, FL 34238



July 23, 2003

RECEIVED

JUL 28 2003

BUREAU OF AIR REGULATION

Ms. Trina Vielhauer
Chief, Bureau of Air Regulation
Department of Environmental Protection
Mail Station #5505
2600 Blair Stone Road
Tallahassee, Florida
32399-2400

RE: Manatee Power Plant FDEP Air Permit No. 08100100-008-AV
PSD Applicability Report

Dear Ms. Vielhauer:

Pursuant to Specific Condition A.40 of the above referenced permit, FPL submits the following PSD Applicability Report. The PSD Applicability Report is required as a result of adding natural gas as a permitted fuel to Manatee Units 1&2. The report is required to be submitted for five years that are representative of normal post-change operation following the addition of natural gas. Natural gas was added to Unit 2 during 2002 and to Unit 1 in 2003.

Table 1 below summarizes the 2002 Actual Emissions compared to the "Past Actual Emissions" (Years 2000 & 2001 average) for the Manatee Plant.

Pollutant	Past Actual Emissions (Years 2000 & 2001 Average) Tons per Year	2002 Actual Emissions	Calculation Methods
Carbon Monoxide (CO)	18,987	20,214	AOR (oil), Initial Performance Test (gas)
Nitrogen Oxides (NOx)	8762	8252	EPA Scorecard
Particulate Matter (PM)	2384	2500	AOR (oil), Initial Performance Test (gas)
Sulfur Dioxide (SO ₂)	31,753	32,701	EPA Scorecard
Volatile Organic Compounds (VOC)	149	160	AOR (oil), Initial Performance Test (gas)

Table 1

With the exception of NOx, all 2002 Actual Emissions increased over the Past Actual Emissions. The decrease in NOx in 2002 is attributed to the full implementation of the Low NOx burner retrofit. During the "Base Year" the NOx emissions, 8762 tons, are reflective of only a partial implementation of the burner retrofit project (Unit 2) which occurred late in 2001.

The increases in the other emissions are unrelated to the physical change of adding natural gas as a permitted fuel, but rather, the result of Manatee Plant's increased utilization to meet load demands during 2002.

In 2022 the generation and fuel oil usage at Manatee Plant Units 1&2 increased 6% over the 2000 & 2001 (Base Year) average (Ref. Figs. 1 & 2 below).

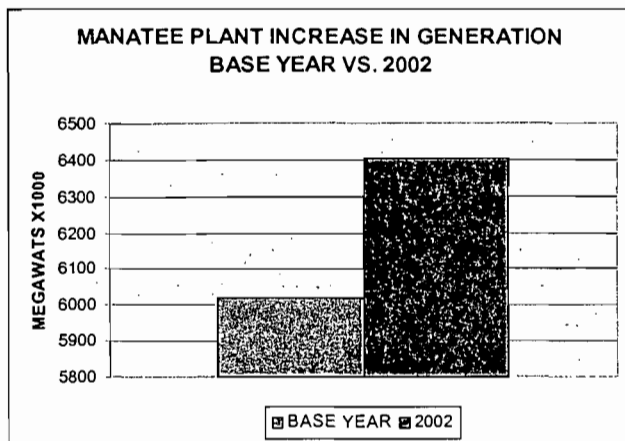


Fig. 1

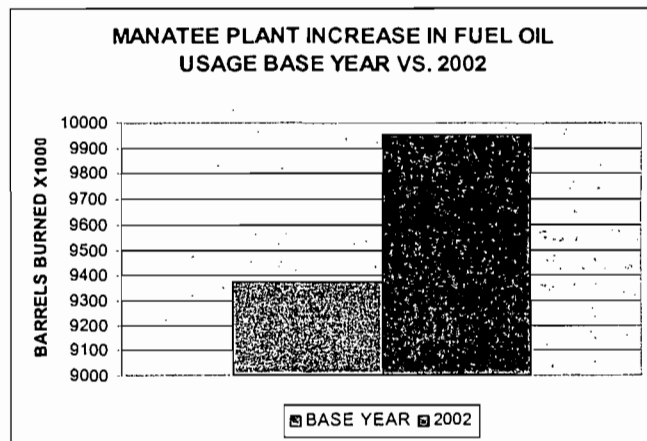


Fig. 2

In 2002 natural gas represented only 0.08% of the fuel used at Manatee (Ref. Fig. 3 below). Considering natural gas fuel was an insignificant percentage of the total fuel in 2002, and it's inherently "clean burning" characteristics, the increase in emissions were driven completely by the increase in utilization due to electricity demand.

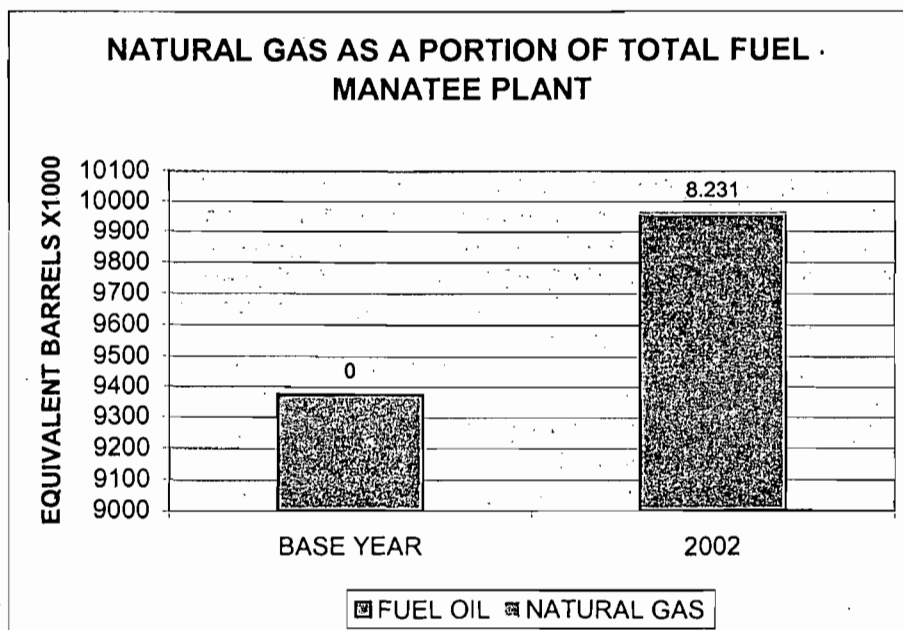


Fig. 3

In accordance with Specific Condition A.40.b and 40 CFR 52.21(b)(33)(ii), Table 2 below shows the 2002 annual emissions excluding the portion of emissions that are unrelated to the physical change of adding natural gas to Units 1&2.

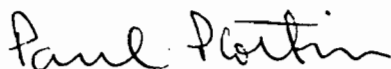
Pollutant	Past Actual Emissions (Years 2000 & 2001 Average) Tons per Year	2002 Actual Emissions Tons	2002 Actual Emissions Excluding Emissions Unrelated to The addition of Natural Gas
Carbon Monoxide (CO)	18,987	20,214	14
Nitrogen Oxides (NOx)	8762	8252	(510)
Particulate Matter (PM)	2384	2500	(34)
Sulfur Dioxide (SO ₂)	31,753	32,701	(1015)
Volatile Organic Compounds (VOC)	149	160	1

Table 2

From the table, the insignificant increases in CO and VOC are more than offset by the decreases in the other pollutants, and are most likely associated with process variability throughout the year, rather than directly attributable to natural gas firing.

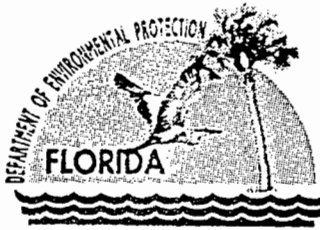
In summary, the addition of natural gas to Manatee Units 1&2 did not cause a significant increase in annual emissions and should not be subject to PSD review. Should you have any questions, or require additional information, please feel free to contact me at (941) 776-5211 or Kevin Washington at (561) 691-2877.

Sincerely,



Paul Plotkin
Plant General Manager

cc: A. A. Linero, P.E. Administrator New Source Review Section, DEP
James Cleary, Department of Environmental Protection Southwest Florida District
Rob Brown, Manatee County Environmental Management Department



Jeb Bush
Governor

Department of Environmental Protection

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

David B. Struhs
Secretary

August 29, 2003

Mr. Paul Plotkin
Manatee Plant General Manager
Florida Power & Light Company
19050 State Road 62
Parrish, FL 34219-9220

Re: Title V Air Operation Permit Renewal
DRAFT Permit Project No.: 0810010-009-AV
Manatee Plant

Dear Mr. Plotkin:

One copy of the DRAFT Permit for the renewal of a Title V Air Operation Permit for the Manatee Plant located at 19050 State Road 62, Parrish, Manatee County, is enclosed. The permitting authority's "INTENT TO ISSUE TITLE V AIR OPERATION PERMIT RENEWAL" and the "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT RENEWAL" are also included.

The "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT RENEWAL" must be published as soon as possible. Proof of publication, i.e., newspaper affidavit, must be provided to the permitting authority's office within 7 (seven) days of publication pursuant to Rule 62-110.106(5), F.A.C. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit pursuant to Rule 62-110.106(11), F.A.C.

Please submit any written comments you wish to have considered concerning the permitting authority's proposed action to Ms. Cindy L. Phillips, P.E., at the above letterhead address or at Cindy.Phillips@dep.state.fl.us. Ms. Phillips may also be contacted at 850-921-9534.

Sincerely,

Trina L. Vielhauer, Chief
Bureau of Air Regulation

TV/CLP

Enclosures

In the Matter of an
Application for Permit Renewal by:

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

DRAFT Permit Project No.: 0810010-009-AV
Manatee Plant
Manatee County

INTENT TO ISSUE TITLE V AIR OPERATION PERMIT RENEWAL

The Florida Department of Environmental Protection (permitting authority) gives notice of its intent to issue a Title V Air Operation Permit Renewal (copy of DRAFT Permit attached) for the Title V source detailed in the application specified above, for the reasons stated below.

The applicant, Florida Power & Light Company, applied on May 27, 2003, to the permitting authority for a Title V Air Operation Permit Renewal for the Manatee Plant located at 19050 State Road 62, Parrish, Manatee County.

The permitting authority has permitting jurisdiction under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210 and 62-213. This source is not exempt from Title V permitting procedures. The permitting authority has determined that a Title V Air Operation Permit Renewal is required to commence or continue operations at the described facility.

The permitting authority intends to issue this Title V Air Operation Permit Renewal based on the belief that reasonable assurances have been provided to indicate that operation of the source will not adversely impact air quality, and the source will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-256, 62-257, 62-281, 62-296, and 62-297, F.A.C.

Pursuant to Sections 403.815 and 403.087, F.S., and Rules 62-110.106 and 62-210.350(3), F.A.C., you (the applicant) are required to publish at your own expense the enclosed "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT RENEWAL." The 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. 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 permitting authority at the address or telephone number listed below. The applicant shall provide proof of publication to the FDEP Bureau of Air Regulation, MS 5505, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400 (Telephone: 850/488-0114; Fax: 850/921-9533), within 7 (seven) days of publication pursuant to Rule 62-110.106(5), F.A.C. 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.

The permitting authority will issue the PROPOSED Permit, and subsequent FINAL Permit, in accordance with the conditions of the attached DRAFT Permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The permitting authority will accept written comments concerning the proposed permit issuance action for a period of 30 (thirty) days from the date of publication of the "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT RENEWAL." Written comments should be provided to the permitting authority office. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this DRAFT Permit, the permitting authority shall issue a Revised DRAFT Permit and require, if applicable, another Public Notice.

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 (received) in the FDEP Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000 (Telephone: 850/245-2242, Fax: 850/245-2303). Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen 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 days of publication of the public notice or within fourteen days of receipt of this notice of intent, 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 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 indicate;

(e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief;

(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 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 notice of intent. 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 will not be available in this proceeding.

In addition to the above, a person subject to regulation has a right to apply to the Department of Environmental Protection 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 of Environmental Protection, 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 United States Environmental Protection Agency and by any person 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.

Finally, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 (sixty) 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 issuance of any permit. Any petition shall be based only on objections to the permit that were raised with reasonable specificity during the 30 (thirty) day public comment period provided in this 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.

Executed in Tallahassee, Florida.

Florida Department of Environmental Protection

Trina L. Vielhauer, Chief
Bureau of Air Regulation

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this INTENT TO ISSUE TITLE V AIR OPERATION PERMIT RENEWAL (including the PUBLIC NOTICE and the DRAFT Permit) and all copies were sent by certified mail before the close of business on 8/29/08 to the person(s) listed:

Mr. Paul Plotkin, R.O.
Mr. Clarence G. Troxell
Mr. Dave Miner
Dr. Dan Kumarich, President, MCAP
Mr. Glenn Compton, Chairman – ManaSota-88

In addition, the undersigned duly designated deputy agency clerk hereby certifies that copies of this INTENT TO ISSUE TITLE V AIR OPERATION PERMIT RENEWAL (including the PUBLIC NOTICE and Statement of Basis) were sent by U.S. mail on the same date to the person(s) listed or as otherwise noted:

Senator Michael S. Bennett
Mr. Kennard F. Kosky, P.E.
Mr. Kevin Washington, FPL

In addition, the undersigned duly designated deputy agency clerk hereby certifies that copies of this INTENT TO ISSUE TITLE V AIR OPERATION PERMIT RENEWAL (including the DRAFT Permit package) were sent by INTERNET E-mail on the same date to the person(s) listed:

Mr. Jerry Kissel, FDEP-SWD Office
Mr. Doug Beason, FDEP-OGC
Mr. Wayne Hrydziusko, FDEP-Cabinet Affairs
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. Sunday 8/29/08
(Clerk) (Date)

PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT RENEWAL

Florida Department of Environmental Protection

DRAFT Permit Project No.: CS10010-009-AV

Manatee Plant

Manatee County

The Florida Department of Environmental Protection (permitting authority) gives notice of its intent to issue a Title V Air Operation Permit Renewal to Florida Power & Light Company for the Manatee Plant located at 19050 State Road 62, Parrish, Manatee County. The applicant's name and address are: Florida Power & Light Company; and, Mr. Paul Plotkin, Manatee Plant General Manager, 19050 State Road 62, Parrish, Florida, 34219-9220.

The permitting authority will issue the PROPOSED Permit, and subsequent FINAL Permit, in accordance with the conditions of the DRAFT Permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The permitting authority will accept written comments concerning the proposed DRAFT Permit issuance action for a period of 30 (thirty) days from the date of publication of this Notice. Written comments should be provided to the FDEP Bureau of Air Regulation, MS 5505, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this DRAFT Permit, the permitting authority shall issue a Revised DRAFT Permit and require, if applicable, another Public Notice.

The permitting authority will also accept written or oral comments concerning the proposed DRAFT Permit issuance during a Public Meeting from 5:00-7:00 p.m. on Thursday October 2, 2003, at the Manatee Convention and Civic Center, One Haben Blvd., Palmetto, Florida.

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 of the Florida Statutes (F.S.). The petition must contain the information set forth below and must be filed (received) in the FDEP Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000 (Telephone: 850/245-2242, Fax: 850/245-2303). Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of the notice of intent, 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 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 applicable 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 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; 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 petitioner's substantial rights will be affected by the agency determination;

(c) A statement of how and when the 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, as well as the rules and statutes which entitle petitioner to relief;

(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 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 notice of intent. 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 is not available for this proceeding.

In addition to the above, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 (sixty) 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 issuance of any permit. Any petition shall be based only on objections to the permit that were raised with reasonable specificity during the 30 (thirty) day public comment period provided in this 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.

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:

Permitting Authority:

FDEP Bureau of Air Regulation

Title V Section

111 South Magnolia Drive, Suite 4

Tallahassee, FL 32301

Telephone: 850/488-0114

Fax: 850/921-9533

Affected District/Local Program:

FDEP Southwest District Office Air Program

8407 Laurel Fair Circle 33610

Telephone: 813/744-6100 x111

Fax: 813/744-6458

The complete project file includes the DRAFT Permit, the application for renewal, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact Ms. Cindy Phillips, P.E., at the above address or at Cindy.Phillips@dep.state.fl.us, or call 850/921-9534, for additional information.

STATEMENT OF BASIS

Florida Power & Light Company
Manatee Plant
Facility ID No.: 0810010
Manatee County

Title V Air Operation Permit Renewal
DRAFT Permit Project No.: 0810010-009-AV

This Title V Air Operation Permit Renewal is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210 and 62-213. The above named permittee is hereby authorized to 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.

The subject of this permit is for the renewal of Title V Air Operation Permit and the incorporation of an "Agreement for the Purpose of Ensuring Compliance with Ambient Air Quality Standards for Ozone" dated September 19, 2002.

This facility consists of Fossil Fuel Steam Generators Unit 1 and Unit 2.

Fossil fuel fired steam generators Unit 1 and Unit 2 are each nominal 800 megawatt (900 MW gross capacity) (electric) steam generators designated as Manatee Plant Unit 1 and Unit 2. The emissions units are fired on a variable combination of natural gas, No. 6 fuel oil, No. 2 fuel oil, propane, and used oil from FPL operations. Propane is utilized primarily for ignition of the main fuel. When firing fuel oil (or combinations of authorized fuels), the maximum heat input for each boiler is 8650 mmBtu per hour. When firing natural gas alone, the maximum heat input for each boiler is 5670 mmBtu per hour.

Each emissions unit consists of a boiler which drives a turbine generator. Emissions are controlled with multiple cyclones, a flue gas recirculation system and staged combustion. The twin register low-NOx burners (ABB Combustion Services, Ltd.) are dual fuel with mechanical atomization for oil firing. Each unit is equipped with a 499 foot stack.

These emissions units are regulated under Acid Rain, Phase II; and Rule 62-296.405, F.A.C., Fossil Fuel Steam Generators with More than 250 million Btu per Hour Heat Input. Fossil fuel fired steam generator Unit 1 began commercial operation in 1976 and fossil fuel fired steam generator Unit 2 began commercial operation in 1977. These emissions units may inject additives such as magnesium oxide, magnesium hydroxide and related compounds into each boiler.

CAM does not apply to the mechanical dust collectors installed within the steam generators because a mechanical dust collector: is inherent process equipment contained entirely within the flue gas ductwork; is a passive method of particle separation from the flue gas stream; is a device to recover unburned carbon and ash from the flue gas stream; and has no moving parts, no control inputs, nor any controllable parameters.

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

Based on the Title V Air Operation Permit Renewal application received May 27, 2003, this facility is a major source of hazardous air pollutants (HAPs).

Florida Power & Light Company
Manatee Power Plant
Facility ID No. 0810010
Manatee County

Title V Air Operation Permit Renewal
DRAFT Permit No. 0810010-009-AV

Permitting Authority:

State of Florida
Department of Environmental Protection
Division of Air Resources Management
Bureau of Air Regulation
Title V Section

Mail Station #5505
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Telephone: 850/488-0114
Fax: 850/921-9533

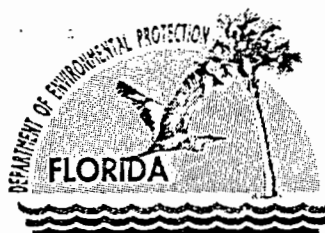
Compliance Authority:

Department of Environmental Protection
Southwest District Office
3804 Coconut Palm Drive
Tampa, FL 33619-8218
Telephone: 813/744-6100 Fax: 813/744-6458

Title V Air Operation Permit Renewal
DRAFT Permit No. 0810010-009-AV

Table of Contents

<u>Section</u>	<u>Page Number</u>
Placard Page	1
I. Facility Information	2
A. Facility Description.	
B. Summary of Emissions Unit ID Nos. and Brief Descriptions.	
C. Relevant Documents.	
II. Facility-wide Conditions	3 - 5
III. Emissions Units and Conditions	
A. Emissions Units 1 & 2, Fossil Fuel Steam Generators	6 - 18
IV. Acid Rain Part	
A. Acid Rain, Phase II	19 - 20
Attachments	end



Department of Environmental Protection

Jeb Bush
Governor

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

David B. Struhs
Secretary

Permittee:

Florida Power & Light Company
Manatee Plant
19050 State Road 62
Parrish, FL 34219-9220

DRAFT Permit No. 0810010-009-AV
Facility ID No. 0810010
SIC Nos. 49, 4911
Project: Revised Title V Air Operation Permit

The purpose of this permit is to renew the Title V Air Operation Permit and to incorporate an agreement between the permittee and the permitting authority. This existing facility is located at 19050 State Road 62, Parrish, Manatee County; UTM Coordinates: Zone 17, 367.250 km East and 3054.150 km North; Latitude: 27° 36' 21" North and Longitude: 82° 20' 44" West.

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

Previous administrative permit corrections incorporated into revised Title V permit:

Notice of Administrative Permit Correction dated 07/16/98
Notice of Administrative Permit Correction dated 09/14/98

Referenced attachments made a part of this permit:

Appendix U-1, List of Unregulated Emissions Units and/or Activities
Appendix I-1, List of Insignificant Emissions Units and/or Activities
Appendix TV-4, Title V Conditions (version dated 2/02/02)
Appendix SS-1, Stack Sampling Facilities (version dated 10/07/96)
Table 297.310-1, Calibration Schedule (version dated 10/07/96)
Phase II Acid Rain Application/Compliance Plan received 5/27/03
Alternate Sampling Procedure: ASP Number 97-B-01
Order Granting Reduced Sampling Frequency, OGC Case Nos. 83-0580
and 83-0581, Order dated April 24, 1984
Agreement for the Purpose of Ensuring Compliance with Ambient Air Quality Standards
for Ozone dated September 19, 2002

Effective Date: January 1, 2004
Renewal Application Due Date: July 5, 2008
Expiration Date: December 31, 2008

Michael G. Cooke, Director
Division of Air Resource Management

MGC/TV/CLP

"More Protection, Less Process"

Printed on recycled paper.

Section I. Facility Information.

Subsection A. Facility Description.

This facility consists of two fossil fuel steam generators, Unit 1 and Unit 2, each rated at 800 megawatts (MW) (900 MW gross capacity) output. The steam generators each burn a variable combination of natural gas, No. 6 fuel oil, No. 2 fuel oil, propane, and used oil from FPL operations, discharging pollutants through a stack 499 feet above ground level. Each unit is a Foster-Wheeler oil fired steam generator, equipped with multiple cyclones, a flue gas recirculation system and staged combustion. Each operates a Westinghouse tandem compound, reheat-type extraction turbine.

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

Based on the Title V Air Operation Permit Renewal application received May 27, 2003, this facility is a major source of hazardous air pollutants (HAPs).

Subsection B. Summary of Emissions Unit ID Nos. and Brief Descriptions.

E.U. ID No.	Brief Description
001	Fossil Fuel Steam Generator, Unit 1
002	Fossil Fuel Steam Generator, Unit 2
Unregulated Emissions Units and/or Activities	
003	Emergency Diesel Generator, Miscellaneous Mobile Equipment and Internal Combustion Engines
004	Painting of Plant Equipment and Non-halogenated Solvent Cleaning Operations

Please reference the Permit No., Facility ID No., and appropriate Emissions Units ID Nos. on all correspondence, test report submittals, applications, etc.

Subsection C. Relevant Documents.

The documents listed below are not a part of this permit; however, they are specifically related to this permitting action.

These documents are provided to the permittee for information purposes only:

Table 1-1, Summary of Air Pollutant Standards and Terms

Table 2-1, Summary of Compliance Requirements

Appendix A-1, Abbreviations, Acronyms, Citations, and Identification Numbers

Appendix H-1, Permit History/ID Number Changes

Statement of Basis

These documents are on file with the permitting authority:

Initial Title V Air Operation Permit effective January 1, 1999

Air Permit No. 0810010-007-AC issued on August 12, 2002

Title V Air Operation Permit Revision issued December 3, 2002

Additional Information Request dated June 27, 2003

Additional Information Responses received July 10 and 14, 2003

Section II. Facility-wide Conditions.

The following conditions apply facility-wide:

1. APPENDIX TV-4, TITLE V CONDITIONS, is a part of this permit.
{Permitting note: APPENDIX TV-4, TITLE V CONDITIONS, is distributed to the permittee only. Other persons requesting copies of these conditions shall be provided a copy when requested or otherwise appropriate.}
2. **Not Federally Enforceable. General Pollutant Emission Limiting Standards. Objectionable Odor Prohibited.** The permittee shall not cause, suffer, allow, or permit the discharge of air pollutants which cause or contribute to an objectionable odor.
[Rule 62-296.320(2), F.A.C.]
3. **General Particulate Emission Limiting Standards. General Visible Emissions Standard.** Except for emissions units that are subject to a particulate matter or opacity limit set forth or established by rule and reflected by conditions in this permit, no person shall cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity, the density of which is equal to or greater than that designated as Number 1 on the Ringelmann Chart (20 percent opacity). EPA Method 9 is the method of compliance pursuant to Chapter 62-297, F.A.C.
[Rule 62-296.320(4)(b)1. & 4, F.A.C.]
4. **Prevention of Accidental Releases (Section 112(r) of CAA).**
 - a. The permittee shall submit its Risk Management Plan (RMP) to the Chemical Emergency Preparedness and Prevention Office (CEPPO) RMP Reporting Center when, and if, such requirement becomes applicable. Any Risk Management Plans, original submittals, revisions or updated to submittals, should be sent to:

RMP Reporting Center
Post Office Box 3346
Merrifield, VA 22116-3346
Telephone: 703/816-4434
 - and,
 - b. The permittee shall submit to the permitting authority Title V certification forms or a compliance schedule in accordance with Rule 62-213.440(2), F.A.C.
[40 CFR 68]
5. **Unregulated Emissions Units and/or Activities.** Appendix U-1, List of Unregulated Emissions Units and/or Activities, is a part of this permit.
[Rule 62-213.440(1), F.A.C.]
6. **Insignificant Emissions Units and/or Activities.** Appendix I-1, List of Insignificant Emissions Units and/or Activities, is a part of this permit.
[Rules 62-213.440(1), 62-213.430(6), and 62-4.040(1)(b), F.A.C.]
7. **Compliance Plan.** [See Specific Conditions A.38. Construction Notifications; A.39. Initial Compliance Tests for Gas Firing; and A.40. PSD Applicability Report.]
8. **General Pollutant Emission Limiting Standards. Volatile Organic Compounds (VOC) Emissions or Organic Solvents (OS) Emissions.** The permittee shall allow no person to store, pump, handle, process, load, unload or use in any process or installation, volatile organic

compounds (VOC) or organic solvents (OS) without applying known and existing vapor emission control devices or systems deemed necessary and ordered by the Department. The following requirements are "not federally enforceable:

The owner or operator shall:

- a. Tightly cover or close all VOC or OS containers when they are not in use.
- b. Tightly cover all open tanks which contain VOC or OS when they are not in use.
- c. Maintain all pipes, valves, fittings, etc., which handle VOC or OS in good operating condition.
- d. Immediately confine and clean up VOC or OS spills and make sure wastes are placed in closed containers for reuse, recycling or proper disposal.

[Rule 62-296.320(1)(a), F.A.C.; 0810010-008-AV]

9. Emissions of Unconfined Particulate Matter. Pursuant to Rules 296.320(4)(c)1., 3., & 4., F.A.C., reasonable precautions to prevent emissions of unconfined particulate matter at this facility include the following requirements (see Condition 57. of APPENDIX TV-4, TITLE V CONDITIONS): The following requirements are not federally enforceable: Reasonable precautions to prevent emissions of unconfined particulate matter at this facility include:

- a. The facility shall construct temporary sandblasting enclosures when necessary, in order to perform sandblasting on fixed plant equipment.
- b. Maintenance of paved areas as needed.
- c. Regular mowing of grass and care of vegetation.
- d. Limiting access to plant property by unnecessary vehicles.
- e. Bagged chemical products are stored in concrete block buildings until they are used.
- f. Spills of powdered chemical products are cleaned up as soon as practicable.

[Rule 62-296.320(4)(c)2., F.A.C., proposed by the applicant in the initial Title V permit application received June 12, 1996]

10. When appropriate, any recording, monitoring or reporting requirements that are time-specific shall be in accordance with the effective date of this permit, which defines day one.

[Rule 62-213.440, F.A.C.]

11. Statement of Compliance. The annual statement of compliance pursuant to Rule 62-213.440(3)(a)(2), F.A.C., shall be submitted to the Department and EPA within 60 (sixty) days after the end of the calendar year using DEP Form No. 62-213.900(7), F.A.C.

[Rule 62-213.440(3) and 62-213.900, F.A.C.]

{Permitting Note: This condition implements the requirements of Rules 62-213.440(3)(a)2. & 3., F.A.C. (see Condition 51. of APPENDIX TV-4, TITLE V CONDITIONS).}

12. The permittee shall submit all compliance related notifications and reports required of this permit to the Department's Southwest District office:

Department of Environmental Protection
Southwest District Office
3804 Coconut Palm Drive
Tampa, FL 33619-8218
Telephone: 813/744-6100 Fax: 813/744-6458

13. Any reports, data, notifications, certifications and requests required to be sent to the United States Environmental Protection Agency, Region 4, should be sent to:

United States Environmental Protection Agency
Region 4
Air, Pesticides & Toxics Management Division
Air and EPCRA Enforcement Branch
Air Enforcement Section
61 Forsyth Street
Atlanta, GA 30303-8960
Phone: 404/562-9155
Fax: 404/562-9163

14. Certification by Responsible Official (RO). In addition to the professional engineering certification required for applications by Rule 62-4.050(3), F.A.C., any application form, report, compliance statement, compliance plan and compliance schedule submitted pursuant to Chapter 62-213, F.A.C., shall contain a certification signed by a responsible official that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete. Any responsible official who fails to submit any required information or who has submitted incorrect information shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary information or correct information.

[Rule 62-213.420(4), F.A.C.]

15. The permittee shall comply with the terms of the attached "AGREEMENT FOR THE PURPOSE OF ENSURING COMPLIANCE WITH AMBIENT AIR QUALITY STANDARDS FOR OZONE" dated 9/19/02.

Section III. Emissions Units and Conditions.

Subsection A. This section addresses the following emissions unit(s).

E.U. ID No.	Brief Description
001	Fossil Fuel Steam Generator, Unit 1
002	Fossil Fuel Steam Generator, Unit 2

Fossil fuel fired steam generators Unit 1 and Unit 2 are each nominal 800 megawatt (900 MW gross capacity) (electric) steam generators designated as Manatee Plant Unit 1 and Unit 2. The emissions units are fired on a variable combination of natural gas, No. 6 fuel oil, No. 2 fuel oil, propane, and used oil from FPL operations. Propane is utilized primarily for ignition of the main fuel. When firing fuel oil (or combinations of authorized fuels), the maximum heat input for each boiler is 8650 mmBtu per hour. When firing natural gas alone, the maximum heat input for each boiler is 5670 mmBtu per hour.

Each emissions unit consists of a boiler which drives a turbine generator. Emissions are controlled with multiple cyclones, a flue gas recirculation system and staged combustion. The twin register low-NOx burners (ABB Combustion Services, Ltd.) are dual fuel with mechanical atomization for oil firing. Each unit is equipped with a 499 foot stack.

{Permitting notes: These emissions units are regulated under Acid Rain, Phase II; and Rule 62-296.405, F.A.C., Fossil Fuel Steam Generators with More than 250 million Btu per Hour Heat Input. Fossil fuel fired steam generator Unit 1 began commercial operation in 1976 and fossil fuel fired steam generator Unit 2 began commercial operation in 1977. These emissions units may inject additives such as magnesium oxide, magnesium hydroxide and related compounds into each boiler.}

The following specific conditions apply to the emissions units listed above:

Essential Potential to Emit (PTE) Parameters

A.1. Permitted Capacity. The maximum operation heat input rates are as follows:

Unit No.	mmBtu/hr Heat Input	Fuel Type
1	8650	No. 2 or 6 Fuel Oil (Alone or w/Natural Gas)
	5670	Natural Gas (Alone)
2	8650	No. 2 or 6 Fuel Oil (Alone or w/Natural Gas)
	5670	Natural Gas (Alone)

[Rules 62-4.160(2), 62-210.200(PTE) and 62-296.405, F.A.C.; Permit No. 0810010-007-AC]

{Permitting note: The heat input limitations have been placed in each permit to identify the capacity of each unit for the purposes of confirming that emissions testing is conducted within 90 to 100 percent of the unit's rated capacity (or to limit future operation to 110 percent of the test load), to establish appropriate emission limits and to aid in determining future rule applicability.}

A.2. Emissions Unit Operating Rate Limitation After Testing. See specific condition A.26 and A.27 of this permit.
[Rule 62-297.310(2), F.A.C.]

A.3. Methods of Operation - Fuels.

- a. Startup: The only fuels allowed to be burned are any combination of natural gas, No. 6 fuel oil, No. 2 fuel oil and propane.
 - b. Normal: The only fuels allowed to be burned are any combination of natural gas, No. 6 fuel oil, No. 2 fuel oil, propane and on-specification used oil from FPL operations.
- When available, the Department strongly encourages the permittee to fire natural gas as a clean-burning alternative to fuel oil.

[Rule 62-213.410, F.A.C.; Permit No. 0810010-007-AC]

A.4. Hours of Operation. The emissions units may operate continuously, i.e., 8,760 hours/year.
[Rule 62-210.200(PTE), F.A.C.]

Emission Limitations and Standards

{Permitting Note: Unless otherwise specified, the averaging times for Specific Conditions A.5.-A.10. are based on the specified averaging time of the applicable test method. The attached Table 1-1, Summary of Air Pollutant Standards and Terms, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

A.5. Visible Emissions. Visible emissions shall not exceed 40 percent opacity. Emissions units governed by this visible emissions standard shall compliance test for particulate matter emissions annually.
[Rule 62-296.405(1)(a), F.A.C.; and OGC Case Nos. 83-0580 & 83-0581, Order dated April 24, 1984.]

A.6. Visible Emissions - Soot Blowing and Load Change. Visible emissions shall not exceed 60 percent opacity during the 3-hours in any 24 hour period of excess emissions allowed for boiler cleaning (soot blowing) and load change.

A load change occurs when the operational capacity of a unit is in the 10 percent to 100 percent capacity range, other than startup or shutdown, which exceeds 10 percent of the unit's rated capacity and which occurs at a rate of 0.5 percent per minute or more.

Visible emissions above 60 percent opacity shall be allowed for not more than 4, six (6)-minute periods, during the 3-hour period of excess emissions allowed by this condition.

[Rule 62-210.700(3), F.A.C., Note: these units have operational continuous opacity monitors.]

A.7. Particulate Matter. Particulate matter emissions shall not exceed 0.1 pound per million Btu heat input, as measured by applicable compliance methods.
[Rule 62-296.405(1)(b), F.A.C.]

A.8. Particulate Matter - Soot Blowing and Load Change. Particulate matter emissions shall not exceed an average of 0.3 pound per million Btu heat input during the 3-hours in any 24-hour period of excess emissions allowed for boiler cleaning (soot blowing) and load change.
[Rule 62-210.700(3), F.A.C.]

A.9. Sulfur Dioxide. The sulfur content of fuel oils burned shall not exceed 1.0 percent by weight, as received at the plant. The blending of natural gas shall not be used to demonstrate

compliance with the sulfur dioxide standard for "liquid fuel" in Rule 62-296.405(c), F.A.C. See specific conditions **A.9, A.15, A.23 and A.24** of this permit.

{Permitting Note: The maximum fuel sulfur content of pipeline natural gas is 10 grains of sulfur per 100 standard cubic feet of natural gas. However, pipeline natural gas typically contains less than 1 grain of sulfur per 100 SCF of natural gas.}

[Rules 62-213.440 and 62-296.405(1)(c)1.g., F.A.C., applicant agreement with EPA on March 3, 1998, and Permit No. 0810010-007-AC]

A.10. Nitrogen Oxides. Nitrogen oxides emissions shall not exceed 0.30 pounds per million Btu heat input. Compliance shall be demonstrated based on a 30-day rolling average as measured by a continuous emission monitoring system (CEMS). The CEMS must meet the performance specifications contained in 40 CFR 75.

[Rules 62-296.405(1)(d)2. and (1)(d)4., F.A.C., AO 41-204804 and AO 41-219341, Issued August 30, 1993]

Excess Emissions

A.11. Excess emissions resulting from malfunction shall be permitted provided that best operational practices to minimize emissions are adhered to and 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.]

A.12. Excess emissions resulting from startup or shutdown shall be permitted provided that best operational practices to minimize emissions are adhered to and the duration of excess emissions shall be minimized.

[Rule 62-210.700(2), F.A.C.]

A.13. Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown or malfunction shall be prohibited.

[Rule 62-210.700(4), F.A.C.]

Monitoring of Operations

A.14. Annual Tests Required. Except as provided in specific conditions **A.17** through **A.19** of this permit, emission testing for particulate emissions and visible emissions shall be performed annually, each federal fiscal year, except for units that are not operating because of scheduled maintenance outages and emergency repairs, which will be tested within thirty days of returning to service.

[Rules 62-4.070(3) and 62-213.440, F.A.C.]

A.15. Sulfur Dioxide. The permittee elected to demonstrate compliance using fuel sampling and analysis. This protocol is allowed because the emissions unit does not have an operating flue gas desulfurization device. See specific conditions **A.9, A.23 and A.24** of this permit.

[Rule 62-296.405(1)(f)1.b., F.A.C.]

A.16. 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.

(c) The permittee shall install, operate, and maintain a system to continuously monitor and record the amount of natural gas consumption and heat input. This system shall be designed to interact with the existing continuous emissions monitors.

[Rule 62-297.310(5) and 62-4.070(3), F.A.C.; Permit No. 0810010-007-AC]

A.17. Frequency of Compliance Tests. The following provisions apply only to those emissions units that are subject to an emissions limiting standard for which compliance testing is required.

(a) General Compliance Testing.

2. For excess emission limitations for particulate matter specified in Rule 62-210.700, F.A.C., a compliance test shall be conducted annually while the emissions unit is operating under soot blowing conditions in each federal fiscal year during which soot blowing is part of normal emissions unit operation, except that such test shall not be required in any federal fiscal year in which a fossil fuel steam generator does not burn liquid fuel for more than 400 hours other than during startup.

3. The owner or operator of an emissions unit that is subject to any emission limiting standard shall conduct a compliance test that demonstrates compliance with the applicable emission limiting standard prior to obtaining a renewed operation permit. Emissions units that are required to conduct an annual compliance test may submit the most recent annual compliance test to satisfy the requirements of this provision. In renewing an air operation permit pursuant to Rule 62-210.300(2)(a)3.b., c., or d., F.A.C., the Department shall not require submission of emission compliance test results for any emissions unit that, during the year prior to renewal:

- a. Did not operate; or
- b. In the case of a fuel burning emissions unit, burned liquid fuel for a total of no more than 400 hours.

4. During each federal fiscal year (October 1 - September 30), unless otherwise specified by rule, order, or permit, the owner or operator of each emissions unit shall have a formal compliance test conducted for:

- a. Visible emissions, if there is an applicable standard;
- b. Each of the following pollutants, if there is an applicable standard, and if the emissions unit emits or has the potential to emit: 100 tons per year or more of any other regulated air pollutant; and
- c. Each NESHAP pollutant, if there is an applicable emission standard.

5. An annual compliance test for particulate matter emissions shall not be required for any fuel burning emissions unit that, in a federal fiscal year, does not burn liquid fuel, other than during startup, for a total of more than 400 hours.

9. 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.

(b) 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 may 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.

(c) Waiver of Compliance Test Requirements. If the owner or operator of an emissions unit that is subject to a compliance test requirement demonstrates to the Department, pursuant to the procedure established in Rule 62-297.620, F.A.C., that the compliance of the emissions unit with an applicable weight emission limiting standard can be adequately determined by means other than the designated test procedure, such as specifying a surrogate standard of no visible emissions for particulate matter sources equipped with a bag house or specifying a fuel analysis for sulfur dioxide emissions, the Department shall waive the compliance test requirements for such emissions units and order that the alternate means of determining compliance be used, provided, however, the provisions of Rule 62-297.310(7)(b), F.A.C., shall apply.

[Rule 62-297.310(7), F.A.C., SIP approved]

A.18. When VE Tests Not Required. By this permit, annual emissions compliance testing for visible emissions is not required for these emissions units while burning:

- a. only gaseous fuel(s); or
- b. gaseous fuel(s) in combination with any amount of liquid fuel(s) for less than 400 hours per year; or
- c. only liquid fuel(s) for less than 400 hours per year.

[Rule 62-297.310(7)(a)4., F.A.C.]

A.19. When PM Tests Not Required. Annual and permit renewal compliance testing for particulate matter emissions is not required for these emissions units while burning:

- a. only gaseous fuel(s); or
- b. gaseous fuel(s) in combination with any amount of liquid fuel(s) for less than 400 hours per year; or
- c. only liquid fuel(s) for less than 400 hours per year.

[Rules 62-297.310(7)(a)3. & 5., F.A.C.; and, ASP Number 97-B-01.]

Test Methods and Procedures

{Permitting Note: The attached Table 2-1, Summary of Compliance Requirements, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

A.20. Visible emissions. The test method for visible emissions shall be DEP Method 9, incorporated in Chapter 62-297, F.A.C. A transmissometer may be used and calibrated according to Rule 62-297.520, F.A.C. See specific condition **A.21** of this permit. VE testing shall be conducted in accordance with the requirements of specific condition **A.27** of this permit.
[Rule 62-296.405(1)(e)1., F.A.C.]

A.21. DEP Method 9. The provisions of EPA Method 9 (40 CFR 60, Appendix A) are adopted by reference with the following exceptions:

1. EPA Method 9, Section 2.4, Recording Observations. Opacity observations shall be made and recorded by a certified observer at sequential fifteen second intervals during the required period of observation.
2. EPA Method 9, Section 2.5, Data Reduction. For a set of observations to be acceptable, the observer shall have made and recorded, or verified the recording of, at least 90 percent of the possible individual observations during the required observation period. For single-valued opacity standards (e.g., 20 percent opacity), the test result shall be the highest valid six-minute average for the set of observations taken. For multiple-valued opacity standards (e.g., 20 percent opacity, except that an opacity of 40 percent is permissible for not more than two minutes per hour) opacity shall be computed as follows:
 - a. For the basic part of the standard (i.e., 20 percent opacity) the opacity shall be determined as specified above for a single-valued opacity standard.
 - b. For the short-term average part of the standard, opacity shall be the highest valid short-term average (i.e., two-minute, three-minute average) for the set of observations taken.

In order to be valid, any required average (i.e., a six-minute or two-minute average) shall be based on all of the valid observations in the sequential subset of observations selected, and the selected subset shall contain at least 90 percent of the observations possible for the required averaging time. Each required average shall be calculated by summing the opacity value of each of the valid observations in the appropriate subset, dividing this sum by the number of valid observations in the subset, and rounding the result to the nearest whole number. The number of missing observations in the subset shall be indicated in parenthesis after the subset average value. [Rule 62-297.401, F.A.C.]

A.22. Particulate Matter. The test methods for particulate emissions shall be EPA Methods 17, 5, 5B, or 5F, incorporated by reference in Chapter 62-297, F.A.C. The minimum sample volume shall be 30 dry standard cubic feet. EPA Method 5 may be used with filter temperature no more than 320 degrees Fahrenheit. For EPA Method 17, stack temperature shall be less than 375 degrees Fahrenheit. The owner or operator may use EPA Method 5 to demonstrate compliance. EPA Method 3 or 3A with Orsat analysis shall be used when the oxygen based F-factor, computed according to EPA Method 19, is used in lieu of heat input. Acetone wash shall be used with EPA Method 5 or 17. Particulate testing shall be conducted in accordance with the requirements of specific conditions A.26 and A.27 of this permit. [Rules 62-213.440, 62-296.405(1)(e)2., and 62-297.401, F.A.C.]

A.23. Sulfur Dioxide. The test methods for sulfur dioxide emissions shall be EPA Methods 6, 6A, 6B, or 6C, incorporated by reference in Chapter 62-297, F.A.C. Fuel sampling and analysis may be used as an alternate sampling procedure if such a procedure is incorporated into the operation permit for the emissions unit. If the emissions unit obtains an alternate procedure under the provisions of Rule 62-297.620, F.A.C., the procedure shall become a condition of the emissions unit's permit. The Department will retain the authority to require EPA Method 6 or 6C if it has reason to believe that exceedences of the sulfur dioxide emissions limiting standard are occurring. Results of an approved fuel sampling and analysis program shall have the same effect as EPA Method 6 test results for purposes of demonstrating compliance or noncompliance with sulfur dioxide standards. **The permittee may use the EPA test methods, referenced above, to demonstrate compliance; however, as an alternate sampling procedure authorized by permit, the permittee elected to demonstrate compliance using fuel sampling and analysis.** See specific conditions A.9 and A.24 of this permit. [Rules 62-213.440, 62-296.405(1)(e)3. and 62-297.401, F.A.C.]

A.24. The following fuel sampling and analysis protocol shall be used as an alternate sampling procedure authorized by permit to demonstrate compliance with the sulfur dioxide standard:

Compliance with the liquid fuel sulfur limit shall be verified by a fuel analysis provided by the vendor or performed by FPL upon each fuel delivery at the Port Manatee Fuel Oil Terminal with the following exception: in cases where No. 6 fuel oil is received with a sulfur content exceeding 1.0 percent by weight, and blending at the terminal is required to obtain a fuel mix equal to the applicable percent sulfur limit, an analysis of a fuel sample representative of fuel from the fuel storage tanks shall be performed by FPL prior to transferring oil to the Manatee plant. Reports of percent sulfur content of these analyses shall be maintained at the power plant facility.

The owner or operator shall maintain records of the as-fired fuel oil heating value, density or specific gravity, and the percent sulfur content. Fuel sulfur content, percent by weight, for liquid fuels shall be determined by either ASTM D2622-94, ASTM D4294-90 (95), ASTM D1552-95, ASTM D1266-91, or both ASTM D4057-88 and ASTM D129-95 (or latest editions) to analyze a representative sample of the fuel oil.

[Rules 62-213.440, 62-296.405(1)(e)3., 62-296.405(1)(f)1.b. and 62-297.440, F.A.C.; Applicant agreement with EPA on March 3, 1998.]

A.25. 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 the two complete runs as proof of compliance, provided that the arithmetic mean of the results of the two complete runs is at least 20 percent below the allowable emission limiting standards.

[Rule 62-297.310(1), F.A.C.]

A.26. Operating Rate During Testing. Testing of emissions shall be conducted with each emissions unit operation at permitted capacity, which is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. If it is impracticable to test at permitted capacity, an emissions unit may be tested at less than the minimum permitted capacity; in this case, subsequent emissions unit operation is limited to 110 percent of the test load until a new test is conducted. Once the emissions 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.

[Rules 62-297.310(2) & (2)(b), F.A.C.]

A.27. Operating Conditions During Testing - PM and VE. When required, testing for particulate matter and visible emissions shall be conducted while firing No. 6 fuel oil at the maximum allowable rate of 8650 million Btu per hour, except as provided below. Particulate and visible emissions shall be conducted under both sootblowing and non-sootblowing conditions, and shall be conducted while injecting additives consistent with normal operating practices.

Testing may be conducted while firing No. 6 fuel oil at less than 90 percent of the maximum allowable rate; however, subsequent emissions unit operation is limited as described in specific condition A.26 of this permit.

[Rules 62-4.070(3) and 62-213.440 F.A.C., AO 41-204804 Specific Condition 5, AO 41-219341 Specific Condition 5]

A.28. Calculation of Emission Rate. The indicated emission rate or concentration shall be the arithmetic average of the emission rate or concentration determined by each of the separate test runs unless otherwise specified in a particular test method or applicable rule.

[Rule 62-297.310(3), F.A.C.]

A.29. Applicable Test Procedures.

(a) Required Sampling Time.

1. 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.

2. **Opacity Compliance Tests.** When either EPA Method 9 or DEP Method 9 is specified as the applicable opacity test method, the required minimum period of observation for a compliance test shall be sixty (60) minutes for emissions units which emit or have the potential to emit 100 tons per year or more of particulate matter, and thirty (30) minutes for emissions units which have potential emissions less than 100 tons per year of particulate matter and are not subject to a multiple-valued opacity standard. The opacity test observation period shall include the period during which the highest opacity emissions can reasonably be expected to occur. Exceptions to these requirements are as follows:

c. The minimum observation period for opacity tests conducted by employees or agents of the Department to verify the day-to-day continuing compliance of a unit or activity with an applicable opacity standard shall be twelve minutes.

(b) Minimum Sample Volume. Unless otherwise specified in the applicable rule, the minimum sample volume per run shall be 25 dry standard cubic feet.

(c) Required Flow Rate Range. For EPA Method 5 particulate sampling, acid mist/sulfur dioxide, and fluoride sampling which uses Greenburg Smith type impingers, the sampling nozzle and sampling time shall be selected such that the average sampling rate will be between 0.5 and 1.0 actual cubic feet per minute, and the required minimum sampling volume will be obtained.

(d) Calibration of Sampling Equipment. Calibration of the sampling train equipment shall be conducted in accordance with the schedule shown in Table 297.310-1 (attached to this permit).

(e) Allowed Modification to EPA Method 5. When EPA Method 5 is required, the following modification is allowed: the heated filter may be separated from the impingers by a flexible tube.

[Rule 62-297.310(4), F.A.C.]

A.30. Required Stack Sampling Facilities. When a mass emissions stack test is required, the permittee shall comply with the requirements contained in Appendix SS-1, Stack Sampling Facilities, attached to this permit.

[Rule 62-297.310(6), F.A.C.]

A.31. Testing While Injecting Additives. The owner or operator shall conduct emission tests while injecting additives consistent with normal operating practices.

[Rule 62-213.440, F.A.C., applicant agreement with EPA on March 3, 1998]

Record Keeping and Reporting Requirements

A.32. Excess Emissions - Malfunctions. In the case of excess emissions resulting from malfunctions, each owner or operator shall notify the Department's Southwest District, Air Section, 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's Southwest District, Air Section.

[Rule 62-210.700(6), F.A.C.]

A.33. Excess Emissions - Reports. Submit to the Department's Southwest District, Air Section, a written report of emissions in excess of emission limiting standards for ~~opacity and sulfur dioxide~~ as set forth in Rule 62-296.405(1), F.A.C., for each calendar quarter. The nature and cause of the excess emissions shall be explained. This report does not relieve the owner or operator of the legal liability for violations. All recorded data shall be maintained on file by the Source for a period of five years.

[Rules 62-213.440 and ~~62-296.405(1)(g), F.A.C.~~]

A.34. Test Reports.

- (a) The owner or operator of an emissions unit for which a compliance test is required shall file a report with the Department's Southwest District, Air Section, on the results of each such test.
- (b) The required test report shall be filed with the Department's Southwest District, Air Section, as soon as practical but no later than 45 days after the last sampling run of each test is completed.
- (c) The test report shall provide sufficient detail on the emissions unit tested and the test procedures used to allow the Department's Southwest District, Air Section, to 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.

[Rules 62-213.440 and 62-297.310(8), F.A.C.]

A.35. Fuel Analysis Report. The owner or operator shall, by the fifteenth day following each calendar month, submit to the Department's Southwest District, Air Section, a report of fuel analyses that are representative of each fuel received in the preceding month. The report shall document the heating value, density or specific gravity, and the percent sulfur content by weight of each fuel fired.

[Rule 62-4.070(3) and 62-213.440, F.A.C., AO 41-204804 Specific Condition 6, AO 41-219341 Specific Condition 6]

A.36. COMS for Periodic Monitoring. The owner or operator is required to install continuous opacity monitoring systems (COMS) pursuant to 40 CFR Part 75. The owner or operator shall maintain and operate COMS and shall make and maintain records of opacity measured by the COMS, for purposes of periodic monitoring.

[Rule 62-213.440, F.A.C., and applicant agreement with EPA on March 3, 1998]

Miscellaneous Conditions

A.37. Used Oil. Burning of on-specification used oil is allowed at this facility in accordance with all other conditions of this permit and the following additional conditions:

- a. **On-specification Used Oil Allowed as Fuel:** This permit allows the burning of used oil fuel meeting EPA "on-specification" used oil specifications, with a PCB concentration of less than 50 ppm, originating from FPL operations. Used oil that does not meet the specifications for on-specification used oil shall not be burned at this facility.

On-specification used oil shall meet the following specifications: [40 CFR 279, Subpart B.]

- Arsenic shall not exceed 5.0 ppm;
- Cadmium shall not exceed 2.0 ppm;
- Chromium shall not exceed 10.0 ppm;
- Lead shall not exceed 100.0 ppm;
- Total halogens shall not exceed 1000 ppm;
- Flash point shall not be less than 100 degrees F.

- b. Quantity Limited: The maximum total quantity of used oil that may be burned in both emissions units is 40,000 gallons in any consecutive 12-month period.
- c. Used Oil Containing PCBs Not Allowed: Used oil containing a PCB concentration of 50 or more ppm shall not be burned at this facility. Used oil shall not be blended to meet this requirement.
- d. PCB Concentration of 2 to less than 50 ppm: On-specification used oil with a PCB concentration of 2 to less than 50 ppm shall be burned only at normal source operating temperatures. On-specification used oil with a PCB concentration of 2 to less than 50 ppm shall not be burned during periods of startup or shutdown.
- e. Testing Required: The owner or operator shall sample and analyze each batch of used oil to be burned for the following parameters:

Arsenic, cadmium, chromium, lead, total halogens, flash point, PCBs.

Testing (sampling, extraction and analysis) shall be performed using approved methods specified in EPA Publication SW-846 (Test Methods for Evaluating Solid Waste, Physical/Chemical Methods), latest edition.

Split samples of the used oil shall be retained for three months after analysis for further testing if necessary.

[AO 41-204804 Specific Condition 9, and AO 41-219341 Specific Condition 9]

- f. Record Keeping Required: The owner or operator shall obtain, make, and keep the following records related to the use of used oil in a form suitable for inspection at the facility by the Department: [40 CFR 279.61 and 761.20(e)]
 - (1) The gallons of on-specification used oil received and burned each month. (This record shall be completed no later than the fifteenth day of the succeeding month.)
 - (2) The total gallons of on-specification used oil burned in the preceding consecutive 12-month period. (This record shall be completed no later than the fifteenth day of the succeeding month.)
 - (3) Results of the analyses required above.
- g. Reporting Required: The owner or operator shall submit to the Department's Southwest District, Air Section, within thirty days of the end of each calendar month in which used oil is burned, the analytical results and the total amount of on-specification used oil burned during the previous calendar month

The owner or operator shall submit, with the Annual Operation Report form, the analytical results and the total amount of on-specification used oil burned during the previous calendar year.

[Rules 62-4.070(3) and 62-213.440, F.A.C., 40 CFR 279 and 40 CFR 761, unless otherwise noted]

A.38. Construction Notifications: Within 15 days of beginning construction, the permittee shall notify the Compliance Authority that construction has commenced. Within 15 days of

completing construction, the permittee shall notify the Compliance Authority that construction has concluded. Each notification shall include an updated proposed schedule of activities through the initial shakedown period and the firing of natural gas. [Rule 62-4.070(3), F.A.C.; Permit No. 0810010-007-AC]

A.39. Initial Compliance Tests for Gas Firing: When firing 100% natural gas, the permittee shall conduct initial compliance tests to determine the emissions of particulate matter and level of opacity from Units 1 and 2. Test results shall demonstrate compliance with the applicable standards. A transmissometer calibrated in accordance with Rule 62-297.520, F.A.C., may also be used to demonstrate compliance with the visible emissions standard. Initial tests shall be conducted within 60 days after completing shakedown for each unit, but not later than 180 days after first fire on natural gas. [Rule 62-296.405(1)(e)1, F.A.C.; Permit No. 0810010-007-AC]

A.40. PSD Applicability Report: Before August 1st of each year, the permittee shall submit a report to the Bureau of Air Regulation and the Compliance Authority summarizing actual annual emissions for the previous calendar year. The reports shall be used to verify the permittee's predictions of future representative actual annual emissions. The reports shall be submitted for five separate years that are representative of normal post-change operations after completing construction of the natural gas project. **The reports shall begin during the first year that natural gas is fired and continue for five years.** Reports are subject to the following conditions.

- a. The Department determines the "past actual emissions" for Units 1 and 2 as follows:

Pollutant	Past Actual Emissions Two-Year Average Tons per Year	Future Representative Actual Annual Emissions Calculation Methods
Carbon Monoxide (CO)	18,987	AOR (oil); Initial/Annual Performance Tests (gas)
Nitrogen Oxides (NOx)	8762	CEMS; Acid Rain Reporting
Particulate Matter (PM)	2384	AOR (oil); Initial Performance Test (gas)
Sulfur Dioxide (SO ₂)	31,753	CEMS; Acid Rain Reporting
Volatile Organic Compounds (VOC)	149	AOR (oil); Initial Performance Test (gas)

"Past actual annual emissions" are based on: the two-year average for operation during 2000 and 2001; annual CO, PM, and VOC emissions reported in the certified Annual Operating Reports submitted by the permittee; and data collected by the Continuous Emissions Monitoring Systems for NOx and SO₂ emissions as indicated by the EPA Scorecard values for the Acid Rain Program. "Future actual annual emissions" shall be based on: actual annual fuel combustion (heat input) rates; initial tested emission rates for PM (gas) and VOC (gas); a series of annual tested emission rates for CO (gas); certified Annual Operating Report data for CO (oil), PM (oil), and VOC (oil); and data collected by the Continuous Emissions Monitoring Systems for NOx and SO₂ emissions as indicated by the EPA Scorecard values for the Acid Rain Program. The calculation methodology shall remain consistent from year to year.

- b. In accordance with 40 CFR 52.21(b)(33)(ii), the permittee shall, "Exclude, in calculating any increase in emissions that results from the particular physical change or change in the method of operation at an electric utility steam generating unit, that portion of the unit's emissions following the change that could have been accommodated during the representative baseline period and is attributable to an increase in projected capacity utilization at the unit that is unrelated to the particular change, including any increased utilization due to the rate of electricity demand growth for the utility system as a whole." The permittee shall identify and quantify the excluded emissions and present a justification for the exclusion.
- c. Each report shall compare the actual emissions for the given year with the past actual annual emissions as described above. If the difference between the current actual annual emissions and the past actual annual emissions defined above is greater than the PSD significant emission rates defined in Table 212.400-2 of Chapter 62-212, F.A.C., then Units 1 and 2 shall be subject to a full PSD review at that time. This review shall include a determination of the Best Available Control Technology (BACT) for each PSD-significant pollutant.

[Rules 62-204.800, 62-210.200(11) and 62-212.400, F.A.C.; 40 CFR 52.21(b)(33)(ii)]

Section IV. This section is the Acid Rain Part.

Operated by: Florida Power and Light Company
ORIS code: 6042

Subsection A. This subsection addresses Acid Rain, Phase II.

The emissions units listed below are regulated under Acid Rain, Phase II.

E.U. ID No.	Brief Description
001	Fossil Fuel Steam Generator, Unit 1
002	Fossil Fuel Steam Generator, Unit 2

A.1. The Phase II permit application(s) submitted for this facility, as approved by the Department, is a part of this permit. The owners and operators of these Phase II acid rain unit(s) must comply with the standard requirements and special provisions set forth in the application(s) listed below:

a. DEP Form No. 62-210.900(1)(a), dated 7/1/95, received 5/27/03.
[Chapter 62-213, F.A.C. and Rule 62-214.320, F.A.C.]

A.2. Sulfur dioxide (SO₂) allowance allocations for each Acid Rain unit are as follows:

<u>E.U. ID</u> No.	EPA ID	Year	2004	2005	2006	2007	2008
001	ID No. 01 PMT1	SO2 allowances, under Table 2 or 3 of 40 CFR Part 73	13773*	13773*	13773*	13773*	13773*
002	ID No. 02 PMT2	SO2 allowances, under Table 2 or 3 of 40 CFR Part 73	12697*	12697*	12697*	12697*	12697*

* The number of allowances held by an Acid Rain source in a unit account may differ from the number allocated by the USEPA under Table 2 of 40 CFR 73.

A.3. Emission Allowances. Emissions from sources subject to the Federal Acid Rain Program (Title IV) shall not exceed any allowances that the source lawfully holds under the Federal Acid Rain Program. Allowances shall not be used to demonstrate compliance with a non-Title IV applicable requirement of the Act.

1. No permit revision shall be required for increase in emissions that are authorized by allowances acquired pursuant to the Federal Acid Rain Program, provided that such increases do not require a permit revision pursuant to Rule 62-213.400(3), F.A.C.

2. No limit shall be placed on the number of allowances held by the source under the Federal Acid Rain Program.

3. Allowances shall be accounted for under the Federal Acid Rain Program.

[Rule 62-213.440(1)(c), F.A.C.]

Florida Power and Light Company
Manatee Plant

DRAFT Permit No. 0810010-009-AV
Facility ID No.: 0810010

A.4. Fast-Track Revisions of Acid Rain Parts. Those Acid Rain sources making a change described at Rule 62-214.370(4), F.A.C., may request such change as provided in Rule 62-213.413, Fast-Track Revisions of Acid Rain Parts.
[Rule 62-213.413, F.A.C.]

Appendix H-1: Permit History

Florida Power & Light Company
Manatee Plant

DRAFT Permit No.: 0810010-009-AV
Facility ID No.: 0810010

E.U. ID No.	Description	Permit No.	Effective Date	Expiration Date	Project Type ¹
All	Facility	0810010-001-AV	01/01/1999	12/31/2003	Initial
All	Facility	0810010-003-AV	01/01/1999	12/31/2003	Administration Correction
All	Facility	0810010-004-AV	01/01/1999	12/31/2003	Administration Correction
001, 002	Fossil Fuel Steam Generators 1 & 2	0810010-005-AC	12/23/1999	12/23/2000	Construction (mod.)
005	Fossil Fuel Steam Generator 3	0810010-006-AC	04/15/2003	12/31/2006	Construction (new.)
001, 002	Fossil Fuel Steam Generators 1 & 2	0810010-007-AC	08/12/2002	07/01/2003	Construction (mod.)
001, 002	Fossil Fuel Steam Generators 1 & 2	0810010-008-AV	12/03/2002	12/31/2003	Revision
All	Facility	0810010-009-AV	Pending ²	12/31/2008	Renewal

¹ Project Type: Title V - Initial, Revision, Renewal, or Administrative Correction; Construction (new or mod.); Extension (AC only); or, Withdrawn or Denied.

² ARMS day 55 from the date of posting the PROPOSED Permit for EPA review (see confirmation e-mail from Tallahassee) or the date that EPA confirms resolution of any objections.


P.E. Certification Statement

Permittee:
Florida Power & Light Company
Manatee Plant

DRAFT Permit No.: 0810010-009-AV
Facility ID No.: 0810010

Project type: Title V Air Operation Renewal Permit

I HEREBY CERTIFY that the engineering features described in the above referenced application and subject to the proposed permit conditions provide reasonable assurance of compliance with applicable provisions of Chapter 403, Florida Statutes; and Florida Administrative Code Chapters 62-4, 62-210, 62-296, and 62-297. However, I have not evaluated and I do not certify aspects of the proposal outside of my area of expertise (including, but not limited to, the electrical, mechanical, structural, hydrological, geological features, and the acid rain part).


C. L. Phillips, P.E. 8/29/03
Registration Number: 50246 date

Permitting Authority:
State of Florida
Department of Environmental Protection
Division of Air Resources Management
Bureau of Air Regulation
Title V Section MS #5505
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Telephone: 850/488-0114
Fax: 805/921-9533

AGREEMENT
FOR THE PURPOSE OF
ENSURING COMPLIANCE WITH
AMBIENT AIR QUALITY STANDARDS FOR OZONE

This Agreement is entered into between the Florida Department of Environmental Protection ("FDEP") and Florida Power & Light Company ("FPL") to reduce emissions of nitrogen oxides from an existing electrical generating facility for the exclusive purpose of ensuring compliance with the ambient air quality standards for ozone, as provided for by Section 366.8255(1)(d)7, Florida Statutes (2002).

WHEREAS:

I. The Florida Legislature enacted Chapter 2002-276, Laws of Florida, to allow agreements between electric utilities and FDEP for the purpose of ensuring compliance with ozone ambient air quality standards, and further to provide for the recovery of costs and expenses prudently incurred by an electric utility pursuant to such an agreement entered into prior to October 1, 2002;

II. FDEP has the statutory duty and authority, pursuant to Chapter 403, Florida Statutes, and rules adopted under Chapter 62, Florida Administrative Code, to protect and maintain Florida's air quality, including ensuring compliance with ambient air quality standards for ozone;

III. The U.S. Environmental Protection Agency ("U.S. EPA") has promulgated a new ambient air quality standard for ozone that establishes a permissible limit on the level of ozone during any 8-hour period;

IV. Manatee County is located in the vicinity of the Tampa Bay Airshed, which has experienced recent episodes of elevated ozone levels higher than the U.S. EPA's new ambient air quality standard for ozone on at least 15 separate days in the past four years;

V. Nitrogen oxides emissions from electrical generating facilities owned by electric utilities can contribute to the formation of ozone in the vicinity of an electrical generating facility;

VI. Based upon the best available information, including ambient air quality monitoring data, it is not clear whether the Tampa Bay Airshed will be in compliance with the 8-hour ozone standard in 2004/2005.

VII. FPL is an electric utility that owns and operates an electrical generating facility known as the Manatee Plant, located in unincorporated Manatee County, Florida, comprised of two 800 megawatt class fossil fuel-fired generating units known as Manatee Units 1 and 2 or jointly as "the facility";

VIII. FPL is regulated by the Florida Public Service Commission, and the Manatee Plant provides electric power to consumers in FPL's service area;

IX. Manatee Units 1 and 2 emit nitrogen oxides, a precursor to regional ozone formation, into the atmosphere of Manatee County and surrounding areas, including the Tampa Bay Airshed;

X. The Manatee Plant, together with other regional power plants, commercial and industrial activities, and transportation, are the main sources of nitrogen oxides affecting regional ozone formation in the Tampa Bay Airshed;

XI. FPL has identified a nitrogen oxides emissions control technology known as "reburn" that is a "pollution prevention" system, which can reduce nitrogen oxides emissions from Manatee Units 1 and 2 without the use of reagents, catalysts, pollution collection or removal equipment;

XII. Use of the proposed reburn emissions control technology in Manatee Units 1 and 2 will require FPL to incur certain costs and expenses to install, operate and maintain that control technology; and,

XIII. Installation of reburn technology in FPL's Manatee Units 1 and 2 and the

achievement of an emissions rate of no greater than 0.25 pounds per million BTU on a 30-day rolling average basis will help to ensure that the Tampa Bay Airshed will comply with the ozone ambient air quality standards established by U.S. EPA and by FDEP.

NOW THEREFORE, in consideration of the premises and mutual agreements contained herein, and intending to be legally bound, FDEP and FPL hereby agree as follows:

1. This Agreement is entered into by FDEP and FPL for the exclusive purpose of ensuring compliance with ozone ambient air quality standards.
2. This Agreement is in full force and effect upon the signature of both parties unless the Florida Public Service Commission (FPSC) does not issue a final order authorizing FPL to recover the costs incurred pursuant to this Agreement through the Environmental Cost Recovery Clause within 120 days of the execution of the Agreement at which time the parties may mutually agree, in writing, to extend the Agreement. In the event the FPSC does not issue a final order within 120 days of the execution of the Agreement and the parties do not mutually agree to extend the Agreement, the Agreement becomes null and void. A final order is one that is no longer subject to review or appeal by a court of competent jurisdiction. FPL will exercise good faith in seeking approval of such cost recovery from the FPSC in a timely manner. FDEP agrees to support FPL's request for such approval by the FPSC. FDEP and FPL agree that installation of reburn technology in Manatee Units 1 and 2, in conjunction with the achievement of an emissions rate of no greater than 0.25 pounds per million BTU on a 30-day rolling average, will reduce nitrogen oxides emissions from the facility in a potential ozone nonattainment area.
3. FPL shall commence installation of reburn technology in one of the existing Manatee Units (either Unit 1 or Unit 2) no later than 18 months after receiving all required state, federal or local environmental permits. FPL shall commence installation of reburn technology on the other unit no later than 12 months after installation has commenced on the first Unit. Installation of reburn technology in each Unit shall be completed no later than 12 months after commencement of installation in that Unit. The reburn technology will consist of a combustion

modification process that utilizes fuel (either oil or natural gas) and air staging within the boilers to reduce nitrogen oxides emissions. In addition, overfire air (OFA) may be injected above the reburn zone within the boilers of Manatee Units 1 and 2 to reduce overall nitrogen oxides emissions.

4. The reburn technology installed in Manatee Units 1 and 2 shall be designed to achieve a nitrogen oxides emissions goal of 0.20 pounds per million BTU heat input on a 30-day rolling average. It is anticipated that achievement of this emissions goal will be achieved by utilizing the reburn when operating the Unit at greater than or equal to 350 megawatts.

5. Upon completion of installation of the reburn technology in each Unit, FPL shall optimize the operation of that Unit with reburn technology. After this optimization period has been completed for a Unit, or after a six month period, whichever occurs first, the reburn technology shall be utilized to minimize nitrogen oxides emissions when that Unit is in operation.

6. After completion of the optimization period for each Unit described in Paragraph 5, a nitrogen oxides emissions limit of 0.25 pounds per million BTU (30-day rolling average) shall apply to that Unit. This nitrogen oxides emissions limit shall apply during the data collection, testing and evaluation program described in Paragraph 7 and shall be incorporated into the Manatee Plant's Title V permit at the time of the next renewal.

7. Beginning upon completion of the optimization period for the first of the Manatee Units in which reburn technology is installed, FPL shall conduct an 18 month program designed to evaluate nitrogen oxides emissions rates, boiler performance and Unit operation with the goal of identifying and implementing the lowest emissions rate possible for Manatee Units 1 and 2. This program shall include collection and analysis of data on nitrogen oxides emissions, boiler operating parameters, Unit performance characteristics and emissions of other pollutants, as well as projections of emissions rates assuming alternative, non-tested operating parameters and scenarios, including variations in fuels fired, Unit load and load-changing conditions, boiler and burner performance and any other factors relevant in evaluating possible changes to the nitrogen

oxides emissions limit for Manatee Units 1 and 2. At the end of the 18 month period, FPL shall submit a report to FDEP summarizing the results of the program and addressing whether any further change in the applicable nitrogen oxides emissions limit is possible under tested and other alternative operating scenarios. Following receipt of the report, FDEP and FPL shall meet to discuss whether any further change in the applicable nitrogen oxides emissions limit for Manatee Units 1 and 2 is possible. If FDEP and FPL mutually agree on a change in the nitrogen oxides emissions limit for Manatee Units 1 and 2, FPL shall submit a Title V application for the Manatee Plant's Title V permit to incorporate the new, agreed-upon limit. If FDEP and FPL do not agree on any new nitrogen oxides emissions limit for Manatee Units 1 and 2, the limit established in Paragraph 6 shall remain applicable.

8. In the event state or federal law changes to require a change in nitrogen oxides emissions or the Tampa Bay Airshed is declared non-attainment for ozone, any reduction requirements would be in accordance with all applicable state and federal requirements. FDEP concurs that the changes contemplated by this Agreement will not constitute "modifications" that trigger New Source Review. In addition, although Florida currently has no state statute providing for nitrogen oxides trading or credits, FPL shall be entitled to retain all nitrogen oxides reduction credits and trading rights that may be authorized by Florida law in the future.

9. FDEP concurs that the steps and changes described in paragraphs 3 through 7, above, are prudent for purposes of (a) ensuring that FPL's Manatee Plant located within the Tampa Bay Airshed supports the area's compliance with the 8-hour ozone ambient air quality standard and (b) authorizing related cost recovery pursuant to Section 366.8255(1)(d), Florida Statutes, as amended by the Florida Legislature in its 2002 session and signed into law by the Governor of the State of Florida.

10. FDEP shall process in a timely manner any permit applications or requests for approvals necessary to implement this Agreement.

11. This Agreement is not and shall not be construed to be a permit issued or required pursuant to any federal, state or local law, rule or regulation including those of FDEP and Manatee County.

12. FPL shall be entitled to relief from the time requirements of this Agreement in the event of a *force majeure*, which includes, but is not limited to, delays in regulatory approvals, construction, labor, material, or equipment delays, fuel supply delays, acts of God or other similar events that are beyond the control of FPL and do not result from its own actions, for the length of time necessarily imposed by any such delay.

13. There shall be no modifications or amendments of this Agreement without the written agreement of all parties to this Agreement.

14. This Agreement shall apply to and be binding upon FDEP and FPL and their successors and assigns. Each person signing this Agreement certifies that he or she is authorized to execute this Agreement and to legally bind the party on whose behalf he or she signs this Agreement.

By their signatures affixed below, the parties agree to be bound by the terms and conditions of this Agreement.

DEPARTMENT OF ENVIRONMENTAL
PROTECTION

9-19-02
Date

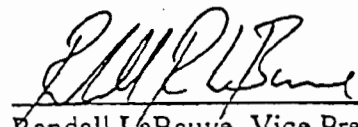
BY:


Allan Bedwell, Deputy Secretary

FLORIDA POWER & LIGHT COMPANY

9-19-02
Date

BY:


Randall LaBauve, Vice President
Environmental Services



MANATEE COUNTY GOVERNMENT

"To Serve With Excellence"

ENVIRONMENTAL MANAGEMENT DEPARTMENT



September 8, 2003

Ms. Cindy Phillips, P.E.
Florida Department of Environmental Protection
Bureau of Air Regulation; Title V Section
111 South Magnolia Drive, Suite 4
Tallahassee, FL 32301

RE: Title V Air Operation Permit Renewal;
DRAFT Permit Project No.: 0810010-009-AV; FPL Manatee Plant

Dear Ms. Phillips:

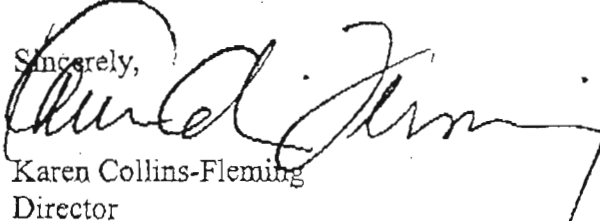
We received the Notice of Intent to Issue for the referenced permit, dated August 29, 2003. Given the date of the notice, we believe that the cutoff date for the Department to receive written comments on the draft permit will be September 29, 2003.

As you may know, there is quite a bit of local controversy surrounding the operation of Manatee Plant Units 1 and 2. Many questions have been raised about the plant's operations by the Manatee County Commission as well as a local group organized as the Coalition for Clean Air. The County Commission has asked its Environmental Management Department (EMD) to schedule a worksession to discuss issues related to the plant and its pending Title V permit. We anticipate that the worksession will generate a number of conditions that the Board will want included in FPL's new/renewed permit.

Given the amount of interest in this permit, and the short time frame in which to hold the worksession (September 30), the public meeting your Department has scheduled (October 2), and formulate and render comments on the draft permit, we are respectfully requesting that the comment period be extended for an additional 30 days.

Thank you in advance for your consideration. We look forward to meeting with DEP staff on October 2.

Sincerely,


Karen Collins-Fleming
Director

cc: Robert C. Brown, EMD Sr. Environmental Administrator

NATURE SAVER™ FAX MEMO 01616		Date	9-17-03	# of Pages	4
From		Cindy Phillips P.E. K COLLINS			
To/Dept.		SEP			
Phone #		742-5980			
Fax #		850-923-6977			

**MANATEE COUNTY ENVIRONMENTAL
COMPLAINT INVESTIGATION**

COMPLAINT RECEIVED BY: Karen Collins
COMPLAINT NO: EMD/049/97
PROGRAM: Air Quality
DATE/TIME REPORTED: February 14, 1997
COMPLAINANT NAME: Clarence Troxell
COMPLAINANT HOME PHONE: 776-2047
COMPLAINANT ADDRESS: 3321 Lakeside Circle
River Wilderness
Parrish, FL

ANONYMOUS:
WORK PHONE: N/A

PERSON/PLACE/BUSINESS OF COMPLAINT: Complainant's house
COMPLAINT ADDRESS:

COMPLAINT DESCRIPTION: Complainant believes soiling of white tile roof is attributable to soot, particulate matter etc. from FPL Parrish Plant.

This portion to be filled in by program only:

DATE/TIME RECEIVED BY PROGRAM: 02/17/97 @ 09:00 a.m.
DATE/TIME OF INITIAL INVESTIGATION: 02/17/97 @ 10:00 a.m.
INVESTIGATOR'S NAME: Robert Bixby

INVESTIGATOR'S FINDINGS:

As requested by Director, samples (scrapings) of dark-colored material were collected from several locations on complainant's roof. Particular attention was focused on side of roof facing FPL plant, at request of complainant.

RETURNED TO: Karen M. Collins
Director

DATE/TIME: 2/18/97

RETURNED TO: Administrator

DATE/TIME:

DATE CLOSED: 2/18/97

COMMENTS: Samples were analyzed by Environmental Management Department lab - See attached lab report. Side of roof facing FPL receives less sun-light than opposite side; this likely allows for greater amount of mildew and fungus build-up. Material also is concentrated @ eaves, where water will collect. Samples did not show constituents attributable to fossil fuel combustion.

NATURE SAVER™ FAX MEMO 01616

Date	2/18/97	# of Pages	2
To	Cindy Phillips	From	Rob Brown
Co./Dept.		Co.	
Phone #		Phone #	
Fax #		Fax #	

MANATEE COUNTY
ENVIRONMENTAL MANAGEMENT DEPARTMENT
ID#E44247

REPORT OF MICROSCOPIC EXAMINATIONS

Sample (s) of Particulates collected by R. Bixby
at 1500 on 2/17/97, at Residence of Clarence Troxell

3321 Lakeside Circle

River Wilderness

PH 776 2047

Sample (s) received by Laboratory at PM on 2/17/97

Comments by Collector: _____

Results: Samples consist of mildew, fungus, small amount of sand and miscellaneous
plant material.

Examination completed 2/18/97

Magnification 100X

Note: 2/19 @ 2 pm Left message on Mr. Troxell's answering machine explaining our findings. Copy of this report mailed to Complainant.

MANASOTA-88

A Project for Environmental Quality 1968-2088

Department of Environmental Protection
Bureau of Air Regulation
MS 5505
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

10/02/03
RECEIVED

OCT 02 2003

BUREAU OF AIR REGULATION

Re: Draft Permit No. 0810010-009-AV

Directors

Glenn Compton

Mary Compton

Rebecca Eger

Charles Holmes

Edith Holmes

Mary Jelks, M.D.

Dan Kixmiller

Greg Nowaski

Joan Perry

Hilda Quy

Doris Schember

Janet Smith

These comments on the Title V Operating Permit Renewal (permit) for Florida Power and Light (FPL) Manatee Plant are submitted on behalf of ManaSota-88 Inc. pursuant to the public notice issued by the Florida Department of Environmental Protection on August 29, 2003.

General Comments:

ManaSota-88's review of the adequacy of this permit renewal reveals serious deficiencies that make this permit an ineffective tool for monitoring FPL's compliance with air pollution limitations.

Many of ManaSota-88's members live, work, pay taxes, and breathe the air in Manatee County, where the FPL facility is located.

The provisions allowing for a 30-day rolling average for Nitrogen Oxides makes monitoring and enforcement under the Clean Air Act even more difficult than it already is. As written, ManaSota-88 contends that the Title V permit renewal is unable to adequately protect our air quality .

The permit is vaguely written regarding whether particular types of information must be submitted to DEP. The permit consistently references Chapter 62-296 F.A.C. which, in many instances, provides that reporting is required only "*if requested by the Department.*"

The Federal Clean Air Act requires power plants meet the emission control standards that were in effect at the time the air permit was issued. The air emissions operating permits for the Parrish facility were issued in 1973, therefore, the Manatee plant is exempt from the newer Clean Air Act emission standards. As a result, the Manatee Plant is the dirtiest FPL power plant in the state for NOx and Sulfur dioxide emissions. FPL has used this loophole in the law for too long. Unfortunately the loophole still exists. FPL continues to avoid installing Best Available Control Technologies (BACT) by circumventing the Clean Air Act.



Information

P.O. Box 1728
Nokomis, FL 34274
(941) 966-6256
FAX (941) 966-0659
www.manasota-88.org

Existing Units 1 and 2 are having negative air quality impacts on surrounding communities. DEP has taken the narrow view that FPL Manatee Units 1 & 2 contribute a small percentage of the air emissions in the Tampa Bay airshed. A comparison to the entire Tampa Bay airshed is ridiculous as it does not reveal the true impact Units 1 & 2 are having on local communities. Parrish residents are living, and have been living with, reduced air quality for decades.

As part of the permit application (legally binding), FDEP and FPL entered into the AGREEMENT FOR THE PURPOSE OF ENSURING COMPLIANCE WITH AMBIENT AIR QUALITY STANDARDS FOR OZONE (Agreement).

The Agreement was signed on September 19, 2002.

ManaSota-88 did not receive notification of the Agreement until after the public notice for the Draft Title V Permit No. 0810010-009-AV was issued by the DEP on August 29, 2003. As a result, ManaSota-88 was denied the opportunity to review or comment on the Agreement. Manasota-88 contends that DEP has violated the public participation requirements of Chapter 403.504 by not providing adequate public notification of the Agreement.

On August 13, 2002, ManaSota-88 sent a Notice of Intent to be a Party (attached) concerning DOAH Case No. 02-0937 the Site Certification Application for Manatee Unit 3, located on the existing FPL Manatee Plant site.

Clearly, ManaSota-88 has demonstrated that the permitting of the FPL Manatee Plant is of "heightened public interest". Public notification of the Agreement should have been provided by DEP.

Section II. Facility-wide Conditions.

6. Insignificant Emissions Units and / or Activities. (Page 3 of 20)

Condition 6 applies to any emission source or unit that is listed as being insignificant in Appendix I-1. ManaSota-88 cannot determine why these emissions are listed as being insignificant.

The statement of basis needs to indicate why this section is included for FPL Units 1 & 2. If there is no justification for inclusion of section 6, then it should either be deleted, or an explanation should be included in the statement of basis for why an Insignificant Emissions section is a part of this permit.

The DEP needs to make an assessment of the aggregate effects of these "insignificant" emissions. Appendix I-1 lists 20 Emission Units and/or Activities that are considered "insignificant". There is a large number of toxins associated with the exempt activities. The individual and synergistic effects of the "insignificant" toxic air

the Tampa Bay airshed will be in compliance with the 8-hour ozone standard in 2004/2005.

- X. The Manatee Plant, together with other regional power plants, commercial and industrial activities, transportation, are the main sources of nitrogen oxides affecting regional ozone formation in the Tampa Bay Airshed:*

The NSR program is designed to assure that air quality is protected when major sources of air emissions are constructed or undertake major modifications. NSR prevents emissions of pollutants and results in significant environmental and public health benefits. DEP should not include language in the Title V permit agreement that eliminates NSR requirements should Manatee County be classified "non-attainment".

Sincerely,

A handwritten signature in cursive script, appearing to read "Glenn Crpton".

Chairman - ManaSota-88

DANIEL J. LOBECK
MARK A. HANSON
KEVIN T. WELLS
MARK T. LENKOSKI
2033 MAIN STREET, SUITE 403
SARASOTA, FL 34237
(941) 955-5622
FAX (941) 951-1469
E-MAIL law@lobeckhanson.com
INTERNET www.lobeckhanson.com

THE LAW OFFICES OF
LOBECK & HANSON
PROFESSIONAL ASSOCIATION

August 13, 2002

CONDOMINIUM
COOPERATIVE AND
COMMUNITY
ASSOCIATIONS
CIVIL LITIGATION
PERSONAL INJURY
FAMILY LAW
LAND USE LAW
ESTATES AND TRUSTS

The Honorable Charles A. Stampelos
Administrative Law Judge
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, FL 32399-1550

Via Overnight Mail

Re: DOAH Case No. 02-0937EPP **CAS**
Department of Environmental Protection Application No. PA02-44
Notice of Intent to Be a Party

Dear Judge Stampelos:

In accordance with Section 403.508(4)(c)2, Florida Statutes, this is to provide notice of the intent of ManaSota-88, Inc., to be a party in the above-referenced proceeding.

This notice is hereby filed fifteen days prior to the land use hearing scheduled for August 29, 2002, in accordance with the statute.

ManaSota-88, Inc., is a Florida non-profit corporation formed in whole or in part to promote conservation and natural beauty; to protect the environment, personal health and other biological values and to promote comprehensive planning and orderly development of Manatee County and other areas, including the area in which the proposed electrical power plant expansion is to be located.

Notices to ManaSota-88, Inc., should be sent as follows:

ManaSota-88, Inc.
c/o Glenn Compton, Chairman
419 Rubens Drive
Nokomis, Florida 34275

FILED
AUG 14 AM 8:47
DIVISION OF
ADMINISTRATIVE
HEARINGS

The Honorable Charles A. Stampelos
August 13, 2002
Page 2 of 2

Thank you for your considerations in this matter. If you require anything further, please let me know or so advise Mr. Compton directly.

Very truly yours,



Daniel J. Lobeck
Fla. Bar No. 0291323

DJL/elk

cc: Florida Department of Environmental Protection c/o Mr. Steven Palmer
ManaSota-88, Inc. c/o Glenn Compton, Chairman

Best Available Copy

HERE'S THE FAX!!!TO: Ms Cindy PhillipsCOMPANY: F.D.E.P.FAX #: 1-(850) 922-6979FROM: Clarence TroxellDATE: 10/16/03# OF PAGES INCLUDING COVER SHEET: 2

COMMENTS:

Tried to fax this article to
Scott Sheplak this morning but it
wouldn't go thru. On the accompanying
fax letter, I said, "let's do something -
don't rubber-stamp!" Please give copy

IF ALL PAGES ARE NOT RECEIVED, PLEASE CONTACT CLARENCE TROXELL
AS SOON AS POSSIBLE:

FAX NUMBER: (941) 776-2047

to Trina! Thank you

Clarence

This is a printer friendly version of an article from www.heraldtribune.com
To print this article open the file menu and choose Print.

Article published Oct 16, 2003

High pollution levels at FPL's Parrish plant are a health threat

For many years, Florida Power & Light Co. and the Florida Department of Environmental Protection have abused the citizens of Manatee and Sarasota counties with the operation of FPL's massive power plant in Manatee.

In the 1990s, FPL tried to introduce the use of Orimulsion, a manufactured toxic fuel from Venezuela. Its use was approved and endorsed by the DEP. But, through the efforts of many people, the use of Orimulsion was defeated.

Unfortunately, the time has come again when such grass- roots actions must be repeated. FPL and the DEP haven't learned, and our pols in Tallahassee haven't helped.

For example, at a meeting conducted by FPL in 1994, Lamar Parrish, a citrus grove owner and a former member of the Manatee County Commission, raised the issue of citrus burn. Jerry Kirk, general manager of the Orimulsion project, said FPL was aware of the problem and was working with the county to find the causes.

Kirk said the Martin County plant, which is just about on the same latitude as the Manatee plant and is surrounded by orange groves, did not have problems with citrus burn. He said "there's never been any indication of that there, and we are burning the same oil there as we're burning here at the Manatee plant, and yet this is the only area where we can find that kind of problem."

FPL misled the public. Since 1985, FPL has been burning natural gas in combination with fuel oil at the Martin plant. That makes a big difference.

The Manatee plant didn't have natural gas then, but it does now. If, in the year 2002, FPL had operated the Manatee plant on the same basis as Martin, it could have reduced the nitrogen oxide emissions by 45 percent and the amount of sulfur dioxide by 53 percent. Again, in 2002, the Manatee plant was the dirtiest plant in the entire FPL system. This one plant produced 19.8 percent of the nitrogen oxide and 33 percent of the sulfur dioxide of all the FPL plants.

At a Manatee County Commission meeting Sept. 30, FPL officials said a 33 percent reduction in emissions is likely using a process called "reburn" on the No.1 and No.2 units, but they said they are hesitant to commit to it in the upcoming renewal of the plant permit. Even if they can reach that 33 percent objective, the No.1 and No.2 units at Manatee will still be higher than the No.1 and No.2 units at Martin.

Talking about the reburn process on July 24, 2002, Allan Bedwell, DEP deputy secretary, told a meeting of the Coalition for Clean Air, "I have not seen that anywhere else in the country."

So we're going to be guinea pigs again.

The 30-day rolling average in monitoring pollution from the Manatee No.1 and No.2 stacks should also be abandoned. The reporting should occur on an hourly and daily basis, the same as for Martin No.1 and No.2.

Changing to 30-day rolling averages has allowed high amounts of nitrogen oxide emissions. It doesn't take a medical genius or a research physicist to determine that detrimental effects would

be greater. It also explains why the Manatee units' emissions are so much higher than any of the other FPL plants.

On Sept. 20, USA Today reported: "Health studies show that inhaling soot particles, which can be 40 times smaller than a grain of salt, contributes to heart problems, lung cancer and asthma. Soot can get deep into the lungs and then the bloodstream. It can even lead to irregular heartbeats and trigger heart attacks. People with heart and lung disease, children with asthma and seniors are considered most vulnerable to the effects of soot."

FPL's Port Everglades plant in Broward County is going through a technical evaluation, which involves emissions of particulate matter. Because of concern over the amount of particulates from that plant, FPL has agreed to lower the levels. There will be an expected reduction of 4,800 tons per year. And the visible emissions will be reduced from 40 percent to 20 percent opacity.

In 2002, Port Everglades burned 5,781,465 units of oil. Manatee burned 9,964,943 units. Martin has been regulated to a 20 percent opacity level; Manatee is regulated at 40 percent opacity.

We in Manatee and Sarasota are being kicked around by FPL and the DEP.

We want clean air. The public must speak out.

Clarence Troxell is a member of the Clean Air Coalition, a group composed of local environmental organizations. He lives in Parrish.
