



Jeb Bush  
Governor

# Department of Environmental Protection

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

Colleen M. Castille  
Secretary

April 20, 2005

## CERTIFIED MAIL

Mr. Miguel Arechabala, Plant General Manager  
Florida Power & Light - Martin Plant  
P.O. Box 176  
Indiantown, FL 34956-0176

Re: FPL Martin Power Plant  
Current Air Permit No. 0850001-007-AV  
Unit 4A – Excess Emissions Authorization for Rotor Repair

Dear Mr. Arechabala:

On April 18, 2005, the Department received your request for authorization of excess emissions resulting from Full Speed No Load (FSNL) testing to be conducted after rotor repair/replacements. General Electric requires FSNL testing after such maintenance as part of a break-in period that involves an extended period of startup to heat-soak and balance the rotor. During the required tests, CO and NO<sub>x</sub> levels may be higher than normal. The FSNL testing is currently scheduled to occur sometime during the period of April 26, 2005 through May 6, 2005. In accordance with Rule 62-210.700(5), F.A.C., the Department authorizes excess emissions due to FSNL testing following the rotor repair provided:

- The operator adheres to best operational practices to minimize emissions and the duration of excess emissions shall not exceed 15 hours for the entire period of FSNL testing.
- The operator notifies the Department's Southeast District Office of each day that FSNL testing is performed.
- Within 30 days of completing the FSNL tests, the owner or operator submits a report to the Department's Southeast District Office that summarizes the hourly NO<sub>x</sub> emissions during the FSNL testing.

Please note that the Department cannot vary any requirement of the NSPS Subpart GG provisions for the gas turbine.

This determination is issued pursuant to Chapter 403, Florida Statutes. A person whose substantial interests are affected by the proposed agency action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57 of the Florida Statutes (F.S.). The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida, 32399-3000. Petitions filed by the applicant or any of the parties listed below must be filed within fourteen (14) days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under section 120.60(3), F.S., must be filed within fourteen (14) days of publication of the public notice or within fourteen (14) days of receipt of this notice of intent, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Department for notice of agency action may file a petition within fourteen (14) 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

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

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Mr. Miguel Arechabala, Plant General Manager

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
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<b>Total Postage &amp; Fees</b>	<b>\$</b>

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**Sent To**  
Mr. Miguel Arechabala, Plant General Manager  
Street, Apt. No.; or PO Box No.  
P. O. Box 176  
City, State, ZIP+4  
Indiantown, Florida 34956-0176  
PS Form 3800, May 2000 See Reverse for Instructions

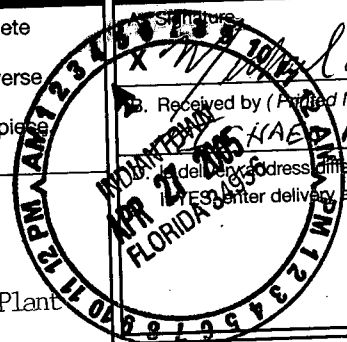
**SENDER: COMPLETE THIS SECTION**

- 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. Miguel Arechabala  
Plant General Manager  
Florida Power & Light - Martin Plant  
P.O. Box 176  
Indiantown, Florida 34956-0176

**COMPLETE THIS SECTION ON DELIVERY**



Received by (Printed Name) *Miguel Arechabala*  Agent  Addressee  
C. Date of Delivery *4-27-05*  
Delivered to address different from item 1?  Yes  No  
Enter delivery address below:  No

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
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4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number  
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waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205 of the Florida Administrative Code (F.A.C.) A petition that disputes the material facts on which the 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, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (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.

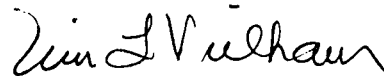
A petition that does not dispute the material facts upon which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C. Because the administrative hearing process is designed 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 Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above. Mediation is not available in this proceeding.

This determination is final and effective on the date filed with the clerk of the Department unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition pursuant to Rule 62-110.106, F.A.C., and the petition conforms to the content requirements of Rules 28-106.201 and 28-106.301, F.A.C. Upon timely filing of a petition or a request for extension of time, this action will not be effective until further order of the Department.

Any party to this order has the right to seek judicial review of it under Section 120.68, F.S., by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department of Environmental Protection in the Office of General Counsel, Mail Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The notice must be filed within thirty (30) days after this order is filed with the clerk of the Department.

If you have any questions regarding this matter, please contact Jeff Koerner at 850/921-9536.

Executed in Tallahassee, Florida.



Trina Vielhauer, Chief  
Bureau of Air Regulation

cc: Mr. John C. Hampp, FPL  
Mr. Darrel Graziani, SED  
Mr. Gregg Worley, EPA Region 4