

Florida Department of Environmental Regulation

Southwest District • 4520 Oak Fair Boulevard • Tampa, Florida 33610-7347 • 813-623-5561

Bob Martinez, Governor

Dale Twachtmann, Secretary

John Shearer, Assistant Secretary

Dr. Richard Garrity, Deputy Assistant Secretary

NOTICE OF PERMIT RE-ISSUANCE

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL REGULATION NOTICE OF PERMIT RE-ISSUANCE

June 28, 1990

In the Matter of a Request for
Permit Re-Issuance by:
Mr. Daniel R. Adams
Environmental Coordinator
FPL
P.O. Box 078768
West Palm Beach, FL. 33407-0768

DER File No. A041-176296
Manatee County

Enclosed is re-issued Permit Number A041-176296 to Operate Two Oil Fired Fuel Heaters at the Port Manatee Fuel Oil Storage Facility, re-issued pursuant to Section 403, Florida Statutes.

A person whose substantial interests are affected by this re-issued permit may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within 14 days of receipt of this re-issued permit. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, Florida Statutes.

The Petition shall contain the following information;

(a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department Permit File Number and the county in which the project is proposed;

(b) A statement of how and when each petitioner received notice of the Department's action or proposed action;

(c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action;

(d) A statement of the material facts disputed by Petitioner, if any;

(e) A statement of facts which petitioner contends warrants reversal or modification of the Department's action or proposed action;

(f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and

(g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this re-issued permit. Persons whose substantial interests will be affected by any decision of the Department with regard to the application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of receipt of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, F.A.C.

This re-issued permit is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition and conforms to Rule 17-103.070, F.A.C. Upon timely filing of a petition or a request for an extension of time this re-issued permit will not be effective until further Order of the Department.

When the Order (re-issued Permit) is final, any party to the Order has the right to seek judicial review of the Order pursuant to Section 120.68, Florida Statutes, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date the Final Order is filed with the Clerk of the Department.

Executed in Tampa, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION

Gary A. Maier

Gary A. Maier, BS ChE, JD
4520 Oak Fair Boulevard
Tampa, Florida 33610-7347
Phone (813) 623-5561 x360

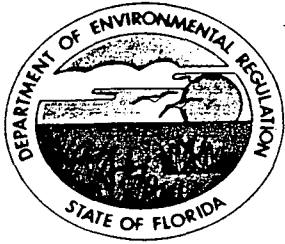
copy to: HRS Manatee County Public Health Unit
Peter Cunningham, Esquire
Richard Donelan, Esquire

CERTIFICATE OF SERVICE

This is to certify that this NOTICE OF PERMIT RE-ISSUANCE
and all copies were mailed before the close of business on
JUN 29 1990 to the listed persons.

FILING AND ACKNOWLEDGEMENT
FILED, on this date, pursuant
to Section 120.52(9), Florida
Statutes, with the designated
Department Clerk, receipt of
which is hereby acknowledged.

Marilyn Quispe JUN 29 1990
Clerk Date



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PERMITTEE:

FPL
P.O. Box 078768
West Palm Beach, FL. 33407-0768

PERMIT/CERTIFICATION

Permit No: AO41-176296
County: Manatee
Expiration Date: 07/01/95
Project: Two Oil Fired
Fuel Heaters

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Rules 17-2 & 17-4. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans and other documents, attached hereto or on file with the department and made a part hereof and specifically described as follows:

For Operation of the Two Oil Fired Fuel Heaters designated as A1254 and B1254 at the Port Manatee Fuel Oil Storage Facility. The purpose of the heaters is to control the viscosity of the fuel in the Port Manatee storage tanks, and to control the viscosity of the fuel flowing from the Port Manatee Oil Storage Facility to the FPL Manatee Power Plant. These sources burn either No. 2 or No. 6 fuel oil. The maximum firing rate for each heater is 15 MM Btu per hour. Heater A1254 is located west of heater B1254.

Location: Port Manatee Fuel Oil Storage Facility,
Rural Route #1, Reeder Road, Palmetto.

UTM: 17-347.5 E 3056.6 N NEDS NO: 0024 Point ID: 01 - Heater A
02 - Heater B

Replaces Permit No.: AO41-101278

PERMITTEE:

FPL
P.O. Box 078768
West Palm Beach, FL. 33407-0768

PERMIT/CERTIFICATION

Permit No: AO41-176296
County: Manatee
Expiration Date: 07/01/95
Project: Two Oil Fired
Fuel Heaters

SPECIFIC CONDITIONS:

1. A part of this permit is the attached 15 General Conditions. If there are any discrepancies between the attached 15 General Conditions and Rule 17-4.160, F.A.C., then Rule 17-4.160, F.A.C. shall control.
2. Visible Emissions shall not be equal to or greater than 20% opacity. (Rule 17-2.610(2)(a), F.A.C.).
3. The heat input rate for each heater shall not exceed 15 MM Btu per hour.
4. The heaters shall be fired with the same No. 2 or No. 6 fuel oil used at the FPL Manatee Power Plant.
5. These sources are permitted to operate 24 hours/day, 7 days/week, and 52 weeks/year (8760 hours/year).
6. Test for Visible Emissions at intervals of 12 months from the date July 25, 1989 and submit a copy of the test data to the Air Section of the Southwest District Office within forty-five days of such testing. (Rules 17-2.700(2)(a)4. and 17-2.700(7)(b), F.A.C). Testing procedures shall be consistent with the requirements of Rule 17-2.700, F.A.C. The duration of each opacity test shall be at least 30 minutes. (Rule 17-2.700(1)(d)1.b., F.A.C.). Opacity tests shall be conducted using EPA Method 9. (Rule 17-2.700 Table 700-1).
7. If a heater is not in operation when an annual compliance test is required by Specific Condition No. 6, then the compliance test for that heater may be postponed until after startup. Compliance testing shall be conducted within 30 days of startup. Testing, notification, and reporting, shall be consistent with all the requirements of Specific Conditions #6 through #10 and #13.
8. Compliance testing may be conducted while burning either No. 2 or No. 6 fuel oil.
 - A. If the most recent compliance test for a heater was conducted while burning No. 6 fuel oil, then that heater may continue to burn either No. 2 or No. 6 fuel oil.
 - B. If the most recent compliance test for a heater was conducted while burning No. 2 fuel oil, and the fuel input is changed to No. 6 fuel oil, then the results from a new compliance test conducted while burning No. 6 fuel oil shall be submitted to the Air Section of the Southwest District Office within 45 days of the 15th day that No. 6 fuel oil is burned. (Rule 17-4.070(3), F.A.C.).

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Fuel Heaters

SPECIFIC CONDITIONS:

9. Compliance testing for each source shall be conducted with the source operating within $\pm 10\%$ of the maximum permitted heat input rate of 15 MM Btu per hour. Testing may be conducted at less than 90% of the maximum permitted heat input rate; however, if so, subsequent source operation is limited to up to 110% of the test heat input rate. Once the source is so limited, then operation at higher heat input rates is allowed for purposes of additional compliance testing to regain the maximum permitted heat input rate of 15 MM Btu per hour, with prior notification to the Department. The permittee shall submit a statement of the type and amount of fuel burned and the actual heat input rate as a part of each compliance test. Failure to include the type and amount of fuel burned and the actual heat input rate in the results may invalidate the test and fail to provide reasonable assurance of compliance. (Rule 17-4.070(3), F.A.C.)

10. The permittee shall notify the Southwest District Office of the Department and the Manatee County Public Health Unit 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. The Department may waive the 15-day notice requirement on a case by case basis. (Rule 17-2.700(2)(a)9., F.A.C.)

11. Excess emissions resulting from startup, shutdown, or malfunction are permitted providing (1) best operational practices to minimize emissions are adhered to and (2) the duration of excess emissions are minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration. (Rule 17-2.250(1), F.A.C.). 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 17-2.250(4), F.A.C.). In case of excess emissions resulting from malfunctions, FPL shall notify the Department or the appropriate Local Program in accordance with Rule 17-4.130, F.A.C. A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Department. (Rule 17-2.250(6), F.A.C.).

12. Duplicate copies of all applications, reports, test results, notifications, or any other submittals, shall be submitted to the HRS Manatee County Public Health Unit.

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Permit No: A041-176296
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Expiration Date: 07/01/95
Project: Two Oil Fired
Fuel Heaters

SPECIFIC CONDITIONS:

13. Issuance of this permit does not relieve the permittee from complying with applicable emission limiting standards or other requirements of Chapter 17-2, or any other requirements under federal, state, or local law. (Rule 17-2.210, F.A.C.)

14. Four applications to renew this operating permit shall be submitted to the Southwest District Office of the Department by May 2, 1995.

Originally issued on
May 2, 1990.

Re-Issued this 29 day of
June, 1990.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION



Dr. Richard D. Garrity
Deputy Assistant Secretary
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Tampa, Florida 33610-7347
Phone (813) 623-5561