



The *Reliable One*®

December 4, 2009

Mr. Jonathan Holtom
Florida Department of Environmental Protection
2600 Blairstone Road
Tallahassee, FL 32399-2400

Re: OUC STANTON ENERGY CENTER
TITLE V PERMIT RENEWAL (PERMIT NO. 0950137-027-AV)
COMMENT LETTER REGARDING DRAFT/PROPOSED PERMIT

Dear Mr. Holtom:

Orlando Utilities Commission (OUC) received the above-referenced Draft/Proposed Title V Permit Renewal on October 26, 2009. The public notice for this proposed permit was published on November 7, 2009, and proof of publication has been provided to the Department. OUC has filed a request for an extension of time in which to petition for an administrative hearing. The request for an extension of time was granted through December 7, 2009. Therefore, shortly after the Department has received this comment letter, OUC intends to discuss these comments with the Department in an effort to reach agreement on the issues outlined in this letter.

Condition A.1: In the proposed permit, the Department has removed the existing heat input permitting note which expressly states that the heat input value was incorporated into the permit for the purpose of establishing maximum capacity of the unit and was not intended to be a continuous limit subject to compliance and enforcement. By removing the note, the Department now implies that the heat input value is a limit not to be exceeded. OUC believes that the history of this issue demonstrates that the heat input value was not intended as a limit and requests continued inclusion of the existing permitting note. If the Department continues to believe the existing permit note should not be included, at a minimum, a clear method for measuring compliance would need to be included as a permitting note in the Title V permit. Language such as the following would need to be included in the new permitting note:

The maximum heat input rate for Units 1 and 2 is 4,286 mmBtu/hr based on a 24-hour block average (midnight to midnight). Compliance shall be demonstrated by collecting average fuel feed rates and fuel heating values as appropriate.

While OUC does not concede that the existing permit note should be removed, OUC would like to discuss with the Department the alternative possibility of including a permitting note such as this that outlines an appropriate compliance measurement method.

ORLANDO UTILITIES COMMISSION

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Condition A.22.b: The reference to specific condition a.31(1) should be to specific condition A.22(a).

Condition A.25: Reference Method 3B should be added to this table for determination of O₂ or CO₂.

Condition A.28: This is a new condition that requires additional testing prior to each TV renewal. Condition A.27 already imposes annual testing requirements for the criteria pollutants which are currently continuously monitored. Condition A.28 adds requirements for testing of VOCs, SAM, mercury, beryllium, lead and fluoride. The initial air construction permit that imposed these testing requirements indicated that these were one-time tests, necessary to demonstrate initial compliance. Therefore, this condition should be deleted. Upon further review, if the Department is convinced that this is an applicable requirement, these conditions should only apply to Unit 2.

Conditions B10-B13: The auxiliary boiler is limited to no more than 150 hours per year of operation. Since Conditions B.10 – B.13 are dependent on the unit operating in excess of 400 hours per year, these requirements will never be triggered and should be deleted.

List of Unregulated Emission Units and/or Activities: It doesn't appear that the new emergency generator recently amended to the PPSA for the Stanton A combined cycle power block is listed in the Draft/Proposed Title V Permit. This new nominal 500 kW emergency generator was noted as an amendment by letter dated May 14, 2009 and did not require modification to the Conditions of Certification for the facility. The new emergency generator is subject to 40 CFR 60 IIII and 40 CFR 63 ZZZZ. There are no applicable requirements other than a notice to the Department and certification by the manufacturer, which have been submitted. OUC understands that this will necessitate the inclusion of the following appendices to the current Draft/Proposed TV permit: Appendix ICE, Appendix NSPS Subpart IIII, Appendix NESHAP Subpart A, and Appendix NESHAP Subpart ZZZZ.

General Note: Please replace the Southern Company contract Robert Schaffeld with Susan Comensky (SCOMENSK@southernco.com) on future correspondence for the Stanton A Combined Cycle Unit.

If you should have any questions, please contact me at 407-423-9168.

Sincerely,



Denise M. Stalls

Vice President of Environmental Affairs