

Florida Department of  
Environmental Protection

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Memorandum

TO: Trina Vielhauer, Bureau of Air Regulation  
THROUGH Jeff Koerner, New Source Review Section *JK*  
FROM: Bruce Mitchell, New Source Review Section *RM*  
DATE: December 18, 2009  
SUBJECT: Authorization Letter for Excess Emissions During Dry Low-NOx (DLN) Tuning  
Project No. 0850001-023-AC  
Florida Power & Light Company's (FP&L) Martin Power Plant  
Combustion Turbine No. 3B

Attached for your review is a letter authorizing excess emissions to FP&L while conducting DLN tuning on combustion turbine 3B at the FP&L Martin Power Plant. The tuning is recommended by the manufacturer following a major overhaul. Excess emissions will not exceed 12 hours for the duration of the DLN tuning. FP&L wants to conduct the tuning beginning no sooner than December 21, 2009. Similar requests have been granted for other units at both the FP&L Martin and Sanford Power Plants. I recommend your approval and signature of the attached authorization letter.

Attachments



# Florida Department of Environmental Protection

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

Charlie Crist  
Governor

Jeff Kottkamp  
Lt. Governor

Michael W. Sole  
Secretary

December 18, 2009

*Electronically Sent – Received Receipt Requested*

Mr. William Reichel, Plant General Manager  
Florida Power & Light Company – Martin Plant  
Post Office Box 176  
Indiantown, Florida 34956-0176

Re: Florida Power & Light Company (FP&L) Martin Plant  
Project No. 0850001-023-AC  
Combined Cycle Combustion Turbine 3B – Excess Emissions Authorization For Dry Low-NOx  
Tuning

Dear Mr. Reichel:

The Department has reviewed your request received by e-mail December 18, 2009, for authorization of excess emissions while conducting Dry Low-NOx (DLN) tuning on combustion turbine 3B, which is recommended by the equipment manufacturer following a major overhaul. The DLN tuning is scheduled to occur no sooner than December 21, 2009. Similar requests have previously been granted for other units at both the FP&L Martin and Sanford Plants. The Department authorizes excess emissions due to DLN tuning provided:

- The operator adheres to best operational practices to minimize emissions;
- The operator minimizes the duration of excess emissions, which shall not exceed 12 hours for the duration of DLN tuning;
- The operator notifies the Department's Southeast District Office for each day that DLN tuning is performed; and,
- The owner or operator submits a report summarizing the hourly NOx emissions during the DLN tuning.

Nothing in this action waives any federal requirements of the applicable New Source Performance Standards (NSPS) for this unit.

The Department will consider the above-noted action final unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, of the Florida Statutes (F.S.). Mediation under Section 120.573, F.S., will not be available for this proposed action.

A person whose substantial interests are affected by the proposed decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Department's Office of General Counsel, MS #35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000. Petitions filed by the applicant or any of the parties listed below must be filed within 14 (fourteen) days of receipt of this notice. Petitions filed by any other person must be filed within 14 (fourteen) days of receipt of this proposed action. A petitioner must mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under

Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the 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 each petitioner received notice of the agency action or proposed action; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and, (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

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

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the 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 permitting authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Any party to this order has the right to seek judicial review of it under Section 120.68, F.S., by the filing of a Notice of Appeal, under Rule 9.110 of the Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida, 32399-3000; and, by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within thirty days from the date this notice is filed with the Clerk of the permitting authority.

Executed in Tallahassee, Florida.



Trina L. Vielhauer, Chief  
Bureau of Air Regulation

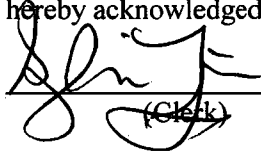
**CERTIFICATE OF SERVICE**

The undersigned duly designated deputy agency clerk hereby certifies that this authorization was sent by electronic mail (or a link to these documents made available electronically on a publicly accessible server) with received receipt requested before the close of business on 12/18/09 to the persons listed below.

Mr. William Reichel, Florida Power & Light Company: ([bill.reichel@fpl.com](mailto:bill.reichel@fpl.com))  
Ms. Mary Archer, Florida Power & Light Company: ([mary\\_archer@fpl.com](mailto:mary_archer@fpl.com))  
Mr. John Hampp, Florida Power & Light Company: ([john.hampp@fpl.com](mailto:john.hampp@fpl.com))  
Mr. Lennon Anderson, DEP Southeast Office: ([lennon.anderson@dep.state.fl.us](mailto:lennon.anderson@dep.state.fl.us))  
Ms. Vickie Gibson, DEP BAR Reading File: ([victoria.gibson@dep.state.fl.us](mailto:victoria.gibson@dep.state.fl.us))

Clerk Stamp

**FILING AND ACKNOWLEDGMENT FILED**, on this date, pursuant to §120.52(7), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

  
\_\_\_\_\_  
(Clerk)

12/18/09  
(Date)

## Livingston, Sylvia

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**From:** Livingston, Sylvia  
**Sent:** Friday, December 18, 2009 3:50 PM  
**To:** 'bill.reichel@fpl.com'  
**Cc:** 'mary\_archer@fpl.com'; 'john.hampp@fpl.com'; Anderson, Lennon; Gibson, Victoria; Mitchell, Bruce; Walker, Elizabeth (AIR)  
**Subject:** Authorization: Florida Power & Light - Martin Power Plant; 0850001-023-AC  
**Attachments:** 0850001-023-AC\_Authorization.pdf

Dear Sir/ Madam:

Attached is the official **Authorization** for the request referenced below. Click on the link displayed below to access the permit project documents and send a "reply" message verifying receipt of the document(s) provided in the link; this may be done by selecting "Reply" on the menu bar of your e-mail software, noting that you can view the documents, and then selecting "Send".

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**Owner/Company Name:** FLORIDA POWER and LIGHT (PMR)

**Facility Name:** MARTIN POWER PLANT

**Project Number:** 0850001-023-AC

**Permit Status:** FINAL

**Permit Activity:** CONSTRUCTION

**Facility County:** MARTIN

**Processor:** Bruce Mitchell

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

Sylvia Livingston  
Bureau of Air Regulation  
Division of Air Resource Management (DARM)  
850/921-9506  
[sylvia.livingston@dep.state.fl.us](mailto:sylvia.livingston@dep.state.fl.us)

Note: The attached document is in Adobe Portable Document Format (pdf). Adobe Acrobat Reader can be downloaded for free at the following internet site: <http://www.adobe.com/products/acrobat/readstep.html> .

## Livingston, Sylvania

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**From:** Livingston, Sylvania  
**Sent:** Wednesday, December 30, 2009 10:45 AM  
**To:** 'bill.reichel@fpl.com'  
**Subject:** FW: Authorization: Florida Power & Light - Martin Power Plant; 0850001-023-AC  
**Attachments:** 0850001-023-AC\_Authorization.pdf

Dear Mr. Reichel:

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Sylvia Livingston  
Bureau of Air Regulation  
Division of Air Resource Management (DARM)  
Department of Environmental Protection  
850/921-9506  
[sylvia.livingston@dep.state.fl.us](mailto:sylvia.livingston@dep.state.fl.us)

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**Owner/Company Name:** FLORIDA POWER and LIGHT (PMR)  
**Facility Name:** MARTIN POWER PLANT  
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## Livingston, Sylvia

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**From:** Reichel, Bill [Bill.Reichel@fpl.com]  
**Sent:** Monday, January 04, 2010 9:20 AM  
**To:** Livingston, Sylvia  
**Cc:** Welch, Willie  
**Subject:** RE: Authorization: Florida Power & Light - Martin Power Plant; 0850001-023-AC

Receipt confirmation. I was able to access the attached document.

Bill

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**From:** Livingston, Sylvia [mailto:Sylvia.Livingston@dep.state.fl.us]  
**Sent:** Wednesday, December 30, 2009 10:45 AM  
**To:** 'bill.reichel@fpl.com'  
**Subject:** FW: Authorization: Florida Power & Light - Martin Power Plant; 0850001-023-AC

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