NOTICE OF PUBLIC MEETING

The Department of Environmental Protection announces a public meeting to which all persons are invited:

DATE AND TIME: January 8, 2001 - 7:00 - 9:00 p.m. Department personnel and representatives of the applicant will also be available prior to the meeting, from 6:00 to 7:00 p.m., to discuss the proposed permit and project on an informal basis.

PLACE: Blackburn Elementary School Cafetorium, 3904 17th Street East, Palmetto, Florida

PURPOSE: To accept public comments and provide status of Department's Intent to Issue an Air Construction Permit to CPV Gulfcoast, Ltd., to construct a nominal 245 megawatt (MW) combined cycle (74.9 MW steam cycle) electrical power generating plant near Piney Point in Manatee County. The permitting action is subject to the Department's rules for the Prevention of Significant Deterioration of Air Quality (PSD) and Best Available Control Technology (BACT).

A copy of the agenda and the Department's proposed permit and supporting documents can be obtained by contacting: Al Linero, Department of Environmental Protection at 2600 Blair Stone Road - MS 5505, Tallahassee, Florida 32399, phone (850)921-9523, or by phoning the Bureau of Air Regulation's New Source Review Section at (850)921-9505.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting the Personnel Service Specialist in the Bureau of Personnel at (850)488-2996. If you are hearing or speech impaired, please contact the agency by calling (800)955-8771 (TDD).

Competitive
Power Ventures, Inc.

January 26, 2001

CPV 300

Mr. Alvaro Linero
Administrator, New Source Review Section
Bureau of Air Regulation
Department of Environmental Protection
111 South Magnolia Drive, Suite 4
Tallahassee, FL 32301

Re: Revisions to Final Determination, File No. 0810194-001-AC (PSD-FL-300), CPV Gulfcoast Power Generating Facility

Dear Mr. Linero:

Following are CPV Gulfcoast, Ltd.'s suggested revisions, provided in strike-through and underline format, to clarify the Final Determination for the above-referenced permit. An explanation for each revision also is provided.

2. *The second concern in Commissioner McClash's letter is that "Manatee County has a power plant that supplies power and any new power plant should be stipulated to reduce pollution in our county/region by ensuring power production from this plant offsets power production from TECO, Big Bend or FPL Parrish Plant."*

Refer to the attached table, "Comparison of CPV Gulfcoast and Gannon Repowering Emissions vs Conventional Units along Southwest Florida Coast." In 1999, the FPC P. L. Bartow Plant, for example, had an actual heat input approximately equal to that of the potential heat input at CPV Gulfcoast. Yet potential nitrogen oxides emissions from the CPV project will be approximately 2.5 percent compared to actual emissions measured at the mentioned FPC unit. Similarly potential emissions of sulfur dioxide from the CPV project are less than 1 percent of the actual emissions reported at the P. L. Bartow Plant in 1999.

The Department cannot on its own stipulate that power production from the CPV unit will offset an equal amount of power production from the FPL and TECO units. However the additional

power capacity will compete with power from the established units including FPL Manatee. One favorable competitive factor is that the CPV plant (and FPC Hines) will have a thermal efficiency of 56 percent compared to approximately 32 percent for the conventional units. This means, for example, that the CPV plant will yield about 75 percent more electrical energy than the listed conventional units for each unit of fuel burned.

A very conservative assumption is that the CPV project will offset only 1 MW **from other conventional sources** for every 10 MW produced by CPV. Based on the emissions per unit of heat input from the competing units, there will still be appreciable reductions in emissions within the airshed (that includes Manatee County) as a result of the CPV project. Though we cannot stipulate the amount of the decrease either, common sense and economic principles suggest that such decreases could be substantial.

Finally, DEP cannot require the applicant to provide emissions offsets as part of the air permitting process because state air permitting rules can only require facilities proposed to be located in nonattainment areas to provide emissions offsets as part of the permitting process. Manatee County is not designated a nonattainment area for any air pollutants. Accordingly, DEP has not imposed an emissions offsets requirement in the CPV Gulfcoast permit.

Reasons for Revisions: The first revision clarifies the comparison between CPV emissions and emissions from other conventional sources. The new paragraph is added at the end of the response to make clear that emissions offsets are not and cannot be legally imposed on a air permittee in an area that has not been designated a non-attainment area.

6. *EMD points out "that steam or solar electrical generating of less than 75 megawatts [emphasis added] are exempt from the requirements of the Florida Electrical Power Plant Siting Act." EMD asks, "what assurance does the applicant provide that the 75 MW threshold would never be exceeded."*

In its application, CPV stated the following:

"The steam turbine generator (STG) output will be limited to less than 75 MW. Control of STG output will be monitored and controlled to ensure the 75 MW output limit is not exceeded. A number of control options have been investigated and the most probable are described below.

"When ambient temperature is at 59 °F or greater, excess steam generated in the HRSG will be extracted from the HRSG, bypassing the steam turbine, and injected into the CTG. This mode of operation is referred to as power augmentation. Since there is a limit on the quantity of steam that may be injected into the CTG, it may be necessary to further reduce flow to the STG to limit output or to reduce steam turbine output by other means.

"Bypass of a portion of heat exchanger surface in the HRSG is an effective method of reducing steam production by reducing the heat recovered from the combustion turbine flue gas. The proposed

design will make use of a low temperature economizer bypass to limit steam production by allowing more of the heat generated by the combustion turbine to be discharged to the atmosphere with the flue gas. This will limit STG output.
"In many cases, application of both of these control modes will reduce steam output to the turbine to the required quantity. If additional reduction in STG output is required, raising STG discharge pressure by raising the condenser operating temperature will reduce turbine efficiency, reducing electrical output. Output of the STG may be tuned to the desired value by turning cooling tower cells on and off as necessary.

"When ambient temperature falls below 59 °F the manufacturer does not recommend injection of steam into the combustion turbine. If the low temperature economizer bypass combined with an increase cooling water temperature does not reduce STG output sufficiently, excess steam may bypass the steam turbine and be sent directly to the condenser.

"Output of the STG will be controlled automatically utilizing the methods described above to ensure that the electrical power produced from steam does not exceed 74.9 MW."

Additionally, Specific Condition No. 51 of the permit imposes the requirement that the electrical power from the steam-electrical generator be limited to 74.9 MW on an hourly basis. This is a legally enforceable permit condition that, if violated, would subject the permittee to enforcement action by the Department. Imposition of this condition within the permit provides the Department assurance that exceedance of the 74.9 MW limitation on steam-electrical power generation will not occur.

Reason for Revision: This additional explanation is provided at the Department's request regarding guarantees the permittee will provide that the 74.9 steam cycle limitation will not be exceeded.

7. *EMD states that "according to the Southwest Water Management (SWFWMD), the proposed location of the facility is within the Most Impacted Area (MIA), which would prohibit the permitting of new groundwater withdrawals." In view of the 2-2.5 million gallon per day needed for steam condensation, EMD requests the "details as to the source and quality of water to be used at the facility."*

CPV is on a separate pursuit of approval track for obtaining water for cooling/condensation. **Review of water sources are not within the scope of this proceeding.** ~~The Department will obtain the details from the company and provide them to EMD. It will be necessary for CPV to secure re-used water from local communities and work with SWFWMD to secure minimal amounts of groundwater.~~

Reason for Revision: Water sources are not within the scope of this air permit proceeding. CPV is in the process of exploring water source options and will provide information to EMD on the water source it ultimately determines it will use for the facility.

9. *EMD states "recent studies indicate that at least 29 percent of the Bay's total nitrogen load is from atmospheric deposition. EMD believes that "due to the project's proximity to the Bay and Terra Ceia Aquatic Preserve, it is essential that the applicant provide details information on expected depositional impacts from nitrogen components (NO_X and ammonia) and other pollutants, along with their plans to offset these impacts in order to meet the TBEP's goal of holding the line" on pollutant inputs to the Bay."*

As previously mentioned, the Department concluded that ~~emissions to the atmosphere are barely significant and that~~ impacts from the facility's emissions on ambient air are less than significant. The Department does not dispute the assertions regarding deposition into the Bay. However a systematic approach that implements Clean Air Requirements, promotes repowering, enforces on polluters, and encourages clean projects will ~~hold the line and~~ actually improve Tampa Bay.

Reason for Revision: The first revision clarifies that the facility's air emissions are insignificant. The second revision clarifies that the project will be part of a systematic approach to improving Tampa Bay, rather than degrading or even maintaining the status quo.

13. *EPA included five items related to the cost-effectiveness of oxidation catalyst to control CO emissions from the project. These include: a recommendation to limit operation in steam augmentation mode to 2000 hours per year; removal of costs of additional natural gas to compensate for pressure drop across catalyst; use of 8 instead of 7 percent interest rate; "double-counting of catalyst recovery cost; and a high (20 percent) contingency fee.*

~~No responses were submitted by CPV to EPA's comments. The Department concurs with those comments.~~ **CPV submitted revised calculation related to the cost-effectiveness of oxidation catalyst to control CO emissions from the project based on EPA's concerns.**

Based on conservative estimates, the revised calculations result in an oxidation catalyst cost estimate of $3,050 per ton of CO removed. The Department does not consider oxidation catalyst to be cost-effective based on this revised calculation.

A maximum operating period of 2000 hours per year during power augmentation will be added to Section III, Specific Condition 9. **This limitation will not apply if CPV chooses to install an oxidation catalyst in order to operate for a period of hours per year that will render an oxidation catalyst cost effective.**

~~The net result of EPA's comments is that CPV's oxidation catalyst cost estimate of $4,350 per ton of CO removed is biased to the high side. Even if it was corrected to value closer to $3,000 per ton, the Department does not consider oxidation catalyst to be cost-effective.~~

~~Moreover,~~ CPV's cost effectiveness calculations are based on reduction of CO concentrations from the range of 9-20 ppmvd to the range of 2-4 ppmvd. Based on data available to the Department, actual emissions are on the order of 1 ppmvd, which is substantially less than even the objective by oxidation catalyst. The Department's conclusion is that CPV's costs are actually biased to the low side.

CPV will install the first continuous CO monitor required for compliance at a combined cycle plant in Florida. The Department believes that long-term data will prove that oxidation catalyst is not cost effective for this project. The data will provide a basis for requiring future applicants to adhere to lower CO limits that will clearly increase the theoretical cost of oxidation catalyst. CPV has agreed to install a CO continuous emission monitoring (CEM) system to provide reasonable assurance that the proposed emissions will not be exceeded.

The Department revised the BACT analysis to reflect the recent field data used to justify the position that CO catalyst is not cost effective for this project.

CPV Response: CPV had documented its response to EPA Region IV concerns under separate cover dated January 26, 2001.

20. The Department determined that there is a need to clarify and differentiate the expiration date of the permit and the physical construction completeness date of the project.

The following condition has been added to Section II of the permit as Condition No. 9.

Completion of Construction: The permit expiration date is amended from December 30, 2002 to June 30, 2003. *Physical construction* shall be complete by December 30, 2002. The additional time provides for testing, submittal of results, and submittal of the Title V permit to the Department.

CPV Response: CPV requests the following revisions be made to Section II of Condition No. 9:

> ~~Completion of Construction~~ Permit Expiration Date: The permit expiration date is amended from December 30, 2002 to ~~June~~ December 30, 2003. ~~*Physical construction* shall be complete by December 30, 2002.~~ The additional time provides for a reasonable timeframe for completion of construction, testing, submittal of results, and submittal of the Title V permit to the Department.

Reason for Revision: The Department's rule in Section 62-210.300(1)(a), Florida Administrative Code(F.A.C.), provides that "[t]he construction permit shall be issued for a period of time sufficient to allow construction or modification of the facility or emissions unit and operation while the new or modified facility or emissions unit is conducting tests or otherwise demonstrating initial compliance with the conditions of the construction permit." (Emphasis added). Section 62-4.070(4), F.A.C., further provides: " No Department permits shall be issued or a term of more than five (5) years unless otherwise specified by statute, rule, or order of the Department. However, construction permits for air pollution sources may be issued for a period of time as necessary." (Emphasis added). These rules make clear that the Department has the authority to issue a permit for a period of time sufficient to allow construction and testing of the air facility. CPV estimates it will take approximately 27 months from the time construction commences (estimated for October 2001) to complete construction

and test the facility for compliance with the air permit. A December 30, 2003 deadline would provide CPV the time necessary for construction and testing of the facility.

We appreciate the opportunity to work with you to resolve these issues and we look forward to expeditious issuance of the permit.

Sincerely,

Sean Finnerty
Director, Project Development

CC: Gary Lambert
Cathy Sellers

PUBLIC MEETING

1-18-01 D 1:49 p.m.
Hand delivered.

IN RE: CPV Gulfcoast, Ltd.

245-Megawatt Combined Cycle Unit

Manatee County

PURPOSE: To accept Public Comments and Provide status of the Department of Environmental Protection's intent to issue and air construction permit to CPV Gulfcoast, Ltd. in Manatee County.

Transcript of proceedings reported in the above-entitled matter at Blackburn Elementary School, Palmetto, Florida on January 8, 2001, beginning at 7 o'clock p.m.

APPEARANCES

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

A.A. LINERO, P.E. Administrator
Bureau of Air Regulation

TOM ROGERS, Meteorologist
Division of Air Resources Management

PROCEEDINGS

MR. FANCY: Good evening, ladies and gentlemen. My name is Clare Fancy and I'll be the moderator at this public meeting tonight.

This is a public meeting to receive comments from the public on the Department's proposed the air construction permit to be issued to CPV Gulfcoast Limited.

The permit is to construct a nominal 245 megawatt combined cycle electrical power generating plant. The project consists of a nominal 170 megawatt General Electric 7FA combustion turbine-electrical generator, an unfired heat recovery steam generator capable of raising sufficient steam to generate another 74.9 megawatts from a steam electric generator, a 150 foot stack, a mechanical draft cooling tower, a one million gallon fuel oil storage tank, and other ancillary equipment. Back-up distillate fuel oil will be burned for a maximum of 720 hours per year.

The new facility will be located on a 160 acre track at the intersection of Buckeye and Bud Rhoden Roads southeast of Piney Point in Manatee County.

The main purpose of this Public Meeting is to take public comments that will be considered in

issuing the final air permit to CPV Gulfcoast Limited.

There will be a few days that we are going to allow for people to submit any additional written comments that they might like to submit, if they are so inclined to do so. We have received some written comments from officials of Manatee County and the United States Environmental Protection Agency.

No one requested a formal administrative hearing for this particular project during the 14 days it was allowed to ask for the administrative hearing, so this will probably be the last formal gathering with regards to this permit.

The way we want to do this tonight is the Department will give a brief overview of the air permitting requirements for this facility and we will briefly discuss the P.S.D. issues, that's prevention and significant deterioration, the ambient air quality impacts of the proposed project and then we will discuss our draft Best Available Control Technology determination for the new plant.

We should be done with that by about 7:30 or 7:35 at the latest and then we'll take comments from any member of the public that's here that would like to make a comment.

We do have speaker cards in the back that we would appreciate you filling out so that we can get them up here so when we get done with our presentation we can call them up here and I'll call these people to speak in the order in which I receive the card.

We have a sign-up sheet in the back. We have copies of the draft permit in its entirety. We also have the draft permit on some diskettes for people who want to use them for their computer. So everyone here is more than welcome to take one or the other. Either the diskette or the copy of the permit.

There is also an agenda for the public meeting, there's a summary of this project that's about four or five pages long, if you would like to read that and maybe not read the permit in detail.

This permit is strictly an air pollution permit. This is not a water pollution permit, not a zoning permit. It's strictly an air pollution permit. That's pretty much what we'll be taking comments on this evening.

So with that I'll turn it over to Mr. Al Linero who's the administrator of our New Source Review Section who has been the primary person who's

reviewed this application.

Al.

MR. LINERO: Thanks, Clare.

First I've got to do the dull stuff of just reading some of the stuff into the record here. Again my name is Al Linero. I'm with the Florida Department of Environmental Engineering, I'm the P.E. Administrator of the section that reviews these types of projects.

Competitive Power submitted an application to construct a nominal 250 megawatt combined cycle power plant near Piney Point in Manatee County. The proposed site is a 160 acre track at the intersection of Buckeye and Bud Rhoden Roads. The location is east of Highway 41 and south of Piney Point Phosphate's facility.

The Florida Department of Environmental Protection is the permitting authority for the air permit under Chapter 403 of the Florida Statutes, Chapters 62-4, 62-210 and 62-212 of the Florida Administrative Code.

All right. We received an application for the project on September 9th of last year. We distributed it to E.P.A.'s Region 4 in Atlanta, the U.S. Fish and Wildlife Services Air Quality Branch

in Denver, our D.E.P. Southwest District office in Tampa and the Manatee County Environmental Management Department.

The technical evaluation and preliminary determination and the draft permit were completed and sent to the applicant on November 17th, along with the Department's intent to issue. Copies were provided to the previously mentioned agencies and the Manatee County Commission.

Copies were made available for public inspection at the D.E.P. offices in Tallahassee and Tampa and at Manatee County. We also posted these materials at our website www.dep.state.fl.us/air/permitting.

Let me put that up here. Yes, you can see it there. This is a good site. You can go to that site and actually see all of our work in progress. We probably have got about 20 entries in there of various projects that are under review or for which intent has been issued or final permit.

The Department's public notice of intent to issue an air construction permit was published by the applicant in the Bradenton Herald on November 26th. It provided -- November 25th. It provided a 30 day period for anyone to submit comments on the

Department's proposed action or to request this public meeting. It also provided a 14 day period for anyone whose substantial interests were affected by the project to file a petition for an administrative hearing. To date we have received substantial comments only from the Chair of the Manatee County Commission and the Director of the Manatee County Environmental Management Department.

I might add that we recently got some comments from E.P.A.

The applicant requested this public meeting. This public meeting was noticed in the Bradenton Herald on December 5th and again on January 5th. It was also noticed in the Florida Administrative Weekly on December 29th, and that's a publication that is available free of charge on the web at their own website, election.dos.state.fl.us.

Copies of the intent to issue package are available at this meeting. We also have a few copies on diskettes. If we run out, we'll be happy to make you copies and send them to you.

As mentioned before, you can view this entire package on our website. The actual application and entire file are available for public review and copying at our offices in Tallahassee and Tampa.

Issues such as noise and the plant location are beyond the scope of our authority in making this permitting decision. These fall within various local ordinances and the local planning and zoning authorities.

We will consider the comments specifically related to air emissions and control, which have already been submitted or are submitted here and over the next week. Comments may be submitted at this public meeting or E-Mailed or mailed to myself. Let me put my address down on here.

And there I am. Again we've got handouts with all this information over there. But feel free -- feel free to call if you have any questions about the project or E-Mail me your comments.

We've got a number of other people that you can talk to about it. On the air modeling side we have Tom Rogers, meteorologist, and he's here with us today.

Air compliance issues is Bill Proses of our Southwest District. I've got a legal contact, Doug Beason. He's our attorney in the Office of General Counsel. And our management contact is Mr. Fancy who spoke earlier.

I'm going to provide a very brief project

description, again. Let me see if I can get this up here.

The main unit is a G.E. 7FA gas-fired combustion turbine electric generator which directly generates approximately 170 megawatts of electricity. The project includes an unfired heat recovery steam generator capable of raising sufficient steam to generate another 74.9 megawatts in a separate steam electrical generator.

And there's some pretty good diagrams back over there where you can get a better appreciation. It actually has two electrical generators. One is directly driven by the combustion turbine. The other one is driven by a steam cycle.

You can see a picture of these types of units, the G.E. 7FA, it's really just like a jet engine. You have air drawn in and compressed, the fuel is introduced in the combustors, the hot gas is expanded in the rotor section. And, again, a rotational motion of the shaft drives the compressor and the electrical generator normally located before the compressor section.

In the CPV project the unit will operate in combined cycle mode, meaning that the gas turbine drives an electrical generator while the exhausted

gases are used to raise steam in a steam recovery -- in a heat recovery steam generator. The steam is then fed to a separate steam turbine which also drives an electrical generator, and I think I must have repeated myself.

Here's a diagram of what that cycle looks like and you really have a better version of it back over in those diagrams.

Again, we show here a basic plant which includes the combustion turbine and its electrical generator, the heat recovery steam generator. I think these guys will be using the same type of three-temperature unit. Got a stack, I believe, on the order -- I believe about 150 feet tall and you've got the steam water cycle.

This represents the design that was going to be built by Duke in New Smyrna. It differs from the CPV project in that the Duke project didn't have the same level of NOx control and didn't include the so-called catalytic reduction system.

Also the Duke Power project didn't include a concept called steam augmentation which is a way of getting additional power in this part of the cycle, in the combustion turbine cycle.

Since I didn't have a diagram at the time of

the artist's rendition of this project, I took one that I had for the Duke project and, again, these guys are only going to do one of these units instead of two, okay?

Duke was going to do two of them. CPV is going to do one of these sets, and obviously their cooling requirement is probably going to require half the number of cells or so on their cooling tower.

There has to be space, of course, for storing oil which will be a back-up fuel for 720 hours a year. There will need to be ammonia storage also for the S.C.R. system.

The key air emissions will consist of Nitrogen Oxides, carbon monoxide, particulate matter and sulfur dioxide. The NOx will be controlled by select catalytic reduction to a achieve 3.5 parts per million by volume dry at 15 percent oxygen while burning gas, and 10 parts per million while burning low sulfur distillate fuel.

Emissions of carbon monoxide will be controlled to 9 and 20 parts per million while burning gas and fuel oil, respectively. Emissions of particulate matter, sulfur dioxide, sulfuric acid mix, volatile organic compounds and hazardous air

pollutants will be controlled to very low levels by good combustion and use of inherently clean pipeline-quality natural gas and low sulfur .05 percent distillate fuel oil.

Ammonia emissions generated due to the NOx control will be limited to 5 parts per million.

And the following table summarizes the emissions in tons per year of regulated pollutants for this project.

As you can see, we are estimating about 102 tons of particulate matter, 12 tons of sulfuric acid mist, 76 tons of sulfur dioxide, 126 tons of nitrogen oxides, 15 tons of volatile organic compounds, 222 tons of carbon monoxide. I would say roughly 50 tons of ammonia and 8 tons of hazardous air pollutants.

The numbers on the right here are certain thresholds that kick in requirements to conduct special review under the rules for the prevention of significant deterioration of air quality. So we are required to do these reviews for particulate matter, sulfuric acid mist, sulfur dioxide, nitrogen oxides, and carbon monoxide.

What I wanted to do next was put a table on here because, you know, we've talked -- I think in

talking back here with some of you, we emphasized what a clean project this is but when folks hear 200 tons per year, that still sounds like a big number or even 15 tons per year. Some people don't really have a good concept of is that a lot of pollution or is that a little.

We were basically saying it's not much, but probably the only way to show people what it really is is to put up some comparisons, so I put together a table and then corrected it at the suggestion of a well-known gentleman in the audience.

Let me go ahead and put that up. Okay.

What we have got here is a listing of some of the best known conventional units along the Southwest Florida coast. We have got the FPC Anclote plant. I think that's in the Pasco County area. The PL Bartow plant in Pinellas County, the Big Bend plant in Hillsborough County, the Gannon plant also in Hillsborough County not too far from here, the Ft. Myers plant south of here, the Manatee plant that's in the county.

And it's a busy table but I think if you just take a look at, say, the last four columns. I got these data from the E.P.A. website on acid rain and you can see, for example, just to pick the first one

because it's first, Anclote emitted 16,000 tons of SO2 in 1999, and 4,000 some odd tons of nitrogen oxides in 1999.

Again, let's say some closer to this area, I think people have heard a lot about the Gannon project. I listed six different Gannon units on there and they range anywhere from 5,000 to 16,000 tons of SO2 and looks like from 2 to about 10,000 tons per year of NOx.

There's a re-powering project that's underway there that's going to turn those monstrosities into seven of those units like CPV is building, and what will happen is that what will be left at Gannon is represented by the next to the last row. That will shrink down into a source that I calculate is about 700 tons of SO2 and about a thousand tons of NOx.

And if you look at the number on the right, that's about a hundred million million BTU heat input per year, and that's much greater than all of the existing Gannon units put together.

So what you will get is a facility that will be able to produce a lot more power at a fraction of the present emissions. And, better yet, it will also be 56 percent efficient on its energy cycle compared to perhaps 30, 32 percent at the existing

units.

So the point being that I wanted to put the -- this particular project into perspective and this, of course, was suggested particularly by the questions that I got from Manatee County's Environmental Management Department and their county commission that I wanted to be able to show where this project stacks up and there it is on the bottom, 76 tons of SO2 and 126 tons of NOx.

And then I made a couple of other columns here, actually at the suggestion of Mr. Troxell, where I put these on the basis of pounds per megawatt hour and those are the numbers in parentheses, so if we look at the one with the greatest number of pounds per megawatt hour, we've got those at Big Bend, and those are about 35 pounds of sulfur dioxide for every megawatt hour produced.

Compare it, let's say with the re-powered Gannon project, well, the existing emissions per unit of electricity are 350 times as great at Units 1 and 2 at Big Bend than they are at the future Gannon plant.

We drove by the Big Bend plant today and found that they have, indeed, installed the scrubber to help the situation on Big Bend 1 and 2, so although

these were the numbers in 1999, we think they are on their way to getting better so I wanted to set this here, because I think it's a good basis for some discussions.

My belief is that if you have projects like this one, that since you're getting about -- about, say one percent of the pollution compared to some of these conventional units, well, even if they only offset just a few megawatts from the conventional units in Southwest Florida, it would seem to me that with these kind of projects you will actually have somewhat lower emissions than without them.

Yes, it will be another power plant but I think it stands to reason that it just has to compete with some of these others and even if only -- even if only 20 of the megawatts of the 250 really offset some of the others, it would still mean less pollution overall.

So I'm going to leave that one up there just as being a basis for discussion. I'm not sure what's up next but --

Yes, we are going to turn it over to Tom Rogers over here to discuss a little bit on the P.S.D. issues and ambient air quality impacts.

We can make this session shorter if we want to

get to the questions early or we'll leave it to Tom to decide or if people get interested in the details of modeling, we can -- okay. You're on.

MR. ROGERS: I'll just sit right here.

Part of the requirements of any permit applicant is that subject to the prevention of significant deterioration review process is to demonstrate to the Department that they will, indeed, meet air quality, that the construction and the emissions from this plant would, in fact, meet the air quality standards that apply to the area.

And also to meet what are known as P.F.D. increments, which is a smaller amount of increase that's allowed to keep relatively clean areas clean.

The applicant has in fact provided the Department with their analysis. It was in compliance with all the requirements for Department or E.P.A. approved modeling study. The results of this study, which is usually carried out using air quality dispersion models, they use, again, E.P.A. approved models in doing this.

The results were, in essence, they were in compliance, well within compliance of all the ambient air quality standards, the prevention of significant consideration increments, both locally

and we also look at special areas in the state that have stricter air quality standards known as Class 1 areas. Your closest one to this area happens to be the Chassahowitzka National Wilderness area.

They were also well within standards in increments in -- in fact, in all of the areas they were not just within compliance but they were deemed insignificant in all of their impacts for all of the pollutants that they were analyzing for. So I don't think I need to say much more than that.

As I said, it was done in accordance with D.E.P. rules and we were satisfied that they made their demonstration that standards and increments were, in fact, met.

MR. FANCY: Thank you. We'll turn it back over to Al Linero who will discuss briefly the Best Available Control Technology determination and upon the conclusion of his comments we'll open it up for comments from the public, and I remind people to fill out a speaker card if you'd like to talk because I'm going to be calling them in order. Thank you.

MR. LINERO: Okay. I did go ahead and put up a diagram over here that shows what some of the impacts are from this project, what some of the

modeled impacts are.

I think we made copies, or if we didn't we can provide them to you. If you just E-Mail me, I'll send you a copy. This is something that I put together here to try to show the comparisons of the modeled impact with some of the standards.

Again, now the third column from the left are the National Ambient Air Quality Standards for sulfur dioxide, particulate matter, carbon monoxide, nitrogen dioxide and ozone.

And, as Tom mentioned, there are these increments and the so-called significant impact levels. And as you can see, on the units used to measure these things are, in the case of CO, 40,000 micrograms per unit cubed. In the case of sulfur dioxide, for example, 1,300 on a 3-hour basis and as we move over we see the impacts from the project in parenthesis and all those numbers are quite low.

For example, carbon monoxide would be 23 micrograms per meter cubed, the impact from the project, whereas the one hour limit is 40,000. So this puts into perspective.

It's quite consistent with the information that I put up before on the emissions.

Just really says that the ambient impacts are

about what you would expect based on the relative emissions of this project compared to the others. Okay.

Let me get the BACT up here, which is what I should have done. All right. Let's get that over here. All right. Okay.

What I'm going to do here is I'm going to go straight to the end and just show you what we determined the best available control technology is to this project. And then maybe we'll go back and tell you a little bit about how we got there.

Based on a lot of the information provided by the applicant, as well as our research through E.P.A.'s bulletin boards and technical papers that we have at our disposal, we determined that the Best Available Control Technology for nitrogen oxides is the installation of a selected catalytic reduction unit to achieve 3.5 parts per million by volume while burning gas; and 10 parts per million by volume when burning oil.

And I think, as we mentioned before, they would burn oil as much as 720 hours a year, which is maybe 8 percent of the time if they burned it as much as they're allowed to.

For reference, the 3.5 is equal to about 0.1

pound per megawatt hour of pollution. The lowest number in the country that I'm aware of, and in fact, I am sure that it's the lowest number in the country, I believe is about 2 parts per million on gas and that's what you'll see in areas like California that are in extreme non-attainment. Perhaps you see numbers like that in Atlanta and Houston, but generally you don't see too many power projects cited over there because of the difficulty of achieving these low numbers.

But on that point this project stacks up quite well. The carbon monoxide controls, we believe that the combustion controls in the project are sufficient.

The flame temperature in these units is on the order of 2800, 2700 degrees Fahrenheit. That's enough to convert effectively all the carbon monoxide into further products.

We proposed BACT limits of 9, 15 and 20 under various conditions, and even those numbers are lower.

In other words, the numbers are lower coming out of the turbine than what is actually allowed in ambient air that people breathe, but recently we received some reports from the City of Tallahassee

and TECO where they built a couple of these new units and it's turning out that even though we set the limits fairly low, they're actually doing more on the order of 1 to 2 parts per million and that was actually a surprise to us, a surprise to TECO and to the City of Tallahassee. Maybe even a surprise to G.E.

So as time goes on what we'll probably do is work with the applicant and G.E. to make sure that what they get is a better contract that reflects what will be greater expectations of these units. But, again, they're going to do much better than that.

And if they had actually estimated it as I expect, they wouldn't have even been significant in terms of C.O.

Particulate matter, again that will be inherently clean fuels and combustion controls. One way to make sure that it doesn't get too high is by keeping what is called the ammonia slip low, and what that means is that the ammonia that's used to achieve a low NOx, we want to make sure that it's not putting out more ammonia such that it could aggravate a particulate situation.

The sulfur dioxide and sulfuric acid mist are

controlled by the low sulfur fuels and, again, that's just pipeline-quality natural gas that, from my research, generally meets better than the spec. requested by the company. And of which they really wouldn't have any control, anyway.

And the .05 percent sulfur fuel oil, generally what's delivered is better than that and with expecting E.P.A. standards to get the sulfur out of diesel oil it will probably be substantially lower than that.

I'm going to just put up a figure showing how this project stacks up to others throughout the country.

For example, here are a number of combined cycle units. I've got, again, the CPV Gulfcoast project there at the top, the TECO Bayside project that we're reviewing right now. I wouldn't be surprised if we were doing one of these meetings on that in a few months. The FPC Hines II project in Polk County, which will be 500 megawatts. The Calpine Osprey project in Auburndale. Santee Cooper in South Carolina. A couple of projects in Alabama. Kissimmee Cane Island, Lake Worth, Mississippi Daniel.

And generally this project stacks up quite

well against them. The number for the nitrogen oxide limit is as low as any of the others, equal to the lowest. And on oil for those units that burn some oil, it is the lowest.

And so we feel comfortable that E.P.A. won't have any problem with this project with regards to the nitrogen oxide standard.

For reference the one there in South Carolina with a limit of 9, was issued earlier this year and we were a little surprised that E.P.A. allowed a facility to be permitted with such a high number such a short time ago.

I think if I -- similar diagram CO and the other pollutants would show about the same results.

Here's an interesting graph that I found and it kind of shows how the efficiencies of some of these combined cycle units have changed. It used to be sometime back that you could do a little bit like 40 percent efficiency on them, and basically these days they're pushing about 60 but the real difficulty in getting any higher, things like the limitations on NOx, it actually costs a lot of money to control the NOx, you give up some efficiency and then you have to add on that selective catalytic reduction.

Now the main part of the control system, as I said, is the S.C.R. and it's not a trivial piece of equipment. It's pretty expensive. On these types of units it's that sort of reddish or brownish piece in the heat recovery steam generator and that picture on right, of the fat man there on the right is myself over at the Hines Energy plant and you can see a lot of steel pipes going up and down that heat recovery steam generator, which is the ammonia injection grid.

And, again, as I mentioned down here, there are some consequences of using ammonia but there is really no other feasible alternative to keeping the nitrogen oxide limits down and you'll get some permit limits as low as 2 in California and non-attainment areas like that.

But that's all I have on the BACT. We can go into it in more detail, but might be better just go ahead and take some questions.

MR. FANCY: Thank you.

Do you have comment cards in the back? None filled out? I only have one comment card here, speaker card.

Sean Finnerty from CPV Gulfcoast.

MR. FINNERTY: I want to first of all thank

the Department for holding the hearing tonight and hopefully answering the questions that other folks will have.

Again, I'm Sean Finnerty, the director of the project involving Competitive Power Ventures and CPV Gulfcoast Project.

We're a small development company. We've developed natural gas fired combined cycle projects.

With me tonight I have Gary Lambert, our Executive Vice President; our Environmental Consultants, Lewis Burger, consultant, Neal Collins; Larry LaBreis from TRC Environmental who did the air modeling for us; our state environmental counsel, Cathy Sellers from the Moyle, Flanigan law firm in Tallahassee and we're here to answer questions that you may have to us.

We have reviewed the draft permit. We will be providing a letter to reflect our comments and change of address for the company.

But we are accepting, you know, we think the permit is acceptable as issued in draft and hope that the Department does approve the permit and issues the permit to us.

We'll be happy to answer any questions that you may have. Our local counsel, Mark Barnebey, is

also here.

MR. FANCY: Thank you.

I know there are a few people from the public in the audience. I don't know if you do have any comments you would like to give or you were just here to listen. But hearing nobody raising their hand rapidly to give comments, apparently there is no one that wants to give any comments so based upon that I believe the purpose of the meeting has been fulfilled.

And with that I believe we'll -- okay. Just was reminded to remind people that they do have a week in which to submit any written comments that they'd like to submit to the Department for those people that might feel that they want to say something in writing, but don't want to give it here in the public forum which is acceptable.

And after about a week we'll probably go ahead and issue the permit.

Yes, sir.

MR. KOTEKI: I have a question.

MR. FANCY: Yes, sir.

MR. KOTEKI: Are we recording this?

MR. FANCY: We are still recording, voice recording, and the lady's still doing the

transcript.

MR. KOTEKI: Okay. I'm Leon Koteki with Manatee County Planning and I just had a chance to look over your table 1, the recent NOx limit emission limit proposals, and I noticed comparing CPV Gulfcoast to the various other units in the area, capacity of megawatts there are different sized plants, and then the third column shows the NOx limit and they are very much the same -- 3.5 for NG, 10 for FO for the CPV Gulfcoast Florida Power plant; but then when we go to TECO Bayside, it's a 1750 power plant and it's still, NOx limit is 3.5 NG and a 16.4 FO.

I was just wondering, is there a multiplication factor there or something I don't see in terms of the quantity of NOx or being emitted, between the difference between those plants. The size of the plants.

MR. FANCY: Well, the 3.5 parts per million is a concentration standard so with the bigger plant you're going to have more gases being emitted so you're going to have a bigger poundage.

MR. KOTEKI: Okay.

MR. FANCY: But the concentration in the exhaust gas would essentially be the same.

MR. LINERO: Let me add something, too.

Those two projects are right here, these two rows, so even though the concentrations are the same of NOx emissions, you can see obviously the Gannon plant, which is that TECO Bayside plant, will emit about a thousand tons of NOx versus CPV's, 126, and it will emit more SO2 simply because it's bigger.

MR. KOTEKI: Right.

MR. LINERO: But on a common basis, meaning the concentration in the exhaust gases, they're the same. They're controlled to the same level of technology.

MR. KOTEKI: Okay. So you're just describing standards here, as opposed to quantities emitted.

MR. LINERO: Yes, sir.

MR. KOTEKI: Okay. Thank you.

MR. FANCY: Yes, sir.

MR. KUMARICH: This question does not pertain to the project, but as you know every so often you change the permits for these individual plants, right?

MR. FANCY: Yes.

MR. KUMARICH: I'm wondering whether the permit should be changed as we gain experience like

we're gaining here, and with the 2020 Commission that's operating right now, do you think they will come up with anything which may change our philosophy in the future?

You know what, the Energy Commission, 2020?

MR. FANCY: Yes.

MR. KUMARICH: Or maybe should they?

MR. FANCY: To give you an idea, about a year ago now we had issued a permit to a combined cycle plant with a NOx limit of 9 parts per million using dry well NOx burners for a control device. This plant is just a little bit more than a third of that allowable emission limits using a selective catalytic reduction device.

The emissions from these types of plants when you compare them to certain other types of plants, either older turbines that were built, say, in the early 90's or before, and you certainly compare them to fuel oil or natural -- or coal-fired units, even well controlled units, the limits on these are still lower than those would be.

So as you approach a very low number, it gets more and more difficult to come up with an even lower number and the costs to achieve a much -- a lower number than say three and a half before very,

very high.

So you reach a point in a graph whereby you can't -- to go much lower wouldn't be that effective. And at three and a half parts per million we are certainly approaching that number.

Did that in any way answer your question?

MR. KUMARICH: Yes. Thank you.

MR. FANCY: Thank you. Does anyone else have any questions or comments?

MR. TROXELL: One question for Mr. Linero.

The last thing you considered was the ammonia slippage of the S.E.R. technology.

Your experience with that type of technology and the potential consequences of ammonia slip, what might that be and what experience have other plants had with that particular problem?

MR. LINERO: Okay. I, myself, don't have a lot -- I can't say that I have a lot of experience with it. There aren't very many of these plants in Florida that have this level of control.

It was tried out in other parts of the country well before it was tried out here, but generally what you get, you know, ammonia has its down side but there isn't anything better to control the NOx with, down to those levels.

You can get quite a -- you can do quite well on all these other units with various types of combustion controls and technologies known as re-burning and so forth that really have no consequences at all, but you can get your emissions down maybe, maybe even by 80 percent on any of these plants. But to go further you've got to do something else in the way of add-on control technologies and the injection of ammonia is the only feasible thing.

What you have get out of there, the products, are nitrogen, which is already in the atmosphere and water. But you do aggravate the situation a little bit on particulate matter. That's a consequence.

Typically you have to have a special hazard control plan of some kind in case your ammonia tank could possibly break so there are some inherent problems with it that pretty much society decided to bear the risk because it's apparently worth the lower NOx.

I would say that the amount of ammonia used for this plant is really -- it's probably almost insignificant, let's say, compared to the amounts of ammonia used by the fertilizer industry in this

area. And it will be in, I believe it would be in aqueous form so there would be less hazards around here.

We tried to make a case, as Clare mentioned we were permitting these units at 9, we tried to make a case with E.P.A. to let us continue permitting these units at 9 parts per million of NOx and not bother with the S.C.R. system, and basically E.P.A. turned that down.

They said that these types of plants are permitted with selective catalytic reduction in every possible imaginable situation in the country, and that we would need to show them that Florida is different and that the consequences in Florida are greater than other places, possibly even sites located near inner cities and so forth. So we really couldn't make the case.

And at least on this, I don't have it up there, but Kissimmee Utilities Authority project, we thought that they wouldn't need to install a S.C.R. unit. In fact, they thought they didn't need to.

And E.P.A. basically dropped the bomb on them by saying if you don't install that S.C.R. system we will go to the Environmental Appeals Court in Washington and challenge your project. And

basically what that meant is they wouldn't have had a permit for 18 months if they tried to fight it and suddenly they'd be the last people getting a permit so they went ahead and made the expense and installed the unit, and it hasn't started up yet.

I think the only one of these kinds of units that has the S.C.R. system already up and running is Florida Power's Hines Engergy Complex.

But, you know, I think they run fine without them, I haven't heard of any accidents but I would say let -- I would think that if you're in a very highly congested area, maybe literally on the water and with a retirement center and elementary schools right around there, and just imagine the worse possible situation, then maybe -- maybe a case could be made for not using the S.C.R. control.

Does that take care of it?

MR. TROXELL: Yes, but I think basically my question was are you aware of any problems that have occurred in the past with plants that have this type of technology and what those problems may have been.

That is, from an environmental point of view.

MR. LINERO: I haven't heard of any problems, however, -- however, I haven't witnessed any and

don't have firsthand knowledge, but there have been some projects, I think in maybe Wisconsin, Minnesota that had perhaps some inferior designs and somehow the ammonia was enough to aggravate a particulate problem. I believe I remember some cases like that.

Certain other industries, for example the cement industry, they resist S.C.R. and ammonia injection because they claim in their situation you will get highly visible plume, so they fight that at every point because they see that as a consequence.

So you can have, based on what else is there in the exhaust stack to react with ammonia, you can have a negative -- you know, aggravate a particular situation related to dust and plume opacity, but I would say what's going out with this ammonia is minimal amount of nitrogen oxides and minimal amount of sulfur products.

So I don't really see any environmental consequences to speak of and, again, the numbers will be down, maybe 50 tons a year, maybe lower. But anything is better than those 10,000's and 40,000's that you see on that list.

So compared to that, I just don't see the consequences of it.

MR. TROXELL: Thank you.

MR. FANCY: Does anyone else have anything they'd like to share with the audience?

Okay. Well, thank you all for coming. I know some of you came long distances and we appreciate the citizens in the Manatee County area for coming.

We'll consider this public meeting closed.

(WHEREUPON THE PUBLIC HEARING ADJOURNED.)

CERTIFICATION

I, MARY FRANCES SCHULTZ, Court Reporter in and for the Twelfth Judicial Circuit of the State of Florida, do hereby certify that I reported, by shorthand, the proceedings had in the above-styled cause; and that the foregoing Pages 1 through 36 constitute a true and correct transcription of my shorthand notes taken at the time and place herein set forth.

MARY FRANCES SCHULTZ
Court Reporter

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VIA TELEFAX AND HAND DELIVERY

January 10, 2001

Mr. Alvaro Linero
Department of Environmental Protection
Bureau of Air Regulation
111 South Magnolia Drive, Suite 4
Tallahassee, FL 32301

Re: Comments on Draft Air Construction Permit for CPV Gulfcoast, Ltd., DEP File No. 0810194-001 and PSD-FL-300

Dear Mr. Linero:

This is to provide comments on the above-referenced draft air permit for the CPV Gulfcoast electric power generating facility.

1. The new mailing address of the applicant is Competitive Power Ventures, Inc., 35 Braintree Hill Office Park, Suite 107, Braintree, MA 02183, telephone 781-848-0253.

2. The superscripts on the "Facility Emissions (Total TPY) and PSD Applicability" chart in Section 6.2, page TE-7, of the draft permit's Technical Evaluation and Preliminary Determination should be changed as follows: In the Pollutants row of the chart, for Oil Firing, the superscript should be 2 rather than 3, and for Total, the superscript should be 3 rather than 1.

3. On page TE-10 of the draft permit's Technical Evaluation and Preliminary Determination, the word "not" should be deleted from the last sentence, so that that sentence should read as follows: Therefore, no further modeling was ~~not~~ required for this project in the CNWF.

We appreciate the Department making these revisions to the draft permit, and look forward to expeditious issuance of the permit. Please let me know if you have any questions or other issues you wish to discuss. Thank you.

Sincerely,

Cathy M. Sellers
Attorney for CPV Gulfcoast, Ltd.

cc: Sean Finnerty, Director, Project Development, CPV
Gary Lambert, Executive Vice President, CPV
Glenn Harkness, TRC

CPV GULFCOAST MEETING – 1/8/01

Sign In Sheet – (Name and Address)

1. Claire Fancy FDEP Tallahassee
2. Tom Rogers FDEP Tallahassee
3. Sean J. Finnerty CPV Gulfcoast
4. A.A. Linero FDEP Tallahassee
5. C.G. Troxell Private Citizen
6. JERRY KISSEL, FDEP TAMPA
7. JOE M'CLASH MANATEE COUNTY.
8. CAROL MASIO MCGUIRE Holland & Knight, LLP
9. SCOTT OSBOURN ENSR
10. Mel Klein FPL P.O. Box 1119 SARASOTA 34230
11. Karen Collins-Fleming Manatee Co. Env. Mgmt
12. LEON KOTECKI MANATEE COUNTY PLANNING
13.
14.
15.

FINAL DETERMINATION
CPV – GULFCOAST POWER GENERATING FACILITY
COMBINED CYCLE COMBUSTION TURBINE

DRAFT
1/8/01

The Department distributed a Public Notice package on November 17, 2000 for the project to construct a nominal 245-megawatt (MW) natural gas and fuel oil-fired combined cycle unit to be known as the CPV – Gulfcoast Power Generating Facility near Piney Point, Manatee County. The project consists of a nominal 170 MW General Electric 7FA combustion turbine-electrical generator, an unfired heat recovery steam generator, a steam-electrical generator; a 150-foot stack; a mechanical draft cooling tower; a 1.0 million gallon fuel oil storage tank, and other ancillary equipment. The Public Notice of Intent to Issue was published on November 25 in The Bradenton Herald.

Written comments were received during the public comment period from the Chairman of the Manatee County Board of County Commissioners, the Manatee County Environmental Management Department, and EPA Region IV. A public meeting was held on January 8, 2000 at Blackburn Elementary School. Written and oral comments were received from the public at that meeting. These were considered prior to issuance of the Public Notice package.

The comments are addressed below in the same order as received by letter. They are followed by the Department's responses. Comments received at the public meeting are addressed following the letter comments.

1. *In his letter dated December 14, 2000 Chairman McClash requests that the Department give every consideration to his concerns. The first one is that "property to be used by this plant under permit conditions has not been approved by Manatee County Board of County Commissioners."*

   The General Permit Conditions (pursuant to Rule 62-4.160, F.A.C) attached to the permit include at least one clarifying reference. According to Condition G.3, the permit does not authorize any "infringement of federal, state, or local laws or regulations." Also the permit is not a "waiver or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit."

   It is clear that the permit will not fulfill any local approval requirements related to issues under the purview of Manatee County. It will also not impede the local approval processes in any way.

2. *The second concern in Commissioner McClash's letter is that "Manatee County has a power plant that supplies power and any new power plant should be stipulated to reduce pollution in our county/region by ensuring power production from this plant offsets power production from TECO, Big Bend or FPL Parrish Plant."*

   Refer to the attached table, "Comparison of CPV Gulfcoast and FPC Hines with Conventional Units along Southwest Florida Coast." In 1999, one of the units at the FPC P.L. Bartow Plant had an actual heat input approximately equal to that of the potential heat input at CPV Gulfcoast. Yet potential nitrogen oxides emissions from the CPV project will be approximately 2.5 percent compared to actual emissions measured at the mentioned FPC unit. Similarly potential emissions of sulfur dioxide from the CPV project are less than 1 percent of the actual emissions reported at the P.L. Bartow Plant in 1999.

   The Department cannot on its own stipulate that power production from the CPV unit will offset an equal amount of power production from the FPL and TECO units. However the additional power capacity will compete with power from the established units including FPL Manatee. One favorable competitive factor is that the CPV plant (and FPC Hines) will have a thermal efficiency of 56 percent compared to approximately 32 percent for the conventional units. This means, for

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example, that the CPV plant will yield about 75 percent more electrical energy than the listed conventional units for each unit of fuel burned.

A very conservative assumption is that the CPV project will offset only 1 MW for every 10 MW produced by CPV. Based on the emissions per unit of heat input from the competing units, there will still be appreciable reductions in emissions within the airshed (that includes Manatee County) as a result of the CPV project. Though we cannot stipulate the amount of the decrease either, common sense and economic principles suggest that such decreases could be substantial.

3. *The third concern in Commissioner McClash's letter is that "the air permit should take into consideration that the Tampa Bay region has the worst air pollution from power plants and additional power plants will only increase pollution unless the plant offsets existing pollution generated."*

   The Department requirements for this permit are based on the Rules for the Prevention of Significant Deterioration (PSD) of Air Quality. These apply to areas that are designated as attainment with the National Ambient Air Quality Standards (NAAQS). Accordingly a determination of the Best Available Control Technology (BACT) was performed. The result is that allowable emissions of key pollutants are very low.

   Several years ago, the Tampa area was designated as non-attainment and classified as "marginal non-attainment" with respect to ozone. For reference, the Southeast Florida Region was designated as "moderate non-attainment." Both areas have been redesignated as "attainment." The Atlanta, Houston, and Los Angeles areas are presently designated as "serious," "severe," and "extreme non-attainment," respectively.

   The CPV project will not increase pollution in the Tampa Bay Region if 100 megawatts produced by CPV Gulfcoast (passively) cause only 1 megawatt of power offsets by all other Tampa region plants combined.

4. *The final concern in Commissioner McClash's letter is that "this permit is contrary to Tampa Bay National Estuary program goals to reduce nitrogen loading in Tampa Bay."*

   The proposed facility will not interfere with the TBEP nitrogen loading reduction plans for Tampa Bay. The TBEP plan calls for a nitrogen loading reduction goal of approximately 17 tons per year to Tampa Bay. In the first five-year period of the plan (1994-1999), areawide reductions have exceeded the goal. Further reductions in loading over the next five-year period (2000-2004) are expected to be even greater, much of it do to emission reductions from the TECO Consent Decree that will reduce NO_X emissions by approximately 30,000 tons per year by 2004. This translates into approximately a 75 ton per year nitrogen loading reduction to Tampa Bay. Additional reductions from other sectors will further reduce loading. The CPV project, which emits a maximum of 126 tons of NO_X per year would offset some of these other reductions by approximately 0.3 tons of nitrogen loading. This small offset will not interfere with the TBEP nitrogen loading reduction goals.

   The very substantial reductions required by the 1990 Clean Air Act and the Department's Consent Decree with TECO will result in nitrogen oxides emission reduction on the order of 50,000 to 100,000 tons. Such reductions will clearly reduce the loading of nitrogen into Tampa Bay by several orders of magnitude more than the increases from the CPV project.

5. *In their letter dated December 22, 2000 the Manatee County Environmental Management Department (EMD) states "considering that Manatee County is marginally meeting the ozone*

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standard and that neighboring counties of Pinellas and Hillsborough have already been designated non-attainment areas, Manatee County questions the Department's assumption that the facility will not cause or contribute to a violation of ambient air quality standards."

The Department is confident that the proposed NO_X and VOC increases at the CPV facility will not interfere with the Tampa Bay areawide strategy for reducing ozone concentrations. Ozone is an areawide pollution problem and the solution to reducing ozone levels is broad-based local and regional reductions in NO_X and VOC emissions (the precursors to ozone formation).

The Tampa Bay area is marginally in violation of the 8-hour ozone standard. The Department will need to address this violation by requiring sufficient areawide reductions of NO_X and/or VOC to bring the area into compliance. Although the regulatory process is delayed because of court challenges to the 8-hour standard, the Department can identify a number of existing requirements that will significantly reduce ozone precursors in the Tampa Bay area. These requirements include the massive NO_X reductions from the TECO Order, low sulfur gasoline (low sulfur gasoline reduces NO_X emissions in cars and trucks), low sulfur diesel fuel, and more restrictive new car and truck emissions (Tier II standards).

In total, these reductions (mostly of NO_X) amount to tens of thousand tons per year or more over the next decade. The small increases in NO_X (126 tons per year) and VOC (15 tons per year) from the proposed CPV facility would not significantly reduce the total areawide reductions expected in the future. In fact, an argument can be made that the operation of the more efficient CPV facility would result in further decreases in areawide emissions to the extent that power from higher polluting facilities is offset with power generated by the CPV facility. This will occur even if 245 MW of power generated by CPV result in just 20 MW less power generated by conventional units in the Tampa Bay Area.

To more conclusively "prove" that the 126 tons of NO_X and 15 tons of VOC will not cause or contribute to a violation a very sophisticated and expensive model would need to be run for the entire region. The key inputs to the model would be traffic, power plants throughout the region, other indutrial sources, and meteorlogy. Variations of the input from CPV (from 0 to 126 TPY of NO_X, and 0 to 15 TPY of VOC) would not make any appreciable difference in the results. The uncertainty in any regional ozone model would be much greater than any contribution from this project.

Interestingly, emissions of NO_X from the CPV project are primarily NO that tends to reduce ozone on a very localized basis. As the NO transforms to NO_2 miles downwind, it tends to increase ozone.

Variations in the emissions from the major conventional plants would make a difference. The reductions of 50,000 to 100,000 of NO_X caused by the Clean Air Act, the Department's Consent Final Judgement, repowering of some conventional units, and competition from cleaner units will reduce the contribution of power plants to violations of the NAAQS in the Tampa Bay area. These reductions are about three orders of magnitude greater than the increase from the CPV project. As previously discussed, the CPV project will probably cause at least some further modest reduction in the region, based on displacement of some existing power with cleaner power.

6. *EMD points out "that steam or solar electrical generating of* ***less than 75 megawatts*** *[emphasis added] are exempt from the requirements of the Florida Electrical Power Plant Siting Act." EMD asks, "what assurance does the applicant provide that the 75 MW threshold would never be exceeded."*

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The 170 MW generated from the combustion turbine-electrical generator are exempt from the Siting Act. In its application, CPV described a set of practices to "ensure the 75 MW output limit is not exceeded" from the separate steam cycle. During hot weather, the unit cannot produce enough steam to operate a 75 MW steam turbine-electrical generator. At other times steam flow will be diverted back to the combustion turbine, or wasted or, in some other manner, reduced to the steam turbine-electrical turbine. According to the applicant, "output of the STG will be controlled automatically ..... to ensure that the electrical power produced from steam does not exceed 74.9 MW."

The Department included a condition in the draft permit requiring that "electrical power from the steam-electrical generator shall be limited to 74.9 MW on an hourly basis. CPV shall be capable of demonstrating to the Department, continuous compliance with the 74.9 MW limit by the stored information in the power plant's electronic data system."

The Department contacted General Electric and CPV requesting that they develop additional details regarding the measures and the method to demonstrate achievement of the requirement. Among the possibilities are making the electrical power production data instantly available to the Department and Manatee County via a modem.

These measures together provide reasonable assurance that the 75 MW threshold will not be reached.

7. *EMD states that "according to the Southwest Water Management (SWFWMD), the proposed location of the facility is within the Most Impacted Area (MIA), which would prohibit the permitting of new groundwater withdrawals." In view of the 2-2.5 million gallon per day needed for steam condensation, EMD requests the "details as to the source and quality of water to be used at the facility."*

   CPV is on a separate pursuit of approval track for obtaining water for cooling/condensation. The Department will obtain the details from the company and provide them to EMD. It will be necessary for CPV to secure re-used water from local communities and work with SWFWMD to secure minimal amounts of groundwater.

8. *EMD states that "due to the fact that Manatee County is marginally meeting the current ozone standard, we strongly urge that a pollutant offset or trading program be required to ensure that this facility would not cause a net increase in Manatee County."*

   The Department already concluded that emissions from the facility will not cause or contribute to a violation of the ozone standard. The Department also believes that the project will tend to reduce emissions in the Tampa Bay area if it displaces even 1 megawatt from conventional plants for every 10 megawatts that it generates.

   The plan proposed by EMD cannot be implemented unilaterally by the Department and certainly not by the time the Department is required to act on the CPV application. EMD's position will be forwarded to the appropriate "2020 Committee" members for consideration in legislation under development.

9. *EMD states "recent studies indicate that at least 29 percent of the Bay's total nitrogen load is from atmospheric deposition. EMD believes that "due to the project's proximity to the Bay and Terra Ceia Aquatic Preserve, it is essential that the applicant provide details information on expected depositional impacts from nitrogen components (NO_X and ammonia) and other*

DRAFT

pollutants, along with their plans to offset these impacts in order to meet the TBEP's goal of holding the line" on pollutant inputs to the Bay."

As previously mentioned, the Department concluded that emissions to the atmosphere are barely significant and that impacts on ambient air are less than significant. The Department does not dispute the assertions regarding deposition into the Bay. However a systematic approach that implements Clean Air Requirements, promotes repowering, enforces on polluters, and encourages clean projects will hold the line and actually improve Tampa Bay.

10. *EMD expressed concern about the hourly emissions of criteria pollutants during fuel oil firing. EMD questions "whether this additional hourly load of emissions from the use of #2 fuel oil is acceptable in terms of cumulative effects of other regional and in-County sources."*

The No. 2 distillate fuel oil used for this project will have a maximum 0.05 percent sulfur specification and will be used as back-up for a maximum of 720 hours per year. This compares with the limit set by Manatee County for fuel sulfur of 1 percent.

The selective catalytic system (SCR) must be used when firing fuel oil to reduce NO_X emissions to 10 parts per million by volume, dry, at 15 percent oxygen (ppmvd). For comparison, the most recent similar project permitted by the Department was Kissimmee Utilities Authority Cane Island Unit 3. The NO_X limit for that project while firing back-up fuel oil is 15 ppmvd.

The new FPC Hines Energy units (listed in attached table) are required to control NO_X emissions to 42 ppmvd when burning back-up fuel oil. In fact, permitted NO_X, CO, and VOC emissions from CPV while burning oil (10 ppmvd) are less than FPC Hines while burning gas (~12-25 ppmvd based on load). Despite the seemingly high limits at FPC Hines, emissions are actually very low compared with conventional units in the Tampa Bay Area. CPV can be expected to actually perform better than permitted and compare even more favorably with conventional units.

Data from identical GE 7FA units installed by the City of Tallahassee, TECO at Polk County show that CO and VOC emissions are actually much lower than permitted whether oil or gas is burned and that the results during oil burning are marginally greater than values measured during gas burning.

Previous discussions regarding the low air quality impacts assume that the facility will in fact use oil for 720 hours per year. With the very low emissions (even during oil firing) and the likelihood of (passively) offsetting even some power from nearby conventional units, it is clear that the project as designed is acceptable "in terms of cumulative effects of other regional and in-county sources."

11. *EMD notes that an "issue of concern, perhaps outside of of DEP's review of the CPV application, is that the applicant has yet to apply for and be granted the local land use approvals that be be required prior to construction of this facility."*

See response to Comment 1 above.

12. *In their letter dated December 27, 2000 EPA states that "Condition 22 in the draft PSD permit indicates that excess emissions during startup and shutdown are allowed for up to 4 hours in any 24-hour period. Because periods of startup and shutdown are part of normal source operation,*

DRAFT

we recommend that the Florida Department of Environmental Protection (FDEP) also consider future establishment of startup and shutdown best available control technology (BACT) emission limits for NO_X derived from monitoring results during the first few months of commercial operation. We further recommend that FDEP include definitions of what constitutes "startup and shutdown periods" as referenced in Condition 22.

DEP Response:

13. *EPA comments: The uncontrolled CO emission level used in the cost analysis is based on operation in power augmentation mode for 2,000 hours per year, 720 hour per year of fuel oil firing and 6,040 hours per year of natural gas firing. The draft PSD permit does not limit the number of hours the CT can operate in power augmentation mode. In order for the cost analysis to remain valid, a permit condition limiting operation in power augmentation mode to 2,000 hours per year should be included.*

    The Department concurs with EPA and a maximum operating period of 2000 hours per year during power augmentation will be added to Section III. Specific Condition 9.

14. *EPA Comment: Table E-3 includes a lost figure which accounts for the lost revenue from a "Pressure Drop Derate". Although it is appropriate to calculate the cost of using additional natural gas to compensate for the power consumption resulting from pressure drops across the catalyst bed, lost revenue should not be included in the cost analysis and should be omitted.*

15. *EPA notes that "an interest rate of 8 percent may be appropriate for the CPV-Gulfcoast facility; however, it should be noted that the current version of the U.S. Environmental Protection Agency's (EPA's) OAQPS Control Cost Manual uses an interest rate of 7 percent. If there is justification for CPV-Gulfcoast to use a higher interest rate, documentation should be provided."*

    The Department agrees with EPA. Attached is CPV's documentation on the matter. It is noted that differences of 1 percent in interest rates would not affect conclusionds regarding cost-effectiveness of available control technologies for this project. The Department will require such documentation in futeur projects when they differ from established rates.

16. *EPA Comment: The capital recovery cost in Table E-3 is too high because it contains a double-counting of catalyst cost. Catalyst cost is already included in the annualized "Replacement Catalyst" cost and should be deducted from the "Total Capital Investment" when calculating capital recovery. This concept is explained in the following excerpt from the OAQPS Control Cost Manual: "However, whenever there are parts in the control system that must be replaced before the end of its useful life, Equation 2.2 [the capital recovery cost calculation equation] must be adjusted, to avoid double-counting."*

    The Department agrees with EPA. Attached is a revised calculation. It does not affect the control technology conclusions for this specific project.

17. *EPA Comment: The "Total Capital Investments" section of Table E-3 includes a 20 percent contingency fee. This is inconsistent with the OAQPS Control Cost Manual, which includes a 3 percent contingency fee. CPV-Gulfcoast's 20 percent contingency fee is much higher than what is normally used in CO catalytic oxidation cost analyses and should be reduced unless the need for such a high contingency fee can be well documented.*

DRAFT

The Department agrees with EPA. Attached is a revised calculation. It does not affect the control technology conclusions for this specific project. Although the Department did not adopt the consultant's cost estimates, it concluded that the levelized costs of the oxidation catalyst for CO (VOC) are not justifiable for this project.

Recent tests were conducted for volatile organic compounds (VOC) and carbon monoxide (CO) at an identical unit installed at the TECO Polk Power Project. Emissions of VOC were between 0.1 and 0.5 ppm at various loads between 50 and 100 percent of full load. CO ranged from 0.3 to 1.7 ppm. Actual CO (and VOC) emissions will likely be much less than permitted. Although this does not affect the cost calculations based on accepted estimating techniques, it does corroborate that, on a real basis, actual CO control is not cost-effective.

CPV has agreed to install a CO continuos emission monitoring (CEM) system to provide reasonable assurance that the proposed emissions will not be exceeded.

18. *Additional DEP Action: The following condition has been added to Section II of the permit as Condition No. 9. The Department believes that this new condition will clarify and differentiate the expiration date of the permit and the physical construction expiration date of the proposed project.*

Completion of Construction: The permit expiration date is June 30, 2003. Physical construction shall be complete by December 30, 2002. The additional time provides for testing, submittal of results, and submittal of the Title V permit to the Department.

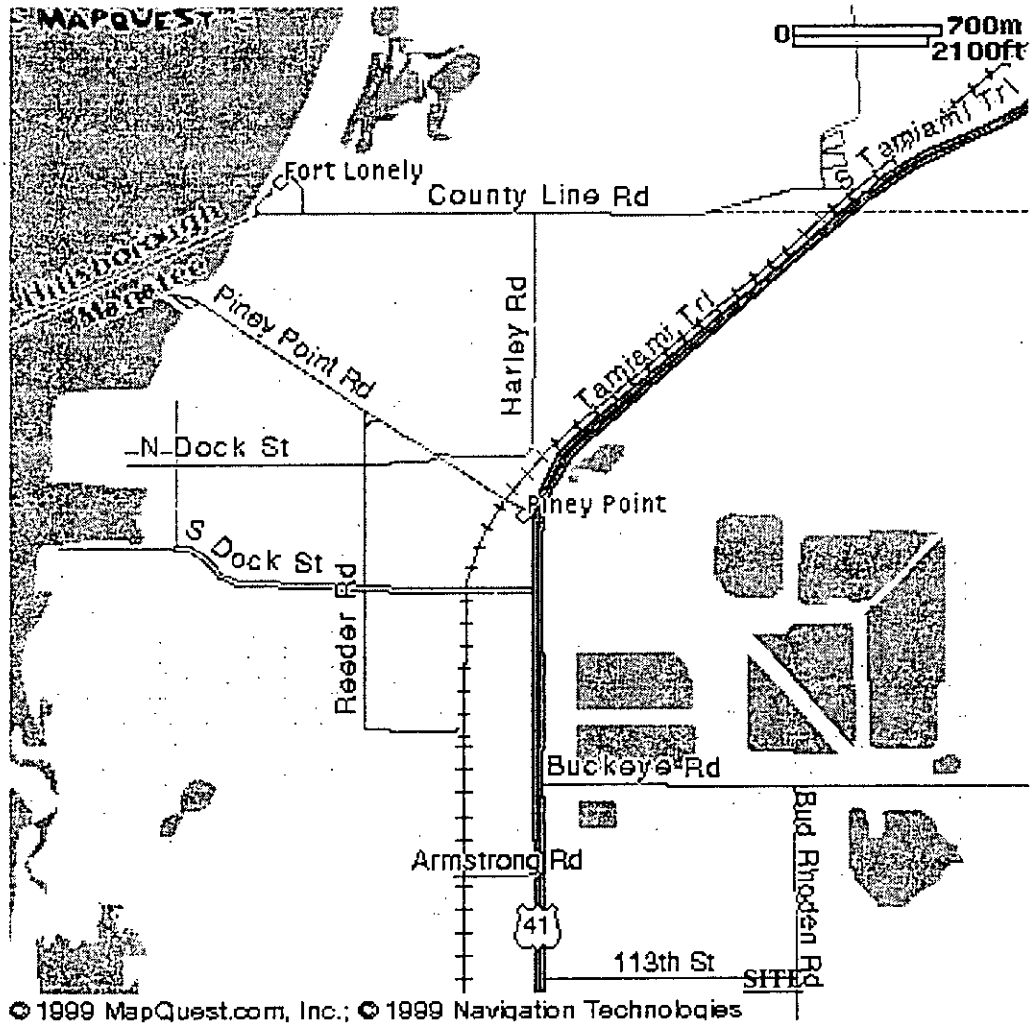
CONCLUSION

FLORIDA DEP AIR PERMITTING SUMMARY SHEET

CPV GULFCOAST POWER GENERATING FACILITY
NOMINAL 250 MEGAWATT COMBINED CYCLE PLANT
PUBLIC MEETING – PALMETTO, MANATEE COUNTY

JANUARY 8, 2001

Competitive Power Ventures (CPV) submitted an application to construct a nominal 250 megawatt (MW) combined cycle power plant and ancillary equipment near Piney Point in Manatee County.



The proposed site is a 160-acre tract at the intersection of Buckeye and Bud Rhoden Roads. The location is East of Highway 41 and South of the Piney Point Phosphates facility.

The Florida Department of Environmental Protection (DEP) is the permitting authority for the air construction permit under Chapter 403 of the Florida Statutes, Chapters 62-4, 62-210 and 62-212 of the Florida Administrative Code.

The DEP Bureau of Air Regulation in Tallahassee received the application on September 9 of last year. We distributed it to the EPA Region 4 office in Atlanta, the U.S. Fish and Wildlife Service's Air Quality Branch in Denver, Colorado, our DEP Southwest District Office in Tampa, and the Manatee County Environmental Management Department.

The Technical Evaluation and Preliminary Determination and the draft air permit were completed and sent to the applicant on November 17 along with the Department's Intent to Issue. Copies were provided to the previously - mentioned agencies and to the Manatee County Commission. Copies were made available for public inspection at DEP offices in Tallahassee and Tampa and at the Manatee County EMD. We also posted these materials at our website: www.dep.state.fl.us/air/permitting.htm

The Department's Public Notice of Intent to Issue Air Construction Permit was published by the applicant in the Bradenton Herald on November 25. It provided a 30-day period for anyone to submit comments on the Department's proposed action or to request this public meeting. It also provided a 14-day period for anyone whose substantial interests were affected by the project to file a petition for an administrative hearing.

To-date, we have received substantial comments only from the Chair of the Manatee County Commission and the Director of the Manatee County Environmental Management Department. The applicant requested this public meeting.

This public meeting was noticed in Bradenton Herald on December 5 and again on January 5. It was also noticed in the Florida Administrative Weekly on December 29 (this publication is available free of charge on the web at http://election.dos.state.fl.us).

Copies of the Intent to Issue package are available at this meeting. We also have a few copies on diskette. If we run out, we will be happy to make you copies and send them to you. As mentioned before, you can view this package on our website. The actual application and entire file are available for public review and copying at our offices in Tallahassee and Tampa.

Issues such as noise and the plant location are beyond the scope of our authority in making this permitting decision. These fall within local ordinances and local planning and zoning authorities.

DEP will consider comments specifically related to air emissions and control, which have already been submitted or are submitted here and over the next week. Comments may be submitted at this public meeting, E-Mailed, or mailed to:

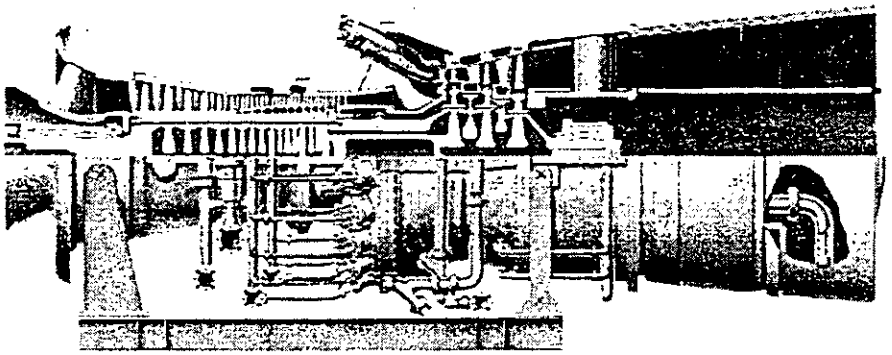
CONTACT: A. A. Linero, P.E Administrator
New Source Review Section
Bureau of Air Regulation
2600 Blair Stone Road, M.S. 5505
Tallahassee, Florida 32399
Tel: (850)921-9523
Fax: (850)922-6979
Internet: alvaro.linero@dep.state.fl.us

AIR MODELING:	Tom Rogers, Meteorologist Division of Air Resources Management, Tallahassee Tel: (850)921-9537
AIR COMPLIANCE:	Bill Proses DEP S.W. District, Tampa Tel: (813)744-6100
LEGAL CONTACT:	Douglas Beason, Attorney Office of General Counsel, Tallahassee Tel: (850)921-9624
MANAGEMENT CONTACT:	C. H. Fancy, P.E., Chief Bureau of Air Regulation Tel: (850)921-9503

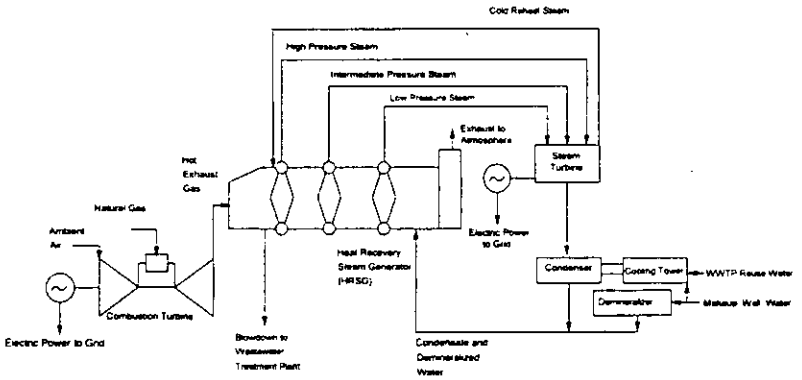
PROJECT DESCRIPTION

The main unit is a General Electric 7FA gas-fired combustion turbine-electric generator, which directly generates approximately 170 MW. The project includes an unfired heat recovery steam generator capable of raising sufficient steam to generate another (maximum) 74.9 MW in a separate steam-electrical generator. The project also includes a 150-foot stack, a mechanical draft cooling tower, a 1.0 million gallon fuel oil storage tank, and other ancillary equipment. Back-up distillate fuel oil will be burned for a maximum of 720 hours per year.

Following is a picture of a GE 7FA.



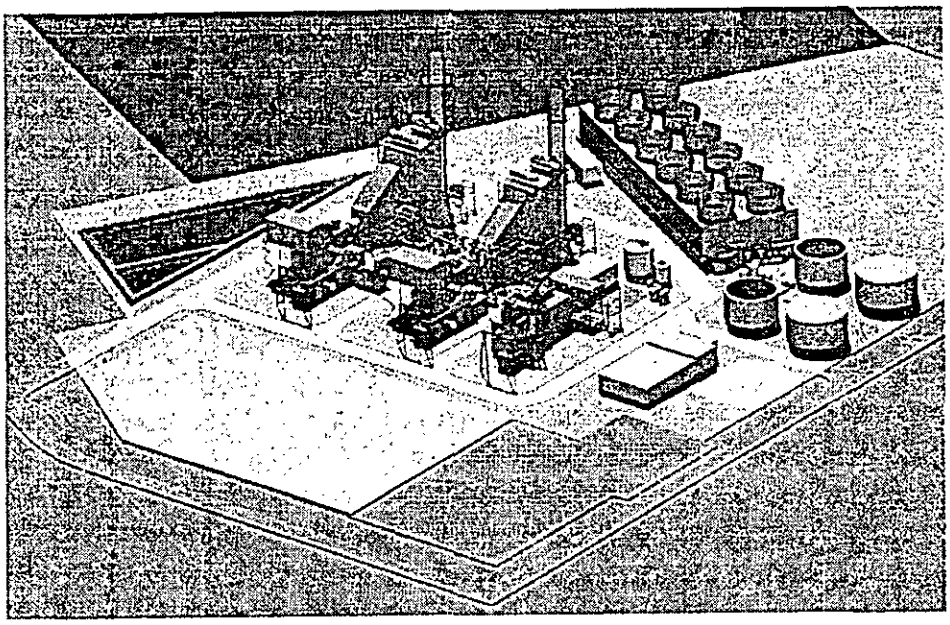
Basically these units are like jet engines. Air is drawn in and compressed. Fuel is introduced in the combustors. Hot exhaust gases expand in the rotor section. The rotational motion of the shaft drives the compressor and the electrical generator normally located before the compressor section. In the CPV project, the unit will operate in combined cycle mode, meaning that the gas turbine drives an electric generator while the exhausted gases are used to raise steam in a heat recovery steam generator (HRSG). The steam is then fed to a separate steam turbine, which also drives an electrical generator.



Process Flow Diagram of a Basic Combined Cycle Power Plant

(gas-only, without SCR, and no power augmentation)

We do not have an artist's rendition of the site. Following is a picture borrowed from a proposed project for two of these units in Volusia County. The Duke project differs in that it does not include fuel oil storage or a selective catalytic reduction system (SCR).



The key air emissions will consist of nitrogen oxides, carbon monoxide, particulate matter, and sulfur dioxide. NO_x emissions will be controlled by selective catalytic reduction (SCR) to achieve 3.5 parts per million by volume, dry, at 15 percent oxygen (ppmvd) while burning gas and 10 ppmvd while burning low sulfur distillate fuel oil. Emissions of CO will be controlled to 9 and 20 ppmvd while burning gas and fuel oil respectively. Emissions of PM/PM_{10}, SO_2, sulfuric acid mist, volatile organic compounds, hazardous air pollutants (HAP), and will be controlled to very low levels by good combustion and use of inherently clean pipeline quality natural gas and low sulfur (0.05 percent) distillate fuel oil. Ammonia emissions generated due to NO_X control will be limited to 5 ppmvd.

The following table summarizes the maximum emissions (in tons per year) of regulated air pollutants as a result of this project.

Pollutants	Maximum Potential Emissions	PSD Significant Emission Rate
PM/PM_{10}	102	25/15
Sulfuric acid mist	12	7
SO_2	76	40
NO_x	126	100
VOC	15	40
CO	222	100
NH_3		NA
HAP	8	NA

FAX Cover Sheet

USEPA - Region 4
61 Forsyth St., SW
Atlanta, Georgia 30303

TO: Teresa Heron
FDEP

FAX #: 850-922-6979

RE: CPV-Gulfcoast

FROM: Katy Forney
Air Permits Section, Region 4 USEPA

Phone #: 404-562-9130

Date: 12-27-00

# of Pages (including cover): 4

COMMENTS:

If this FAX is poorly received, please call
Katy Forney: 404-562-913

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

DEC 27 2000

4 APT-ARB

A. A. Linero, P.E.
Florida Department of Environmental Protection
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

SUBJ: Preliminary Determination and Draft PSD Permit for CPV-Gulfcoast, Ltd. (PSD-FL-300) located in Manatee County, Florida

Dear Mr. Linero:

Thank you for sending the preliminary determination and draft prevention of significant deterioration (PSD) permit for CPV-Gulfcoast November 17, 2000. The preliminary determination is for the proposed construction and operation of one combined cycle combustion turbine (CT) with an unfired heat recovery steam generator and a total nominal generating capacity of 250 MW to be located near Piney Point, FL. The combustion turbine proposed for the facility is a General Electric (GE), frame 7FA unit. The CT will primarily combust pipeline quality natural gas with No. 2 fuel oil combusted as backup fuel. As proposed, the CT will be allowed to fire natural gas up to 8,760 hours per year and fire No. 2 fuel oil a maximum of 720 hours per year. The CT will be allowed to operate in power augmentation mode for a maximum of 8,760 hours/year. Total emissions from the proposed project are above the thresholds requiring PSD review for nitrogen oxides (NO_x), carbon monoxide (CO), sulfur dioxide (SO_2), particulate matter (PM/PM_{10}) and volatile organic compounds (VOC).

Based on our review of the preliminary determination and draft PSD permit, we have the following comments:

1. Condition 22 in the draft PSD permit indicates that excess emissions during startup and shutdown are allowed for up to 4 hours in any 24-hour period. Because periods of startup and shutdown are part of normal source operation, we recommend that the Florida Department of Environmental Protection (FDEP) also consider future establishment of startup and shutdown best available control technology (BACT) emission limits for NO_x derived from monitoring results during the first few months of commercial operation. We further recommend that FDEP include definitions of what constitutes "startup and shutdown periods" as referenced in Condition 22.

2. Our comments concerning the CO catalytic oxidation cost analysis are as follows:

   a. The uncontrolled CO emission level used in the cost analysis is based on operation in power augmentation mode for 2,000 hours per year, 720 hour per year of fuel oil firing and 6,040 hours per year of natural gas firing. The draft PSD permit does not limit the number of hours the CT can operate in power augmentation mode. In order for the cost analysis to remain valid, a permit condition limiting operation in power augmentation mode to 2,000 hours per year should be included.

   b. Table E-3 includes a cost figure which accounts for the lost revenue from a "Pressure Drop Derate". Although it is appropriate to calculate the cost of using additional natural gas to compensate for the power consumption resulting from pressure drops across the catalyst bed, lost revenue should not be included in the cost analysis and should be omitted.

   c. An interest rate of 8 percent may be appropriate for the CPV-Gulfcoast facility; however, it should be noted that the current version of the U.S. Environmental Protection Agency's (EPA's) *OAQPS Control Cost Manual* uses an interest rate of 7 percent. If there is justification for CPV-Gulfcoast to use a higher interest rate, documentation should be provided.

   d. The capital recovery cost in Table E-3 is too high because it contains a double-counting of catalyst cost. Catalyst cost is already included in the annualized "Replacement Catalyst" cost and should be deducted from the "Total Capital Investment" when calculating capital recovery. This concept is explained in the following excerpt from the *OAQPS Control Cost Manual*: "However, whenever there are parts in the control system that must be replaced before the end of its useful life, Equation 2.2 [the capital recovery cost calculation equation] must be adjusted, to avoid double-counting."

   e. The "Total Capital Investments" section of Table E-3 includes a 20 percent contingency fee. This is inconsistent with the *OAQPS Control Cost Manual*, which includes a 3 percent contingency fee. CPV-Gulfcoast's 20 percent contingency fee is much higher than what is normally used in CO catalytic oxidation cost analyses and should be reduced unless the need for such a high contingency fee can be well documented.

Thank you for the opportunity to comment on the CPV-Gulfcoast preliminary determination and draft PSD permit. If you have any questions regarding these comments, please direct them to either Katy Forney at 404-562-9130 or Jim Little at 404-562-9118.

Sincerely,

Gregg M. Worley

for R. Douglas Neeley
Chief
Air and Radiation Technology Branch
Air, Pesticides and Toxics
Management Division

cc: J. Heron
C. Carlson
G. Lambert, CPV Gulf Coast
B. Thomas, SWD
C. Sellers
NPS

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

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DEC 27 2000

4 APT-ARB

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Florida Department of Environmental Protection
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

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Sincerely,

for R. Douglas Neeley
Chief
Air and Radiation Technology Branch
Air, Pesticides and Toxics
Management Division

MANATEE COUNTY GOVERNMENT

"To Serve With Excellence"

ENVIRONMENTAL MANAGEMENT DEPARTMENT

December 22, 2000

Mr. A. A. Linero, P. E., Administrator
Bureau of Air Regulation
New Source Review Section
Department of Environmental Protection
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Re: DEP File No. 0810194-001-AC (PSD-FL-300)
CPV Gulfcoast Power Generating Facility
245 Megawatt Combined Cycle Power Project

Dear Mr. Linero:

The Manatee County Environmental Management Department (EMD) offers the following comments on the referenced project:

1. The proposed facility has been determined to be a major source of air pollution, since emissions of at least one regulated air pollutant (particulate matter, sulfur dioxide, nitrogen oxides, carbon monoxide or volatile organic compounds) exceed 100 tons per year (TPY). The Department's technical evaluation and preliminary determination conclude that "emissions from the facility will not cause or contribute to a violation of any state or federal ambient air quality standard."

   A new federal ozone standard has been established at a level equivalent to 85 ppb averaged over any 8-hour period. An area will be considered non-attainment if the average of the annual fourth highest ozone readings at a monitoring site for any 3-year period equals or exceeds 85 ppb. Based on EMD's monitoring data, the 3-year running average for ozone within the County has been steadily increasing: from 75 ppb (1993-95) to 84 ppb (1997-99). **Considering that Manatee County is marginally meeting the ozone standard and that the neighboring counties of Pinellas and Hillsborough have already been designated non-attainment areas, Manatee County questions the Department's assumption that the facility will not cause or contribute to a violation of ambient air quality standards.**

   Please provide any additional information that will further support the Department's position that these air quality standards will not be exceeded.

202 6th Avenue East • Bradenton, Florida 34208 • (941) 742-5980 • Fax (941) 742-5996

P.O. Box 1000 • Bradenton, Florida 34206-1000

2. Design for the proposed facility includes a 74.9 MW steam-electrical generator. According to Chapter 403.503, F.S., steam or solar electrical generating facilities of **less than 75 megawatts** [emphasis added] are exempt from requirements of the Florida Electrical Power Plant Siting Act. **What assurance does the applicant provide that the 75 MW threshold would never be exceeded?**

3. The proposed facility will employ cooling towers for the purpose of cooling and condensing steam. Much of this cooling water is evaporated and must be replaced. CPV representatives estimate that approximately 2-2.5 million gallons per day (GPD) of water will be required to operate the facility. According to the Southwest Florida Water Management District (SWFWMD), the proposed location of the facility is within the Most Impacted Area (MIA), which would prohibit the permitting of new groundwater withdrawals. **Please provide details as to the source and quality of water to be used at the facility.**

4. How will this new supplier of electrical energy interact with the current regional suppliers? Will this facility displace energy being supplied by these existing facilities? Does this facility have a local client base or will the energy be transmitted outside the region? **Due to the fact that Manatee County is marginally meeting the current ozone standard, we strongly urge that a pollutant offset or trading program be required to ensure that this facility would not cause a net increase in pollutant emissions in Manatee County.**

5. The Tampa Bay Estuary Program (TBEP) is charged with ensuring that Bay conditions are protected and, wherever possible, improved. The TBEP has determined that excessive nitrogen loading to the Bay is of special concern. This nutrient causes algal blooms, decreases water clarity and generally degrades water quality, resulting in habitat and fisheries losses. Recent studies indicate that at least 29 percent of the Bay's total nitrogen load is from atmospheric deposition. We have seen no modeling or other projections of atmospheric deposition of nitrogen attributable to operation of this facility. **Due to this project's proximity to the Bay and the Terra Ceia Aquatic Preserve, it is essential that the applicant provide detailed information on expected depositional impacts from nitrogen components (NOx and ammonia) and other pollutants, along with their plans to offset these impacts in order to meet the TBEP's goal of "holding the line" on pollutant inputs to the Bay.**

6. Although the proposal is for a predominantly gas-fired power plant, the permit would allow combustion of #2 fuel oil. Although operation using fuel oil would be limited to 720 hours per year, the hourly emissions of criteria pollutants would be significantly greater than levels of those pollutants when the plant is firing natural gas. **We question whether this additional hourly load of emissions from the use of #2 fuel oil is acceptable in terms of cumulative effects of other regional and in-County sources.**

7. In several sections, the permit requires that reports and notifications be submitted to the Department of Environmental Protection. **We would ask that the Manatee County Environmental Management Department also be listed as a recipient of such reports, documents, and notification, according to the same time frames required for submittal to your Department**.

8. Another issue of concern, perhaps outside the purview of DEP's review of the CPV application, is that the applicant has yet to apply for and be granted the local land use approvals that would be required prior to construction of this facility.

We appreciate the opportunity to comment on this important proposal, and look forward to the public meeting your office has scheduled for 6:00 p.m., January 6, 2001 at Blackburn Elementary School, in Bradenton.

Sincerely,

Karen Collins-Fleming
Director

KCF:RCB

cc: County Commission members
Ernie Padgett, County Administrator
Tedd Williams, County Attorney
Rob Brown, EMD Water Quality Administrator
Marion Forthoffer, EMD Air Quality Manager
J. Heron
C. Carlson
B. Thomas, SWD
EPA
NPS

MANATEE COUNTY GOVERNMENT

"To Serve With Excellence"

ENVIRONMENTAL MANAGEMENT DEPARTMENT

December 22, 2000

Mr. A. A. Linero, P. E., Administrator
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New Source Review Section
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Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Re: DEP File No. 0810194-001-AC (PSD-FL-300)
CPV Gulfcoast Power Generating Facility
245 Megawatt Combined Cycle Power Project

Dear Mr. Linero:

The Manatee County Environmental Management Department (EMD) offers the following comments on the referenced project:

1. The proposed facility has been determined to be a major source of air pollution, since emissions of at least one regulated air pollutant (particulate matter, sulfur dioxide, nitrogen oxides, carbon monoxide or volatile organic compounds) exceed 100 tons per year (TPY). The Department's technical evaluation and preliminary determination conclude that "emissions from the facility will not cause or contribute to a violation of any state or federal ambient air quality standard."

   A new federal ozone standard has been established at a level equivalent to 85 ppb averaged over any 8-hour period. An area will be considered non-attainment if the average of the annual fourth highest ozone readings at a monitoring site for any 3-year period equals or exceeds 85 ppb. Based on EMD's monitoring data, the 3-year running average for ozone within the County has been steadily increasing: from 75 ppb (1993-95) to 84 ppb (1997-99). **Considering that Manatee County is marginally meeting the ozone standard and that the neighboring counties of Pinellas and Hillsborough have already been designated non-attainment areas, Manatee County questions the Department's assumption that the facility will not cause or contribute to a violation of ambient air quality standards.**

   Please provide any additional information that will further support the Department's position that these air quality standards will not be exceeded.

202 6th Avenue East • Bradenton, Florida 34208 • (941) 742-5980 • Fax (941) 742-5996

P.O. Box 1000 • Bradenton, Florida 34206-1000

2. Design for the proposed facility includes a 74.9 MW steam-electrical generator. According to Chapter 403.503, F.S., steam or solar electrical generating facilities of **less than 75 megawatts** [emphasis added] are exempt from requirements of the Florida Electrical Power Plant Siting Act. **What assurance does the applicant provide that the 75 MW threshold would never be exceeded?**

3. The proposed facility will employ cooling towers for the purpose of cooling and condensing steam. Much of this cooling water is evaporated and must be replaced. CPV representatives estimate that approximately 2-2.5 million gallons per day (GPD) of water will be required to operate the facility. According to the Southwest Florida Water Management District (SWFWMD), the proposed location of the facility is within the Most Impacted Area (MIA), which would prohibit the permitting of new groundwater withdrawals. **Please provide details as to the source and quality of water to be used at the facility.**

4. How will this new supplier of electrical energy interact with the current regional suppliers? Will this facility displace energy being supplied by these existing facilities? Does this facility have a local client base or will the energy be transmitted outside the region? **Due to the fact that Manatee County is marginally meeting the current ozone standard, we strongly urge that a pollutant offset or trading program be required to ensure that this facility would not cause a net increase in pollutant emissions in Manatee County.**

5. The Tampa Bay Estuary Program (TBEP) is charged with ensuring that Bay conditions are protected and, wherever possible, improved. The TBEP has determined that excessive nitrogen loading to the Bay is of special concern. This nutrient causes algal blooms, decreases water clarity and generally degrades water quality, resulting in habitat and fisheries losses. Recent studies indicate that at least 29 percent of the Bay's total nitrogen load is from atmospheric deposition. We have seen no modeling or other projections of atmospheric deposition of nitrogen attributable to operation of this facility. **Due to this project's proximity to the Bay and the Terra Ceia Aquatic Preserve, it is essential that the applicant provide detailed information on expected depositional impacts from nitrogen components (NOx and ammonia) and other pollutants, along with their plans to offset these impacts in order to meet the TBEP's goal of "holding the line" on pollutant inputs to the Bay.**

6. Although the proposal is for a predominantly gas-fired power plant, the permit would allow combustion of #2 fuel oil. Although operation using fuel oil would be limited to 720 hours per year, the hourly emissions of criteria pollutants would be significantly greater than levels of those pollutants when the plant is firing natural gas. **We question whether this additional hourly load of emissions from the use of #2 fuel oil is acceptable in terms of cumulative effects of other regional and in-County sources.**

7. In several sections, the permit requires that reports and notifications be submitted to the Department of Environmental Protection. **We would ask that the Manatee County Environmental Management Department also be listed as a recipient of such reports, documents, and notification, according to the same time frames required for submittal to your Department.**

8. Another issue of concern, perhaps outside the purview of DEP's review of the CPV application, is that the applicant has yet to apply for and be granted the local land use approvals that would be required prior to construction of this facility.

We appreciate the opportunity to comment on this important proposal, and look forward to the public meeting your office has scheduled for 6:00 p.m., January 6, 2001 at Blackburn Elementary School, in Bradenton.

Sincerely,

Karen Collins-Fleming
Director

KCF:RCB

cc: County Commission members
Ernie Padgett, County Administrator
Tedd Williams, County Attorney
Rob Brown, EMD Water Quality Administrator
Marion Forthoffer, EMD Air Quality Manager
S. Heron
C. Carlson
B. Thomas, SWD
EPA
NPS

FAX MEMORANDUM

DATE: December 22, 2000

TO: Al Linero, P.E., Administrator
DEP Bureau of Air Regulation
FAX: (850) 922-6979

FROM: Karen Collins-Fleming, Director
FAX: (941) 742-5996

SUBJECT: **DEP File No. 0810194-001-AC (PSD-FL-300)**
CPV Gulfcoast Power Generating Facility
245 Megawatt Combined Cycle Power Project

Attached are comments from the Manatee County Environmental Management Department on the referenced proposal. Should you have questions, please give me or Rob Brown a call. We can both be reached at (941) 742-5980.

Thank you for the opportunity to comment on this important proposal.

kcf/

attached: 3 pages

PUBLIC MEETING

AGENCY: Florida Department of Environmental Protection

PURPOSE: Receive comments from the public on the Department's proposed air construction permit to be issued to CPV Gulfcoast Ltd. The permit is to construct a nominal 245 megawatt (MW) combined cycle electrical power generating plant. The project consists of: a nominal 170 MW General Electric 7FA combustion turbine-electrical generator; an unfired heat recovery steam generator capable of raising sufficient steam to generate another (maximum) 74.9 MW from a steam-electrical generator; a 150-foot stack; a mechanical draft cooling tower; a 1.0 million gallon fuel oil storage tank, and other ancillary equipment. Back-up distillate fuel oil will be burned for a maximum of 720 hours per year. This new facility will be located on a 160-acre tract at the intersection of Buckeye and Bud Rhoden Roads, southeast of Piney Point in Manatee County.

DATE: January 8, 2001

TIME: 7:00 – 9:00 p.m. (see note below)

PLACE: Blackburn Elementary School Cafeteria, 3904 17th Street East, Palmetto

MEETING AGENDA

7:00 p.m. Introduction/Moderator

- *C. H. Fancy, P.E., Chief, Bureau of Air Regulation*
- *FDEP, Tallahassee*

7:05 p.m. Discussion of application and air permitting requirements for the CPV Gulfcoast Ltd. combined cycle project.

- *A. A. Linero, P.E., New Source Review Section,*

  FDEP, Tallahassee.

7:10 p.m. Discussion of PSD issues and ambient air quality impacts of proposed project.

- *Tom Rogers (or Cleve Holladay), Meteorologist*

  FDEP, Tallahassee

7:15 p.m. FDEP's Draft Best Available Control Technology (BACT) determination for the new plant.

- *A. A. Linero, New Source Review Section,*

  FDEP, Tallahassee

7:30 p.m. Comments from the public.

9:00 p.m. Adjourn.

(Note: Department personnel and representatives of the applicant will also be available prior to the meeting, from 6:00 to 7:00 p.m., to discuss the proposed permit and project on an informal basis.

CPV Gulfcoast and Gannon Repowering Emissions vs Conventional Units along SW Florida Coast

Plant Name	Boiler Type	Primary Fuel	SO2 Controls	NOx Controls	1999 SO2 Rate #/Mbtu (#/MWH)	1999 SO2 (tons)	1999 NOx Rate #/MBtu (#/MWH)	1999 NOx (tons)	1999 Heat Input (mmBtu)
Anclote	T	O	U	U	1.28 (14)	16,230	0.30 (3.2)	4,275	25,432,652
Anclote	T	O	U	U	1.31 (14)	18,310	0.30 (3.2)	4,623	27,948,159
PL Bartow	DB	O	U	U	2.15 (23)	7,853	0.28 (3.0)	1,123	7,300,495
PL Bartow	T	O	U	U	2.22 (24)	6,479	0.33 (3.5)	1,017	5,825,049
PL Bartow	T	O	U	U	2.01 (22)	14,335	0.45 (4.8)	3,561	14,269,751
Big Bend	T	C	WLS	O	3.29 (35)	39,897	0.72 (7.8)	9,103	24,289,751
Big Bend	T	C	WLS	O	3.25 (35)	40,806	0.72 (7.8)	9,310	24,843,034
Big Bend	WBT	C	WLS	LNB	0.57 (6)	6,360	0.53 (5.7)	6,242	22,280,740
Big Bend	T	C	WLS	O	0.57 (6)	8,550	0.44 (4.9)	6,633	29,950,140
Gannon	C	C	U	U	1.81 (20)	5,503	1.05 (11.2)	3,276	6,126,261
Gannon	C	C	U	U	1.75 (19)	5,437	0.90 (9.6)	2,845	6,205,655
Gannon	C	C	U	U	1.77 (19)	7,456	0.90 (9.6)	3,891	8,415,640
Gannon	C	C	U	U	1.75 (19)	7,470	0.84 (8.9)	3,678	8,533,763
Gannon	WBT	C	U	U	1.92 (21)	12,601	0.73 (7.7)	5,186	13,115,273
Gannon	WBT	C	U	U	1.11 (12)	16,029	1.13 (12.0)	10,310	16,999,246
Ft Myers	DB	O	U	U	2.01 (22)	6,388	0.45 (4.8)	1,518	6,380,185
Ft Myers	DB	O	U	U	2.02 (22)	26,578	0.82 (8.9)	11,883	26,339,199
Manatee	DB	O	U	U	0.99 (11)	13,813	0.23 (2.5)	4,109	27,853,349
Manatee	DB	O	U	U	1.07 (12)	16,403	0.23 (2.5)	4,319	30,768,019
Gannon RP	7CTs	G	Low S Fuel	DLN/SCR	~0.01 (~0.1)	~700	<0.02 (~0.14)	~1000	~100,000,000
CPV Gulf	CT	G	Low S Fuel	DLN/SCR	0.01 (<0.1)	76	<0.02 (0.13)	126	~15,000,000

Assumes that CPV unit will run continuously (100 percent availability) and will burn fuel oil during 720 hours per year.
Gannon RP will repower Gannon Units 5 and 6 and be renamed Bayside. Units 1, 2, 3, and 4 will shut down by 2005
NOx emissions at CPV and Bayside will be 0.10 pounds per megawatt-hour when firing natural gas.
Assumed that conventional units are as efficient as a relatively new unit and operated near capacity for higher efficiency.
Very substantial reductions are expected due to Ft. Myers Repowering, Big Bend scrubber, and Phase II
Sources: EPA Acid rain data at www.epa.gov/acidrain and FDEP Draft Package

pollutants still go down, substantially, for example, in the case of sulfur dioxide. (See column 2 versus column 4).

Either way, these emission reductions are possible because the repowering project calls for updating the generating technology and using natural gas, which burns much cleaner than oil. The natural gas-fired, combined-cycle technology is more efficient and generates less pollution than the older, oil-fired traditional electric generating technology it is replacing.

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Pollutant	Actual 1996-1997 (tons per year)	Actual 1996-1997 (lb. / Mwh	Repowered Units (tons per year)	Repowered Units (lb. / Mwh)	Percent Reduction (column 3 compared to column 5)
PM	607	0.62	313	0.04	93.5
NOx	7095	7.23	1,845	0.26	96.4
SO2	20,561	20.94	137	0.02	99.9
CO	1,507	1.53	1,267	0.18	88.2
VOC	46.7	0.05	82.2	0.01	80.0
CO2	1,690,935	1,722	5,236,931	774	55.1

Of the five air pollutants FPL is required by the government to monitor and report on, four will be reduced in quantity as a result of the repowering. Emissions of sulfur dioxide, particulate matter, nitrogen oxide and carbon monoxide will all go down.

In the case of the fifth -- volatile organic compounds (VOCs) -- emissions will increase very slightly. Even though there are fewer VOCs in natural gas than in oil, the slight increase in emissions will be due to operating the highly efficient plant more often and thus using more fuel. Neither the U.S. Environmental Protection Agency, nor the Florida Department of Environmental Protection, considers the minimal anticipated increase to be significant.

The bottom line is that the air permit FPL has applied for will set limits on and require future monitoring of these pollutants in a manner similar to the monitoring we conduct today and provide to the Florida Department of Environmental Protection.

There will be some other emissions that FPL tracks but is not required to report. For example, since the generating capacity of the repowered plant will triple, more fuel will be burned, so we expect a local increase in plant emissions of carbon dioxide. Like VOCs, carbon dioxide is a byproduct of burning any fossil fuel. It is not deemed a pollutant, but rather is referred to as a "greenhouse gas" and studied for its potential contribution to climate change.

Interestingly, we should see overall reductions in both VOCs and carbon dioxide from FPL's total fleet of generators with the repowering of the Fort Myers plant. An anticipated 13 percent reduction in carbon dioxide from FPL generation statewide is considered significant by experts who view climate change from a "global" perspective.

These overall improvements would occur because natural gas-fired plants like the repowered Fort Myers plant typically tend to displace oil-fired plants, which emit more VOCs and more carbon dioxide.

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

PURCHASE ORDER REQUISITION

PAGE 1 OF _____ (THIS IS NOT A PURCHASE ORDER) REF. NO. PC 001 - 284

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CITY: Bradenton	STATE: FL	ZIP: 34205	PHONE: (941) 746-7355

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111 S. MAGNOLIA Dr M/S: 5505	2600 Blair Stone Road M/S: 5500
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QUANTITY	UNIT	CLASS / GROUP	DESCRIPTION / DEP PROPERTY # FOR EACH ITEM	UNIT COST	TOTAL
1	day	973-040	Legal advertisement to be published Jan. 5, 2001		$145.84
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RECYCLED CONTENT: ____YES ____NO CMBE: ____YES ____NO GRAND TOTAL $ $145.84

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FOR FCO USE ONLY: | PROJECT NO.: | CATEGORY NO.: /9 | FUND NO.:

JUSTIFICATION: To inform public of a public meeting

FISCAL YEAR FOR ENCUMBRANCE: 00 /9 01

LINE	ORGANIZATION CODE					EO	OBJECT	AMOUNT
0001	37	55	02	04	000	A7	133100	$145.84
0002	37							

LINE	FUND	CATEGORY	MODULE	GRANT NO.
0001	035001	040000	AP255	AIR01
0002				

APPROVALS		DATE
REQUESTOR:	Patty Adams	12/22/00
COST CENTER:	37550204000	
SECTION:		12/22
BUREAU:		12/28/00
DIV. / SEC.:		
PURCHASING:		

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BRADENTON HERALD

CLASSIFIED ADVERTISING

Legal Advertising Memo Bill

Order Information					
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Account:	H310280	Stop Date:	01/05/2001	Charges:	$ 0.00
Name:	Adams, Patty	Insertions:	1	Net Price:	$ 145.84
Firm:	Fl. Dept. Of Environmental	Lines:	124	Payments:	$ 0.00
Run-dates:	1/5 1x	Inches:	12.087	Balance:	$ 145.84

Text

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION NOTICE OF PUBLIC MEETING CPV GULFCOAST LTD. POWER PROJECT The Department of Environmental Protection gives notice that a public meeting to which all persons are invited will be held regarding the

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Bradenton, FL 34205
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JAN 10 2001

BUREAU OF AIR REGULATION

Bradenton Herald
Published Daily
Bradenton, Manatee, Florida

STATE OF FLORIDA
COUNTY OF MANATEE:

Before the undersigned authority personally appeared Sandy Riley, who on oath says that she is a Legal Advertising Representative of the Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida; that the attached copy of the advertisement, being a Legal Advertisement in the matter of STATE OF FLORIDA DEPT. OF ENVIRONMENTAL PROTECTION NOTICE OF PUBLIC MEETING in the Court, was published in said newspaper in the issues of 1/5/01.

Affiant further says that the said publication is a newspaper published at Bradenton, in said Manatee County, Florida, and that the said newspaper has heretofore been continuously published in said Manatee County, Florida, each day and has been entered as second-class mail matter at the post office in Bradenton, in said Manatee County, Florida for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sandy Riley
(Signature of Affiant)

Sworn to and subscribed before me this
5th Day of January, 2000

DIANE S. BACRO
Notary Public - State of Florida
My Commission Expires Aug 15, 2003
Commission # CC6e3180

Diane S. Bacro
SEAL & Notary Public
Personally Known X OR Produced Identification
Type of Identification Produced

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION NOTICE OF PUBLIC MEETING CPV GULFCOAST LTD. POWER PROJECT

The Department of Environmental Protection gives notice that a public meeting to which all persons are invited will be held regarding the Department's intent to issue an Air Construction permit to CPV Gulfcoast, Ltd., to construct a nominal 245 megawatt (MW) combined cycle (74.9 MW steam cycle) electrical power generating plant near Piney Point in Manatee County, Florida. The permitting action is subject to the Department's rules for the Prevention of Significant Deterioration of Air Quality (PSD) and Best Available Control Technology (BACT).

The meeting will be held at 7:00 p.m., Monday, January 8, 2001, at Blackburn Elementary School, in the Cafetorium, 3904 17th Street East, Palmetto, Florida. Department staff will be available from 6:00 p.m. to 7:00 p.m. to discuss the proposed permit on an informal basis. CPV Gulfcoast Limited also will have representatives present to discuss the project from 6:00 pm to 7:00 p.m. Beginning at 7:00 p.m., the Department will accept oral and written public comments and provide the status of the Department's intent to issue an air Construction Permit.

The Public Notice of Intent to issue an Air Construction Permit was published in the Bradenton Herald on November 25, 2000 and the First Notice of Public Meeting was published on December 5. The public meeting was requested pursuant to the procedures described in the Public Notice. A copy of the agenda and the Department's proposed permit and supporting documents are available for review during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

Department of
Environmental Protection
Bureau of Air Regulation
111 South Magnolia Drive,
Suite 4
Tallahassee, Fl 32301
Telephone:(850) 488-0114
Fax: (850) 922-6979

Department of
Environmental Protection
Southwest District Office
3804 Coconut Palm Drive
Tampa, FL 33619-8218
Telephone:(813) 744-6100
Fax: (813) 744-6084

The Department's technical evaluations and Draft Permit can be viewed at www.dep.state.fl.us/air/permitting.htmby clicking on Utility and Other Facility permits.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodation to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting the Personnel Service Specialist in the Bureau of Personnel at (850) 488-2996 If you are speech or hearing impaired, please contact the agency by call (800) 955-8771 (TDD).
1/5/01

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
SECOND NOTICE OF PUBLIC MEETING
CPV GULFCOAST LTD. POWER PROJECT

The Department of Environmental Protection gives a second notice that a public meeting to which all persons are invited will be held regarding the Department's Intent to Issue an Air Construction Permit to CPV Gulfcoast, Ltd., to construct a nominal 245 megawatt (MW) combined cycle (74.9 MW steam cycle) electrical power generating plant near Piney Point in Manatee County, Florida. The permitting action is subject to the Department's rules for the Prevention of Significant Deterioration of Air Quality (PSD) and Best Available Control Technology (BACT).

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Telephone: (850) 488-1344
Fax: (850) 922-6979

Department of Environmental Protection
Southwest District Office
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Adams, Patty

From: Linero, Alvaro
Sent: Saturday, December 16, 2000 8:35 PM
To: Adams, Patty
Cc: Fancy, Clair; Ladner, Kysandra; Rogers, Tom; Holladay, Cleve; Carlson, Chris; Beason, Doug; Goorland, Scott
Subject: CPV-Gulfcoast Public Meeting

Patty. Please get the attached notice published in the Bradenton Herald on Friday, January 5th. This is the second publication in local newspaper and is in addition to the FAW Notice we will publish. Please send this notice to the Chair of the County Commission, the County Administrator, and the head of the Manatee County Environmental Program, Dr. Karen Collins (I think).

To cc list: Clair will chair this meeting. I will handle BACT and permitting questions. Right now I think Chris will handle modeling issues, but we may need help from Cleve or Tom. Sandy - if you are available, we can sure use your help.

Doug or Scott. The original Intent Notice was published on November 25 so the 14 day period is up. I'll let you know if we need help. However, if you think we need help, feel free to come. I can tell you that Cathy Sellers of Moyle, Flanagan is quite invoived and I would feel more comfortable having at least some legal presence.

This meeting was requested by CPV because they did not want to run the risk of having a member of the public request it on Day 30 and then taking another 30+ days to hold it. There may be very little interest in this meeting. On the other hand, there are groups in Manatee County that are very interested in what goes on in their county.

Thank you. Al Linero.

COST $145.84

BRADENTON HERALD

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prev ~~$ 103.84~~ $145.84

Patty

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The Public Notice of Intent to Issue an Air Construction Per[...] was published [...] Bradenton [...]mber 25, [...]st Notice [...]ng was [...]mber 5, [...]ng was [...]t to the [...]bed in [...] copy [...]d the [...]posed [...]orting [...]lable [...]rmal [...]a.m. [...]onday [...]day, except legal holidays, at:

Department of Environmental Protection
Bureau of Air Regulation
111 South Magnolia Drive, Suite 4
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contacting the Personnel Service Specialist in the Bureau of Personnel at (850) 488-2996. If you are speech or hearing impaired, please contact the agency by call (800) 955-8771 (TDD).
1/5/01

FAW NOTICE COVER SHEET

DATE RECEIVED BY OGC: _____

DATE TO BE FILED: December 20, 2000

DATE TO BE PUBLISHED IN THE FAW: December 29, 2000

1. Person Originating Notice: Al Linero

2. Subject of Notice: Public Meeting

3. Type of Notice:

____ Rulemaking 120.54, F.S.
____ Rulemaking 403.8055, F.S.
__X__ Workshop **PCC REVIEW**
____ Variance 120.542, F.S
____ Variance 403.201, F.S. **(Date)**
____ Receipt of Rule Petition 120.54(7). F.A.C.
____ Declaratory Statement 120.565, F.S.
____ Other

4. Explain need: _____

_____

_____

5. Comments: _____

_____

_____

APPROVALS:

DIVISION DIRECTOR: _____

OGC ATTORNEY: _____

DEPUTY GENERAL COUNSEL: _____

\\TLH_BDG1\USERS\LONG_M\RULES\FORMS\FAWCOV.DOC
11/97

MEMORANDUM

TO: Liz Cloud, Chief, Bureau of Administrative Code

DATE: December 20, 2000

SUBJECT: Notice to be Published in F. A. W.

Agency's Title No.: 62

PLEASE PUBLISH THE ATTACHED NOTICE IN THE December 29, 2000 ISSUE OF THE FLORIDA ADMINISTRATIVE WEEKLY.

____ Rule Development	__X__ Meeting/Workshop/Hearing
____ Proposed Rule	____ Declaratory Statement
____ Notice of Change\Withdrawal	____ Bid\Request for Proposal
____ Emergency Rule	____ Miscellaneous

LIST OF FILES ON DISK: FAWNOT

**** Name and Phone Number of Person to be contacted regarding the attached notice: Al Linero 921-9523**

****

BILLING INFORMATION

The invoice for cost of publication should be sent to:
(please fill out complete address)

Department: Department of Environmental Protection

Division\Bureau: Division of Air Resources Management

Contact Person: Al Linero

Address: 2600 Blair Stone Road, M.S. 5505, Tallahassee, FL 32399-2400

Phone No.: (850) 488-0114

Purchase Order No.: 300035

****

*THIS SECTION TO BE COMPLETED BY THE BUREAU OF ADMINISTRATIVE CODE

FAW FILE NAME _____ lines per notice _____

****

\\TLH_BDG1\USERS\LONG_M\RULES\FORMS\FAWFRM.DOC 11/97

NOTICE OF PUBLIC MEETING

The Department of Environmental Protection announces a public meeting to which all persons are invited:

DATE AND TIME: April 19, 2000 - 7:00 - 9:00 p.m.

PLACE: DeSoto County Administrative Building, 201 East Oak Street, Room 103, Arcadia Florida

PURPOSE: To accept public comments and provide status of Department's Intent to Issue an Air Construction Permit to IPS Avon Park Corporation to construct three 170 megawatt simple cycle combustion turbine-electrical generators East of Arcadia in unincorporated DeSoto County, Florida. The permitting action is subject to the Department's rules for the Prevention of Significant Deterioration of Air Quality and Best Available Control Technology (BACT).

A copy of the agenda and the Department's proposed permit and supporting documents can be obtained by contacting: Al Linero, Department of Environmental Protection at 2600 Blair Stone Road - MS 5505, Tallahassee, Florida 32399, phone (850)921-9529, or by phoning the Bureau of Air Regulation's New Source Review Section at (850)921-9533.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by

contacting the Personnel Service Specialist in the Bureau of Personnel at (850)488-2996. If you are hearing or speech impaired, please contact the agency by calling (800)955-8771 (TDD).

MANATEE COUNTY

BOARD OF COUNTY COMMISSIONERS

December 14, 2000

RECEIVED

DEC 18 2000

BUREAU OF AIR REGULATION

C. H. Fancy, P.E., Chief
FL Dept. of Environmental Protection
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, FL 32399-2400

RE: **DEP File No. 0810194-001-AC (PSC-FL-300)**
CPV Gulfcoast Power Generating Facility
245 Megawatt Combined Cycle Power Project

Dear Mr. Fancy:

After reading a copy of the public notice of intent to issue an air construction permit in Manatee County, I'd like to have every consideration given to my concerns:

1) Property to be used by this plant under the permit conditions has not been approved by the Manatee County Board of County Commissioners.

2) Manatee County has a power plant that supplies power and any new power plant should be stipulated to reduce pollution in our county/region by ensuring power production from this plant offsets power production from TECO, Big Bend or FPL Parrish Plant.

3) The air permit should take into consideration that the Tampa Bay region has the worst air pollution from power plants and additional power plants will only increase pollution unless the plant offsets existing pollution generated.

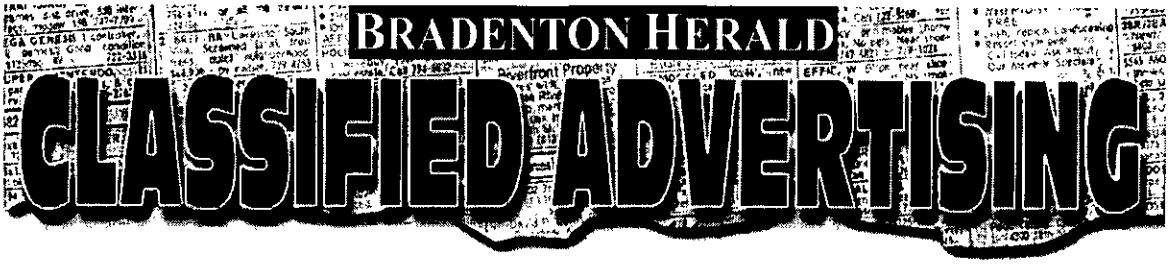
4) This permit is contrary to Tampa Bay National Estuary program goals to reduce nitrogen loading in Tampa Bay.

Thank you in advance for considering my concerns when making your deliberations.

Sincerely,

JOE McCLASH
Chairman

P.O. Box 1000, Bradenton, Florida 34206 • Fax (941)745-3790 • Ph. (941)745-3700



Legal Advertising Memo Bill

Order Information					
Order #:	130518892	Class:	4995	P.O. #:	
Phone:	(941) 746-0828	Start Date:	12/05/2000	Rate:	LE
Account:	H302550	Stop Date:	12/05/2000	Charges:	$ 0.00
Name:	Beebe, Larry	Insertions:	1	Net Price:	$ 137.52
Firm:	CPV Gulfscoast, Ltd.	Lines:	122	Payments:	$ 0.00
Run-dates:	12/5 1x	Inches:	11.892	Balance:	$ 137.52

Text

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION NOTICE OF PUBLIC MEETING CPV GULFCOAST LTD. POWER PROJECT The Department of Environmental Protection gives notice that a public meeting to which all persons are invited will be held regarding the

102 Manatee Avenue West
Bradenton, FL 34205
Classified Dept. (941) 746-SELL (7355)
Classified Legal and Official Advertising (941) 745-7064
Fax: (941) 745-7090 E-mail: bhclassified@bradentonherald.com

BRADENTON HERALD

www.bradenton.com
P.O. Box 921
Bradenton, FL 34206-0921
102 Manatee Avenue West
Bradenton, FL 34205-8894
941/745-7064

RECEIVED

DEC 12 2000

BUREAU OF AIR REGULATION

Bradenton Herald
Published Daily
Bradenton, Manatee, Florida

STATE OF FLORIDA
COUNTY OF MANATEE;

Before the undersigned authority personally appeared Sheila Dalesio, who on oath says that she is a Legal Advertising Representative of the Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida; that the attached copy of the advertisement, being a Legal Advertisement in the matter of NOTICE OF PUBLIC MEETING in the Court, was published in said newspaper in the issues of DECEMBER 5, 2000.

Affiant further says that the said publication is a newspaper published at Bradenton, in said Manatee County, Florida, and that the said newspaper has heretofore been continuously published in said Manatee County, Florida, each day and has been entered as second-class mail matter at the post office in Bradenton, in said Manatee County, Florida for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sheila Dalesio
(Signature of Affiant)

Sworn to and subscribed before me this
10th Day of December, 2000

DIANE S. BACRO
Notary Public - State of Florida
My Commission Expires
Commission #

Diane S. Bacro
SEAL & Notary Public

Personally Known X OR Produced Identification ____
Type of Identification Produced ____

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION NOTICE OF PUBLIC MEETING CPV GULFCOAST LTD. POWER PROJECT

The Department of Environmental Protection gives notice that a public meeting to which all persons are invited will be held regarding the Department's Intent to issue an Air Construction permit to CPV Gulfcoast, Ltd., to construct a nominal 245 megawatt (MW) combined cycle (74.9 MW steam cycle) electrical power generating plant near Piney Point in Manatee County, Florida. The permitting action is subject to the Department's rules for the Prevention of significant Deterioration of Air Quality (PSD) and Best Available Control Technology (BACT).

The meeting will be held at **7:00 p.m., Monday, January 8, 2001, at Blackburn Elementary School,** in the Cafetorium, 3904 17th Street East, Palmetto, Florida. Department staff will be available from 6:00 p.m. to 7:00 p.m. to discuss the proposed permit on an informal basis. CPV Gulfcoast Limited also will have representatives present to discuss the project from 6:00 pm to 7:00 p.m. Beginning at 7:00 p.m., the Department will accept oral and written public comments and provide the status of the Department's Intent to Issue an air Construction Permit.

The Public Notice of Intent to Issue an Air Construction Permit was published in the Bradenton Herald on November 25, 2000. The public meeting was requested pursuant to the procedures described in the Public Notice. A copy of the agenda and the Department's proposed permit and supporting documents are available for review during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

Department of Environmental Protection
Bureau of Air Regulation
111 South Magnolia Drive, Suite 4
Tallahassee, Fl 32301
Telephone:(850) 488-0114
Fax: (850) 922-6979

Department of Environmental Protection
Southwest District Office
3804 Coconut Palm Drive
Tampa, Fl. 33619-8218
Telephone:(813) 744-6100
Fax: (813) 744-6084

The Department's technical evaluations and Draft Permit can be viewed at www.dep.state.fl.us/air/permitting.htmby clicking on Utility and Other Facility permits.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodation to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting the Personnel Service Specialist in the Bureau of Personnel at (850) 488-2996. If you are speech or hearing impaired, please contact the agency by call (800) 955-8771 (TDD).
12/5/00

The Law Offices of
MOYLE
FLANIGAN
KATZ
RAYMOND
&SHEEHAN
P.A.

THE PERKINS HOUSE
118 NORTH GADSDEN STREET
TALLAHASSEE, FLORIDA 32301

TELEPHONE (850) 681-3828
FACSIMILE (850) 681-8788

West Palm Beach Office
Telephone (561) 659-7500
Facsimile (561) 659-1789

PETER L. BRETON
JOHN R. EUBANKS, JR.
JOHN F. FLANIGAN
MYRA GENDEL
MARTIN V. KATZ
PAUL A. KRASKER
JON C. MOYLE
JON C. MOYLE, JR.
MARSHALL J. OSOFSKY
MARK E. RAYMOND
CATHY M. SELLERS
THOMAS A. SHEEHAN, III
ROBERT J. SNIFFEN
MARTA M. SUAREZ-MURIAS
WILTON L. WHITE
BRIAN L. WOLINETZ

OF COUNSEL:
THOMAS A. HICKEY
WILLIAM J. PAYNE

VIA HAND DELIVERY

November 28, 2000

Mr. A. A. Linero
Administrator,
New Source Review Section
Bureau of Air Regulation
Department of Environmental Protection

Re: Proof of Publication of Public Notice of Intent to Issue Air Construction Permit
DEP File No. 0810194-001-AC and PSD-FL-300

Dear Mr. Linero:

Please find attached the Proof of Publication of the Public Notice of Intent to Issue Air Construction Permit, for the above-referenced file, for the CPV Gulfcoast Power Generating Facility..

Please call me if you have any questions.

Sincerely,

Cathy M. Sellers

cc: Sean Finnerty (w/out enclosure)
Mark Barnebey (w/out enclosure)
Jon C. Moyle (w/out enclosure)

BRADENTON HERALD

www.bradenton.com
P.O. Box 921
Bradenton, FL 34206-0921
102 Manatee Avenue West
Bradenton, FL 34205-8894
941/748-0411 ext. 7065

Bradenton Herald
Published Daily
Bradenton, Manatee, Florida

STATE OF FLORIDA
COUNTY OF MANATEE;

Before the undersigned authority personally appeared Sandy Riley, who on oath says that she is a Legal Advertising Representative of the Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida; that the attached copy of the advertisement, being a Legal Advertisement in the matter of PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT in the Court, was published in said newspaper in the issues of 11/25/00.
Affiant further says that the said publication is a newspaper published at Bradenton, in said Manatee County, Florida, and that the said newspaper has heretofore been continuously published in said Manatee County, Florida, each day and has been entered as second-class mail matter at the post office in Bradenton, in said Manatee County, Florida for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sandy Riley
(Signature of Affiant)

Sworn to and subscribed before me this
27th Day of November, 2000

DIANE S. BACRO
Notary Public - State of Florida
My Commission Expires Aug 15, 2003
Commission # CC863180

Diane S. Bacro
SEAL & Notary Public
Personally Known X OR Produced Identification_____
Type of Identification Produced_____

PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

DEP File No. 0810194-001-AC and PSD-FL-300

CPV Gulfcoast Power Generating Facility 245 Megawatt Combined Cycle Power Project

Manatee County

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit to CPV Gulfcoast Ltd. The permit is to construct nominal 245 megawatt (MW) combined cycle electrical power generating plant near Piney Point in Manatee County. A Best Available Control Technology (BACT) determination was required pursuant to Rule 62-212.400, F.A.C., Prevention of Significant Deterioration of Air Quality (PSD), for emissions of particulate matter (PM/PM 10) carbon monoxide (CO), sulfur dioxide (SO2), sulfuric acid mist, and nitrogen oxides (NOx). A maximum achievable control technology (MACT) determination for hazardous air pollutants was not required. The applicant's name and address are: CPV Gulfcoast Ltd., 45 Bristol Road, Suite 101, Easton, MA 02375.

The project consists of a nominal 170 MW General Electric 7FA combustion turbine-electrical generator, an unfired heat recovery steam generator capable of raising sufficient steam to generate another (maximum) 74.9 MW from a steam-electrical generator; a 150-foot stack; a mechanical draft cooling tower; a 1.0 million gallon fuel oil storage tank; and other ancillary equipment. Back-up distillate fuel oil will be burned for a maximum of 720 hours per year.

NOx emissions will be controlled by selective catalytic reduction (SCR) to achieve 3.5 parts per million by volume, dry, at 15 percent oxygen (ppmvd) while burning gas and 10 ppmvd while burning low sulfur distillate fuel oil. Emissions of CO will be controlled to 9 and 20 ppmvd while burning gas and fuel oil respectively. Emissions of PM/PM 10, SO2, sulfuric acid mist, volatile organic compounds, hazardous air pollutants (HAP), and will be controlled to very low levels by good combustion and use of inherently clean pipeline quality natural gas and low sulfur (0.05 percent) distillate fuel oil. Ammonia emissions generated due to NOx control will be limited to 5 ppmvd.

The following table summarizes the maximum emissions (in tons per year) of regulated air pollutants as a result of this project.

POLLUTANTS	MAXIMUM POTENTIAL EMISSIONS	PSD Significant Emission Rate
PM/PM 10	102	25/15
Sulfuric acid mist	12	7
SO 2	76	40
NO x	126	100
VOC	15	40
CO	227	100
HAP	8	NA

An air quality impact analysis was conducted. Maximum impacts due to proposed emissions from the project are less than the applicable PSD Class II significant impact levels for all applicable pollutants. Therefore, no increment consumption analysis was required. Emissions from the facility will not cause or contribute to a violation of any state or federal ambient air quality standards. The project has no significant impact on the PSD Class I Chassahowitzka National Wilderness Area.

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

The Department will accept written comments and requests for a public meeting concerning the proposed permit issuance action for a period of thirty (30) days from the date of publication of "Public Notice of Intent to Issue Air Construction Permit." Written comments should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, FL 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the proposed permit and require, if applicable, another Public Notice.

This project is not subject to Chapter 403, Sections 403.501-518, "Florida Electrical Power Plant Siting Act", because the steam (electrical) generating capacity is less than 75 MW.

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

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57 of the 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 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under sections 120.60(3) of the Florida statutes 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), however, any person who asked the Department for notice of agency action may file a petition within fourteen days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205 of the Florida Administrative Code.

A petition that disputes the material facts on which the Department's action is based must contain the following information, (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner, the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination, (c) A statement of how and when petitioner received notice of the agency action or proposed action; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) a concise statement of the ultimate facts alleged, 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; (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts upon which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

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

Dept. of Environmental Protection Bureau of Air Regulation
111 S. Magnolia Drive,Ste4
Tallahassee, FL 32301
Ph. (850)488-1344
Fax. (850) 922-6979

Dept. of Environmental Protection Southwest District Office
3804 Coconut Drive
Tampa, FL 33619-8218
Ph. (813) 744-6100

Manatee County Environment Management Department
202 Sixth Ave. E.
Bradenton, FL 34208
Ph (941) 742-5980
Fax: 941-742-5996

The complete project file includes the application, technical evaluations, Draft Permit, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Administrator, New Resource Review Section at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/488-0114, for additional information. The Department's technical evaluations and Draft Permit can be viewed at www.dep.state.fl.us/air/permitting.htm by clicking on "Utility and Other Facility Permits.

11/25/00

Department of Environmental Protection

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

Jeb Bush
Governor

David B. Struhs
Secretary

November 27, 2000

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Gary Lambert, Executive Vice President
CPV Gulfcoast, Ltd
45 Bristol Road, Suite 101
Easton, MA 023750

Re: DEP File No. 0810194-001-AC (PSD-FL-300)
CPV Gulfcoast Power Generating Facility
245 Megawatt Combined Cycle Power Project

Dear Mr. Lambert:

Enclosed is a replacement page 17 for the draft permit we sent you on November 17, 2000. Please replace the original version.

We acknowledge the verbal request by CPV Gulfcoast for a public meeting and will schedule one for the second week of January 2001.

If you have any questions, please call me at 850/921-9523.

Sincerely,

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

AAL/al

Enclosure

Cc: Gregg Worley, EPA
John Bunyak, NPS
Bill Thomas, DEP SWD
Marion Forthoffer, Manatee County EMD
Scott Sumner, P.E., TRC
Cathy Sellers, Esq., Moyle Flanigan

7099 3400 0000 1453 3525

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

Article Sent To:
Mr. Gary Lambert, Exe. V.P.

Postage	$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$

CPV Gulfcoast

Postmark Here

Name (Please Print Clearly) (to be completed by mailer)
Mr. Gary Lambert
Street, Apt. No., or PO Box No.
45 Bristol Road, Suite 101
City, State, ZIP+4
Easton, MA 02375

PS Form 3800, July 1999 — See Reverse for Instructions

SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
Mr. Gary Lambert, Exe. V.P.
CPV Gulfcoast, Ltd
45 Bristol Road, Suite 101
Easton, MA 02375

COMPLETE THIS SECTION ON DELIVERY

A. Received by *(Please Print Clearly)* | B. Date of Delivery 11-30

C. Signature
X
☐ Agent
☐ Addressee

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? *(Extra Fee)* ☐ Yes

2. Article Number *(Copy from service label)*
7099 3400 0000 1453 3525

PS Form 3811, July 1999 — Domestic Return Receipt — 102595-99-M-1789

48. Fuel Oil Monitoring Schedule: The following monitoring schedule for No. 2 or superior grade fuel oil shall be followed: For all bulk shipments of No. 2 fuel oil received at this facility an analysis which reports the sulfur content and nitrogen content of the fuel shall be provided by the fuel vendor. The analysis shall also specify the methods by which the analyses were conducted and shall comply with the requirements of 40 CFR 60.335(d).

49. Selective Catalytic Reduction (SCR) System

The SCR shall operate at all times that the turbine is operating, except during turbine start-up and shutdown periods, as dictated by the manufacturer's guidelines and in accordance with this permit. During turbine start-up, permittee shall begin use of SCR (i.e., commence ammonia injection) as soon as possible and within two (2) hours of the initial turbine firing or when the temperature of the catalyst bed reaches a suitable predetermined temperature level, whichever occurs first. During turbine shutdown, permittee shall discontinue use of the SCR (i.e., discontinue ammonia injection) when the catalyst bed temperature drops below the predetermined temperature levels, but no more than one hour prior to the time at which the fuel feed to the turbine is discontinued. Suitable temperature for activation and deactivation of the SCR shall be established during performance testing. The permittee shall, whenever possible, operate the facility in a manner so as to optimize the effectiveness of the SCR unit while minimizing ammonia slip to below the emission limit.

50. Ammonia Stack Tests and Injection

- An initial and quarterly stack emission test for ammonia shall be conducted for natural gas and fuel oil firing. The initial and annual (one of the four quarters) NO_X and ammonia stack tests shall be conducted at four points within the operating range of the combustion turbine. The ammonia injection rate necessary to comply with the NO_X standard for each test load, shall be established.
- The permittee shall install and operate an ammonia flow meter to measure and record the ammonia injection rate to the SCR system. It shall be maintained and calibrated according to the manufacturer's specifications.

51. Continuous Compliance with the 74.9 MW Steam Power Generated Limitation:

Electrical power from the steam-electrical generator shall be limited to 74.9 MW on an hourly basis. CPV shall be capable of demonstrating to the Department, continuous compliance with the 74.9 MW limit by the stored information in the power plant's electronic data system.