



October 27, 1997

Mr. Scott M. Sheplak, P.E.
Bureau of Air Regulation
Florida Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Re: Florida Power Corporation, Higgins Power Plant
DRAFT Title V Permit No. 1030012-001-AV

Dear Mr. Sheplak:

On behalf of Florida Power Corporation (FPC), attached are comments regarding the DRAFT Title V permit for the Higgins Power Plant as identified above. FPC appreciates the Department's efforts in processing this permit and understands the need to resolve these issues in as timely a manner as possible. In this regard, DEP agreed to grant FPC's Request for Extension of Time to file a Petition for Administrative Hearing until November 6, 1997. If we are unable to reach a resolution of these comments by this time, we would appreciate the opportunity to file a second Request for Extension of Time. Accordingly, please contact me at (813) 866-5158 as soon as you have had a chance to review these comments to set up either a telephone or in-person conference. Thank you again for your consideration of our comments.

Sincerely,

Scott Osbourn,
Senior Environmental Engineer

cc: Clair Fancy, P.E., DEP
Ken Kosky, P.E., Golder Associates
Robert Manning, HGS&S

10/29/97 cc: Scott Sheplak
Charles Fogar

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BUREAU OF
AIR REGULATION

FLORIDA POWER CORPORATION
COMMENTS ON DRAFT TITLE V PERMIT
HIGGINS POWER PLANT

General Comments

1. FPC understands that Appendix TV-1, Title V Conditions, is being revised. FPC request that its Title V permit reflect the most up-to-date version of this Appendix.

2. FPC understands that DEP will publish the Intent to Issue Title V Air Operation Permit. Because the applicant is ultimately responsible for the publication of the Intent to Issue, FPC requests that DEP provide a copy of the Notice intended to be published, as well as proof of publication.

Referenced attachments made part of this permit:

1. Following the reference to document ASP Number 97-B-01, a reference should also be made to the Order Correcting Scrivener's Error, dated July 2, 1997.

2. The reference to Figure 1 - Summary Report-Gaseous and Opacity Excess Emission and Monitoring System Performance Report should be deleted because there are no CEMs at this plant and the units are not subject to 40 CFR Part 60.

Section II., Facility-wide Conditions.

1. Condition 2. The word "not" was apparently inadvertently added, and should be deleted from, the second line of this Condition.

2. Condition 3. For clarity and to make this Condition specific to FPC's Higgins Power Plant, FPC requests that Condition 2. be edited as follows:

~~Except as otherwise provided in this permit for emissions units that are subject to a particulate matter or opacity limit set forth or established by rule and reflected by conditions in this permit, no person shall cause~~

Also, for clarification and because the reference to Chapter 62-297 in the last sentence of Condition 3. appears to be misplaced, FPC requests Condition 3. be edited as follows: "For purposes of this Condition, EPA Method 9 is the method of compliance pursuant to Chapter 62-297, F.A.G."

3. Condition 6. In the context of this permit, how does DEP intend to respond to EPA's comments regarding the need to change the phrase "exempt" to "insignificant"?

4. Condition 7. For clarity, FPC requests that the first sentence of this Condition be edited as follows: "The permittee shall not allow no person to store, pump," Also, because this condition is not included in Florida's SIP (based on our research), and to be consistent with other permits issued by DEP, this condition should be marked as "Not Federally Enforceable."

5. Condition 9. FPC requests more specific authority citation for this Condition.

6. Condition 12. On line 2 of this Condition, the phrase "presently located at the Anclote Power Plant" should be deleted.

Section III. Subsection A.

1. In the first line of the description, the reference to the Florida Administrative Code appears to be misplaced, and therefore FPC requests that this sentence be revised as follows: "~~Pursuant to Rule 62-210.300(2)(a)3.d., F.A.C.,~~ SG 2, SG 3, and SG 4 were placed on "Long Term"

2. Condition A.1. Under paragraph (a), FPC requests the correction of an apparent typographical error as follows: ". . . new No. 6 or lighter grades of fuel oils, and"

Paragraph (a) of Condition A.1, the phrase "...and blended with new fuel oil" should be deleted.

The intent of paragraph (b) of Condition A.1 is to restrict the burning of used oil during startup and shutdown to a PCB content of <2 ppm, and should therefore be clearly stated as follows: "Used oil containing ~~detectable levels of~~ PCBs >2 ppm shall not be used..."

In Condition A.1(d), a qualifying statement should be added that "...these fuel flow rates are for informational purposes only..." These limits are not necessary, as the heat input limits provide the process operation restrictions.

Paragraph (c) of Condition A.1. apparently was intended to prevent annual lead emissions associated with used oil from exceeding the PSD applicability threshold for that pollutant. These new provisions should be deleted because there is no regulatory authority for their inclusion. The rule citation and AO referenced by DEP as authority do not provide justification for placing conditions on the utilization of used oil. FPC's existing permit, and prior DEP interpretations, did not place such conditions on FPC's utilization of used oil. The co-firing of used oil does not trigger PSD applicability because the units were capable of accommodating used oil prior to January 6, 1975.

3. Condition A.2. The unit numbers in the chart for this Condition should be corrected to SG1, SG2 and SG3.

4. Condition A.8. The lb/hr and tpy limits are redundant and unnecessary as the permit already contains limits on particulate (0.1 lb/MMBtu) and heat input (MMBtu/hr). If DEP finds it necessary to retain these limits, then they should be designated as "not federally enforceable". The annual ton/yr figure is not correct; the annual number should be based on 21 hr/day at 0.1 lb/MMBtu and 0.3 lb/MMBtu for 3 hr/day, multiplied by 365 days/yr. For Unit 1, this equates to 300 ton/yr. Further, for clarification, Condition A.8. should be revised as follows: "Particulate matter emissions shall not exceed 0.1 pound per million Btu heat input, as measured in accordance with Condition A.18. ~~by applicable compliance methods.~~

5. Condition A.9. For clarification, this Condition should be revised as follows: "When burning liquid fuel (fuel oil), sulfur dioxide emissions shall not exceed 2.75 pounds per MBtu heat input, as measured in accordance with Condition A.19. ~~by applicable compliance methods.~~"

6. Condition A.10. There is no basis for the restriction on sulfur content in natural gas. This entire sentence should be deleted. At the very least, there does not appear to be any purpose for the phrase "which is equivalent to 0.003% by weight" at the end of this Condition and therefore, FPC requests that it be deleted. Also, the regulatory citation for this Condition lists the Title V application submittal date as June 12, 1996. The correct submittal date is June 14, 1996.

7. Condition A.24. For clarity, the first clause in paragraph (a)2. of this Condition ("When either EPA Method 9 or DEP Method 9 is specified as the applicable opacity test method") should be deleted because the permit specifies the required compliance method.

8. Condition A.26. This Condition should be revised because there is no need for an annual testing requirement for units that are on stand-by. At a minimum, clarification should be provided that an annual test is not required for sulfur dioxide (which is based on fuel sampling analysis) if the unit operates less than a certain time period per year. Conditions A.28. and A.29 currently provide such an exemption for the testing requirements for visible emissions and particulate matter. The same clarification should be provided for Condition A.30.

9. Conditions A.32. and A.33. are derived from AO requirements and therefore, not necessarily "applicable requirements". They should be designated as "not federally enforceable."

10. Condition A.34. There is no direct authority for the inclusion of the provisions contained in this Condition. Neither FPC's existing operating permit nor the rule citations provided by DEP as authority include such conditions. In fact, certain draft provisions contained in Condition A.34. directly conflict with FPC's existing permit conditions and prior DEP interpretations that this facility was capable of accommodating this fuel prior to January 6, 1975, and therefore is exempt from PSD applicability for such activities. Therefore, FPC requests that this Condition be deleted. Please refer to the comments made for Condition A.1 of Section III.

11. Condition A.35. This Condition should include prefatory language that it does not apply while the unit is on standby status.

Section III. Subsection B.

1. Condition B.4. The fuel consumption limits listed are unnecessary given that heat input limits are already part of the permit. The actual maximum fuel flows will vary depending on the heating value of the fuel; the listing of a maximum fuel flow value just adds confusion. For example, FPC's application assumes a fuel heating value of 138,000 Btu/gal. Backcalculating from the maximum heat input limits of 566 MMBtu/hr (CTs 1 and 2) and 631 MMBtu/hr (CTs 3 and 4) results in the maximum fuel flow rates of 4,101 gal/hr and 4,572 gal/hr, respectively listed in the

application. If a different heating value is assumed, then a different maximum fuel flow rate is calculated. In order to avoid this confusion, this condition should be eliminated.

2. Condition B.7. The words "startup, shutdown" should be deleted from the first line of this condition and the provisions of Rule 62-210.700(2) and (3) should be added following Condition B.7. because these units are "existing units" and therefore, Florida's excess emission provisions govern them.

3. Condition B.13. FPC requests that this condition be revised in accordance with DEP guidance titled DARM-EM-05, dated November 22, 1995, and thereby allow the capacity to be determined based on heat input/temperature curves.

4. Condition B.17. The malfunction reporting requirement should apply only to those instances when malfunction events exceed two hours in duration.

5. Condition B.19. This condition should be deleted since it is too prescriptive for determining the AOR emissions.

Section III. Subsection C.

1. FPC requests the following revisions to the description. "These relocatable emission units are ~~Caterpillar Model 3508DITA 820 kilowatt diesel generators.~~ The will have a maximum combined heat input is 25.74 26 million Btu per hour (MMBtu/hour) while being fueled by 186.3 gallons of new No. 2 fuel oil per hour with a maximum combined rating of 2460 kilowatts."

2. Conditions C1, C.5, C.6, C14, C16, C20, C21, C23 and C24. These Conditions should more appropriately reference the air construction permit rather than the air operating permit for the Anclote Plant. Also C.7. incorrectly lists the Title V application submittal date as June 12, 1996. The correct submittal date is June 14, 1996.

3. Condition C.15. For clarity, the first clause in paragraph (a)2. of this Condition ("when either EPA method 9 or DEP method 9 is specified as the applicable opacity test method") should be deleted because the permit specifies the required compliance method.

4. Condition C.21. To be consistent with the referenced AO, the second line of this Condition should be edited as follows: "Operation for each of the generators, the daily hours of operation expressed as "engine-hours," and a cumulative total hours of operation expressed as "engine-hours" for each month."

5. Condition C.23. This Condition should be deleted because it imposes no requirement on the permittee.

6. Condition C.24. The last phrase to this Condition "if a diesel generator is to be relocated within Pinellas County . . ." should be deleted because it is redundant to prior language in the same Condition.

Section IV. Acid Rain Part

1. Condition 1. FPC requests that the Condition 1(a) reference the actual application submitted for the Higgins facility rather than DEP's generic form.

2. Condition 4. This Condition applies to all Conditions within the Title V permit and therefore is more appropriately included under the facility-wide section of this permit.

Table 1-1, Summary of Air Pollutant Allowables and Terms

1. The second sentence in the first footnote should be deleted because in accordance with the comments above, it is unnecessary to limit the quantity of used oil burned at this facility in this manner.

Table 1-2, Summary of Air Pollutant Standards and Terms

1. The first asterisk should be deleted because in accordance with the comments above, it is unnecessary to limit the quantity of used oil burned at this facility in this manner. Also, under the second footnote, the reference to 62-212.400(2(f))1 should be deleted as this is an inappropriate citation.

Table 1-4, Air Pollutant Emission Allowables and Table 2-2, Compliance Test Requirements. Contains an incorrect notation that the relocatable generators are presently located at Anclote.

Appendix E-1. List of Exempt Emissions Units and/or Activities

1. Please correct the spelling of cirtosolv which should be "c-i-t-r-o-s-o-l-v."

Appendix U-1.

1. The surface coating and solvent cleaning operations should be moved to the Appendix E-1 because they are exempt.

2. The reference to the helper cooling towers should be deleted.



October 20, 1997

Ms. Kathy Carter
Office of General Counsel
Florida Department of Environmental Protection
2600 Blair Stone Rd.
Tallahassee, FL 32399-2400

Dear Ms. Carter:

RE: Florida Power Corporation, Higgins Plant
REQUEST FOR EXTENSION OF TIME on the *Intent to Issue Title V Air Operation Permit*,
Draft Permit No. 1030012-001-AV

September 11,
On ~~October 6,~~ 1997, Florida Power Corporation (FPC) received the above-referenced Intent to Issue Title V Air Operation Permit. A review of the permit conditions has revealed that several issues remain to be resolved. Mr. Scott Osbourn of my staff has had discussions with Mr. Scott Sheplak of the Department who agreed that an additional extension of time to discuss these issues is appropriate. Therefore, based upon the Department's concurrence and pursuant to Rules 62-103.050 and 28-106.111, Fla. Admin. Code, FPC respectfully requests an extension of time in which to file a petition for an administrative hearing under Sections 120.569 and 120.57, Fla. Stat., up to and including November 6, 1997.

If you should have any questions, please contact Mr. Scott Osbourn at (813) 866-5158.

Sincerely,

W. Jeffrey Pardue, C.E.P.
Director, Environmental Services Department
Title V Responsible Official

Robert A. Manning, Esq.
Hopping Green Sams & Smith

cc: Scott Sheplak, DEP

*10/22/97 cc: Scott Sheplak
Charles Segar*

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October 2, 1997

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AIR REGULATION

Scott M. Sheplak, P.E.
Florida Department of Environmental Regulation
2600 Blair Stone Rd.
Tallahassee, Florida 32399-2400

Dear Mr. Sheplak:

Re: Relocatable Diesel Generators Associated with FPC's Crystal River, Bartow,
Anclote and Higgins Plant Sites

Please find enclosed a revised air permit for relocatable diesel generators to be used at the above-referenced facilities. Originally, the permit was written for three specific diesel generators that were leased for an outage at FPC's Crystal River nuclear unit. The federally enforceable limit on fuel flow (i.e., 186.3 gal/hr total) was necessary to avoid new source review. As the diesel generators specifically referenced in the permit may not always be necessary or even available, FPC had requested that the permit be amended to make the language more generic. The intent of the federal enforceability is still preserved.

Language in this revised permit is consistent with the comments that have been made by FPC regarding these generators as they have been described in Title V permits for the above-referenced facilities. Transmittal of this permit is intended to supplement FPC's original applications for these plant sites and to further support previous comments made regarding these generators.

If you should have any questions, please do not hesitate to contact me at (813) 866-5158.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott H. Osbourn", written in a cursive style.

Scott H. Osbourn
Senior Environmental Engineer

Enclosure

cc: Ken Kosky, Golder Associates
Robert Manning, HGS&S



Department of Environmental Protection

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SEP 30 1997

Environmental Svcs
Department

Lawton Chiles
Governor

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619
NOTICE OF PERMIT ISSUANCE

Virginia B. Wetherell
Secretary

CERTIFIED MAIL

In the matter of an
Application for Permit by:

Mr. W. Jeffrey Pardue, CEP
Director, Environmental Services
Department
Florida Power Corporation
3201 34th Street South
St. Petersburg, FL 33711 /

DEP File No.: 0170004-006-AO
Counties: Citrus, Pasco,
Pinellas, Polk, &
Sumter

Enclosed is permit number 0170004-006-AO for the operation of the relocatable diesel generators which can operate in the above counties. Procedures for administrative hearing, mediation, and variance/waiver are described below.

Administrative Hearing

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative hearing in accordance with 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 permit. 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 (or a request for mediation, as discussed below) 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 of the Florida Statutes, 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 28-5.207 of the Florida Administrative Code.

A petition must contain the following:

- (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department Permit File Number, and the county in which the project is proposed;
- (b) A statement of how and when each petitioner received notice of the Department's action or proposed action;
- (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action;

- (d) A statement of the material facts disputed by the petitioner if any;
- (e) A statement of the facts that the petitioner contends warrant reversal or modification of the Department's action or proposed action;
- (f) A statement identifying the rules or statutes that the petitioner contends require reversal or modification of the Department's action or proposed action; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the Department to take with respect to the permit.

Because the administrative action or proposed action addressed in this 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 of intent. 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

A person whose substantial interests are affected by the Department's permitting decision, may elect to pursue mediation by asking all parties to the proceeding to agree to such mediation and by filing with the Department a request for mediation and the written agreement of all such parties to mediate the dispute. The request and agreement must be filed in (received by) the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, by the same deadline as set forth above for the filing of a petition.

A request for mediation must contain the following information:

- (a) The name, address, and telephone number of the person requesting mediation and that person's representative, if any;
- (b) A statement of the preliminary agency action;
- (c) A statement of the relief sought; and
- (d) Either an explanation of how the requester's substantial interests will be affected by the action or proposed action addressed in this permit or a statement clearly identifying the petition for hearing that the requester has already filed, and incorporating it by reference.

The agreement to mediate must include the following:

- (a) The names, addresses, and telephone numbers of any persons who may attend the mediation;
- (b) The name, address, and telephone number of the mediator selected by the parties, or a provision for selecting a mediator within a specified time;
- (c) The agreed allocation of the costs and fees associated with the mediation;

- (d) The agreement of the parties on the confidentiality of discussions and documents introduced during mediation;
- (e) The date, time, and place of the first mediation session, or a deadline for holding the first session, if no mediator has yet been chosen;
- (f) The name of each party's representative who shall have authority to settle or recommend settlement; and
- (g) The signatures of all parties or their authorized representatives.

As provided in section 120.573 of the Florida Statutes, the timely agreement of all parties to mediate will toll the time limitations imposed by sections 120.569 and 120.57 for requesting and holding an administrative hearing. Unless otherwise agreed by the parties, the mediation must be concluded within sixty days of the execution of the agreement. If mediation results in settlement of the administrative dispute, the Department must enter a final order incorporating the agreement of the parties. Persons whose substantial interests will be affected by such a modified final decision of the Department have a right to petition for a hearing only in accordance with the requirements for such petitions set forth above. If mediation terminates without settlement of the dispute, the Department shall notify all parties in writing that the administrative hearing processes under sections 120.569 and 120.57 remain available for disposition of the dispute, and the notice will specify the deadlines that then will apply for challenging the agency action and electing remedies under those two statutes.

Variance/Waiver

In addition to the above, a person subject to regulation has a right to apply for a variance from or waiver of the requirements of particular rules, on certain conditions, under section 120.542 of the Florida Statutes. The relief provided by this state statute applies only to state rules, not statutes, and not to any federal regulatory requirements. Applying for a variance or waiver does not substitute or extend the time for filing a petition for an administrative hearing or exercising any other right that a person may have in relation to this permit.

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. The petition must specify the following information:

- (a) The name, address, and telephone number of the petitioner;
- (b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any;
- (c) Each rule or portion of a rule from which a variance or waiver is requested;
- (d) The citation to the statute underlying (implemented by) the rule identified in (c) above;
- (e) The type of action requested;
- (f) The specific facts that would justify a variance or waiver for the petitioner;

- (g) The reason why the variance or waiver would serve the purposes of the underlying statute (implemented by the rule); and
- (h) A statement whether the variance or waiver is permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

The Department will grant a variance or waiver when the petition demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of those terms is defined in section 120.542(2) of the Florida Statutes, and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner.

Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable by the Administrator of EPA and by the person under the Clean Air Act unless and until Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

This permit is final and effective on the date filed with the Clerk of the Department unless a timely petition for an administrative hearing is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition and conforms to Rule 62-103.070, F.A.C., or a party requests mediation as an alternative remedy before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. Upon timely filing of a petition or a request for an extension of time to file the petition or a request for mediation, this permit will not be effective until further Order of the Department.

When the Order (Permit) is final, any party to the Order has the right to seek judicial review of the Order pursuant to Section 120.68, Florida Statutes, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate procedure, with the Clerk of the Department in the Office of General Counsel, Douglas Building, 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 of Appeal must be filed within 30 days from the date the Final Order is filed with the Clerk of the Department.

Executed in Tampa, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION


George W. Richardson
Air Permitting Engineer
Southwest District

cc: Kennard F. Kosky, P.E., Golder Associates, Inc.
Pinellas County Department of Environmental Management

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF PERMIT ISSUANCE was sent to the addressee by certified mail and all copies were sent by regular mail before the close of business on 9/29/97 to the listed persons, unless otherwise noted.

Clerk Stamp

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


Clerk

9/29/97
Date



Department of Environmental Protection

Lawton Chiles
Governor

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

Virginia B. Wetherell
Secretary

PERMITTEE:

Florida Power Corporation
3201 34th Street South
St. Petersburg, FL 33711 /

Permit No.: 0170004-006-AO
Amendment Date:
Expiration Date: 3/31/97
Counties: Citrus, Pasco,
Pinellas, Polk &
Sumter
Project: Relocatable Diesel
Generators

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Rules 62-204 through 62-297 and 62-4. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents, attached hereto or on file with the Department and made a part hereof and specifically described as follows:

For the operation of one to three relocatable diesel generators rated at a maximum total of 2,460 kw (2.46 mw). The maximum total heat input rate is 25.74 MMBTU/hour (186.3 gallons/hour of diesel fuel). The diesel generators burn new/virgin No 2 diesel fuel oil having a maximum sulfur content of 0.5% by weight. The diesel generators may be located at any Florida Power Corporation facility listed below:

- Locations:
- (1) The Crystal River Plant, Powerline Road Red Level, Citrus County.
 - (2) The Anclote Plant, Anclote Road, west of Alternate 19, Tarpon Springs, Pinellas County.
 - (3) The Bartow Plant, Weedon Island, St. Petersburg, Pinellas County.
 - (4) The Higgins Plant, Shore Drive, Oldsmar, Pinellas County.
 - (5) The Bayboro Plant, 13th Avenue & 2nd Street South, St. Petersburg, Pinellas County.
 - (6) The Wildwood Reclamation Facility, State Road 462, 1 mile east of US 301, Wildwood, Sumter County.
 - (7) The FPC Polk County Site, County Road 555, 1 mile southwest of Homeland, Polk County.

Facility ID No.: 0004

Emission Unit ID No.:
012-Diesel Generators

PERMITTEE:
Florida Power Corporation

Permit No.: 0170004-006-AO
Project: Relocatable Diesel
Generators

Amends Permit No.: A009-205952

Note: Please reference Permit No., Facility No., and Emission Unit ID in all correspondence, test report submittals, applications, etc.

1. A part of this permit is the attached 15 General Conditions [Rule 62-4.160, F.A.C.].
2. Visible emissions from each of the diesel generators shall not be equal to or exceed 20% opacity [Rule 62-296.320((4)(b), F.A.C.].
3. Florida Power Corporation shall not discharge air pollutants which cause or contribute to an objectionable odor [Rule 62-296.320(2), F.A.C.].
4. The hours of operation expressed as "engine-hours" shall not exceed 2,970 in any consecutive 12 month period. The hours of operation expressed as "engine-hours" shall be the summation of the individual hours of operation of each diesel generator [Permit AC09-202080].
5. Florida Power corporation is permitted to burn only new/virgin No. 2 diesel fuel oil having a maximum sulfur content not to exceed 0.5% by weight in the diesel generators [Permit AC09-202080].
6. The total heat input rate to all diesel generators shall not exceed 25.74 MMBTU/hour (186.3 gallons/hour) [Permit AC09-202080].
7. Florida Power Corporation shall notify the Department, in writing, at least 15 days prior to the date on which any diesel generator is to be relocated. The notification shall specify:
 - (A) which diesel generator, by serial number, is being relocated;
 - (B) which location the diesel generator is being relocated from;
 - (C) which location the diesel generator is being relocated to; and
 - (d) the approximate startup date at the new location.

If a diesel generator is to be relocated within Pinellas County, then Florida Power Corporation shall provide the same notice to the Pinellas County Department of Environmental Management, Air Quality Division [Rule 62-4.070(3), F.A.C.].

PERMITTEE:
Florida Power Corporation

Permit No.: 0170004-006-AO
Project: Relocatable Diesel
Generators

8. Test each diesel generator for the following pollutants on an annual basis within 30 days of the relocation date. Within 45 days of testing, submit a copy of the test data to the Air Compliance Section of the Department's Southwest District Office and the Pinellas County Department of Environmental Management, Air Quality Division for each diesel generator located in Pinellas County [Rules 62-297.310(7) and 62-297.310(8) (b), F.A.C.].

- (X) Opacity
- (X) Fuel Sulfur Analysis

9. After each relocation, test each relocated diesel generator for then following pollutants within 30 days of startup. Within 45 days of testing, submit a copy of the test data to the Air Compliance Section of the Department's Southwest District Office and the Pinellas County Department of Environmental Management, Air Quality Division for each diesel generator located in Pinellas County [Rules 62-297.310(7) and 62-297.310(8) (b), F.A.C.].

- (X) Opacity
- (X) Fuel Sulfur Analysis

10. Compliance with the emission limitations specified in Specific Condition No. 2 shall be determined using EPA Method 9. The test method is contained in 40 CFR 60, Appendix A and adopted by reference in Rule 62-297, F.A.C. The Method 9 compliance test shall be conducted by a certified observer and be a minimum of 30 minutes. The minimum requirements for stack sampling facilities, source sampling and reporting, shall be in accordance with Rule 62-297, F.A.C. and 40 CFR 60, Appendix A.

11. Testing of each diesel generator shall be accomplished while the diesel generator is being operated within 90 to 100% of the maximum fuel firing rate in gallons per hour. Failure to submit the actual operating rate during the test may invalidate the test data [Rule 62-4.070(3), F.A.C.].

12. The permittee shall notify the Air Compliance Section of the Department's Southwest District Office and the Pinellas County Department of Environmental Management, Air Quality Division, if applicable, at least 15 days prior to the date on which each formal compliance test is to begin of the date, time, and place of each such test, and the test contact person who will be responsible for coordinating and having such test conducted (Rule 62-297.340(1) (i), F.A.C.).

PERMITTEE:
Florida Power Corporation

Permit No.: 0170004-006-AO
Project: Relocatable Diesel
Generators

13. Compliance with Specific Condition No. 4 shall be documented by record keeping. At a minimum, the records shall indicate the daily hours of operation of each individual diesel generator expressed as "engine-hours", and a cumulative total hours of operation expressed as "engine-hours" for each month. The records shall be recorded in a permanent form suitable for inspection and shall be retained for at least the most recent 2 years and be made available for inspection by the Department or the Pinellas County Department of Environmental Management, Air Quality Division, if applicable, upon request [Rule 62-4.070(3), F.A.C.,].

14. In order to document continuing compliance with the sulfur content limitations, in % by weight, the permittee shall keep records of either vendor provided as-shipped analysis or an analysis of as-received samples taken at the plant. The analysis shall be determined by ASTM Methods ASTM D4057-88 and ASTM D129-91, ASTM D2622-94 or ASTM D4294-90 adopted by reference in Rule 62-297.440(1), F.A.C. The records shall be recorded in a permanent form suitable for inspection and shall be retained for at least the most recent 2 years and be made available for inspection by the Department or the Pinellas County Department of Environmental Management, Air Quality Division, if applicable, upon request [Rule 62-4.070(3), F.A.C.,].

15. All reasonable precautions shall be taken to prevent and control generation of unconfined emissions of particulate matter in accordance with the provisions in Rule 62-296.320(4)(c), F.A.C. These provisions are applicable to any source, including but not limited to, vehicular movement, transportation of materials, construction, alterations, demolition or wrecking, or industrial related activities such as loading, unloading, storing and handling.

16. Issuance of this permit does not relieve the permittee from complying with applicable emission limiting standards or other requirements of Florida Administrative Code Rules 62-204, 62-210, 62-212, 62-296, 62-297 & 62-4 or any other requirements under federal, state, or local law [Rule 62-210.300, F.A.C.,].

17. Florida Power Corporation shall submit to the Air Section of the Department's Southwest District Office each calendar year on or before March 1, completed DEP Form 62-210.900(5), "Annual Operating Report for Air Pollutant Emitting Facility," for the preceding calendar year (Rule 62-210.370(3)(a)2., F.A.C.). The Report shall contain at a minimum the following information:

- (A) the location of each diesel generator, by serial number, at the end of the preceding calendar year;

PERMITTEE:
Florida Power Corporation

Permit No.: 0170004-006-AO
Project: Relocatable Diesel
Generators


Specific Condition No. 17 continued:

- (B) the annual amount of fuel burned in each diesel generator, by serial number;
- (C) the annual hours of operation of each diesel generator, by serial number;
- (D) the annual hours of operation expressed in "engine-hours", as defined in Specific Condition No. 4;
- (E) a copy of the fuel sulfur content records required by Specific Condition No. 14 for the preceding calendar year;
- (F) annual emissions of particulate, PM_{10} , carbon monoxide, SO_2 , and NO_x based on actual diesel generator operation and fuel usage (provide a copy of the calculation sheets and the basis for calculations);
- (G) any changes in the information contained in the permit application.

If any diesel generator operated within Pinellas County at any time during the preceding calendar year, then Florida Power Corporation shall provide a copy of the AOR to the Pinellas County Department of Environmental Management, Air Quality Division.

18. At least 60 days prior to the expiration date of this operation permit, the permittee shall submit at least two copies of DEP Short Form No. 62-210.900(2), for the renewal of this operating permit along with the processing fee established in Rule 62-4.050(4), F.A.C., and a copy of the latest compliance tests to the Air Permitting Section of the Department's Southwest District Office and one copy to the Pinellas County Department of Environmental Management, Air Quality Division, if applicable [Rule 62-4.090(1), F.A.C.].

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



W.C. Thomas, P.E.
District Air Program
Administrator
Southwest District

ATTACHMENT - GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations, and restrictions set forth in this permit are "Permit Conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, Florida Statutes. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.

2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.

3. As provided in Subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations. This permit is not a waiver of 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.

4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgement of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.

5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.

6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.

7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at a reasonable time, access to the premises, where the permitted activity is located or conducted to:

GENERAL CONDITIONS:

- a. Have access to and copy any records that must be kept under the conditions of the permit;
- b. Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
- c. Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

Reasonable time may depend on the nature of the concern being investigated.

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:

- a. a description of and cause of non-compliance; and
- b. the period of noncompliance, including dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance.

The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Sections 403.73 and 403.111, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance, provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.

11. This permit is transferable only upon Department approval in accordance with Florida Administrative Code Rules 62-4.120 and 62-730.300, F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.

GENERAL CONDITIONS:

12. This permit or a copy thereof shall be kept at the work site of the permitted activity.

13. This permit also constitutes:

- () Determination of Best Available Control Technology (BACT)
- () Determination of Prevention of Significant Deterioration (PSD)
- () Compliance with New Source Performance Standards (NSPS)

14. The permittee shall comply with the following:

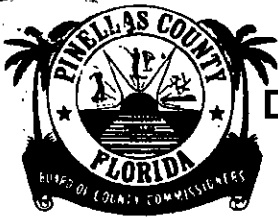
a. Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.

b. The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.

c. Records of monitoring information shall include:

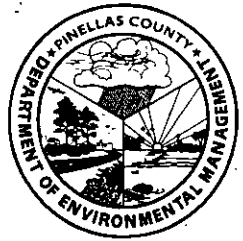
- the date, exact place, and time of sampling or measurements;
- the person responsible for performing the sampling or measurements;
- the dates analyses were performed;
- the person responsible for performing the analyses;
- the analytical techniques or methods used; and
- the results of such analyses.

15. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware that relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.



**PINELLAS COUNTY
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

AIR QUALITY DIVISION
300 SOUTH GARDEN AVENUE
CLEARWATER, FLORIDA 33756



COMMISSIONERS
ROBERT B. STEWART - CHAIRMAN
BARBARA SHEEN TODD - VICE CHAIRMAN
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STEVE SEIBERT

PHONE: (813) 464-4422
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SUNCOM FAX: 570-4420

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BUREAU OF
AIR REGULATION

September 29, 1997

Charles Logan
Department of Environmental Protection
Division of Air Resources Management
Title V Section
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Re: Florida Power Corporation - Higgins Plant; Permit No. 1030012-001-AV

Mr. Logan

This office has reviewed the draft permit, for the above mentioned facility. We offer the following comments:

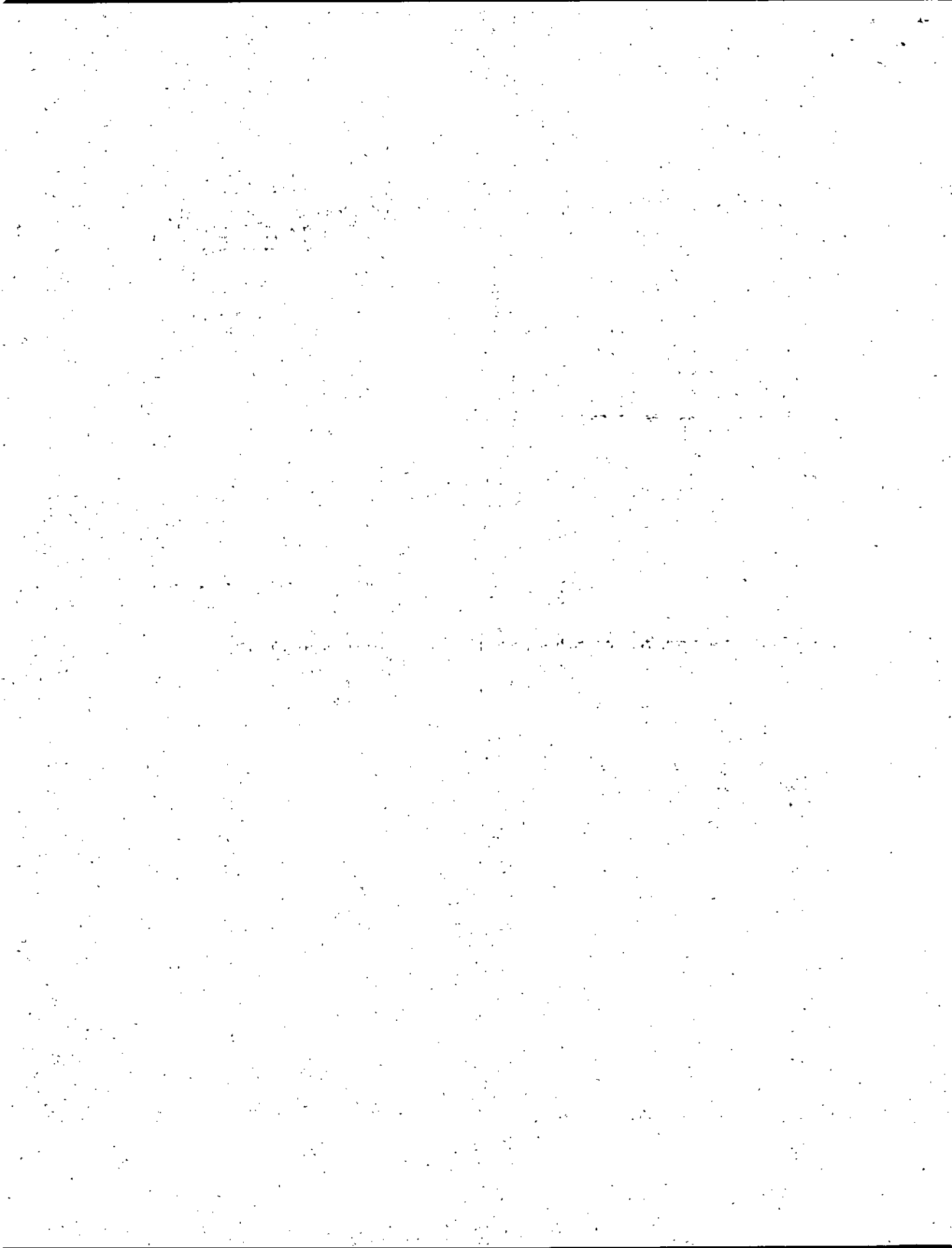
1. The Title V permit renumbers the emission units. Emission Unit Nos. 001-003 (Utility Boilers) have become Emission Unit No. 001. Emission Unit Nos. 004-007 (Peakers) have become Emission Unit No. 002. Pinellas County recommends that the emission units not be renumbered. The facility has not requested them to be regrouped, and since each boiler and peaker has its own unique stack, test, and records, it seems more appropriate to keep the emission units individually defined. Also, ARMs is already defined as:

Emission Unit No. 001 - Utility Boiler No. 1
Emission Unit No. 002 - Utility Boiler No. 2
Emission Unit No. 003 - Utility Boiler No. 3
Emission Unit No. 004 - Peaker No. 1
Emission Unit No. 005 - Peaker No. 2
Emission Unit No. 006 - Peaker No. 3
Emission Unit No. 007 - Peaker No. 4

Keeping the same number will make it easier to track inspections, tests, etc., and the facility's history remains intact.

2. Add a condition that will require Utility Boilers 1-3 be tested within 30 days of start-up and annually thereafter.





3. In condition A.33. the condition states ...the permittee shall calculate annual PM emissions by multiplying the PM stack test by the hours of operation... From the inventory side, the annual emissions are determined by taking the test results (for both steady state and excess emissions) and create emission factors for the emission unit in pounds/MMBtu. The emission factors are used to calculate annual emissions, based on the amount of fuel burned during steady state and excess emissions operations.
4. In condition A.34., first paragraph, change the wording to On-specification used oil, generated at this facility or off-site, may only be burned in these emission units if in compliance with all....
5. Since the Peakers already have established baseline tests of January 7th, we recommend that wording be included in condition B.15., such as: "Test the Peaking Units for visible emissions annually, within 60 day prior to January 7".
6. Condition B.13. has the standard language for testing within 90-100% of the permitted capacity. For combustion turbines shouldn't the testing be based on performance curve for the turbine. The current permit language is "Testing of emission shall be conducted under the conditions as outlined by Florida Power Corporation in the letter submitted to the Department, dated march 29, 1993. The submitted graph for Peaking Unit Nos 1-4 are made a part of this permit. A copy of the submitted graph noting the maximum heat input versus ambient temperature during the compliance test shall be included in the compliance test report".

If you have any questions, contact this office at (813) 464-4422 or Suncom 570-4422.

Sincerely,

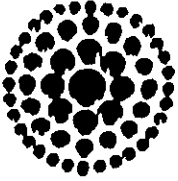


Gary Robbins, Environmental Program Manager
Air Quality Division

cc: PF(0012), RF
Scott Sheplak - DEP - DARM

10/6/97 Charles Logan





Florida
Power
CORPORATION

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Dept. of Environmental Protection
Office of General Counsel

RECEIVED

SEP 26 1997

BUREAU OF
AIR REGULATION

September 24, 1997

Ms. Kathy Carter
Office of General Counsel
Florida Department of Environmental Protection
2600 Blair Stone Rd.
Tallahassee, FL 32399-2400

RE: Florida Power Corporation, Higgins Plant
REQUEST FOR EXTENSION OF TIME on the *Intent to Issue Title V Air Operation Permit, Draft Permit No. 1030012-001-AV*

On September 11, 1997, Florida Power Corporation (FPC) received the above-referenced Intent to Issue Title V Air Operation Permit. A review of the permit conditions has revealed that several issues remain to be resolved. Mr. Scott Osbourn of my staff has had discussions with Mr. Scott Sheplak of the Department and they have agreed that an extension of time to discuss these issues is appropriate. Therefore, based upon the Department's concurrence and pursuant to Rules 62-103.050 and 28-106.111, Fla. Admin. Code, FPC respectfully requests an extension of time in which to file a petition for an administrative hearing under Sections 120.569 and 120.57, Fla. Stat., up to and including October 22, 1997.

Sincerely,

W. Jeffrey Pardue, C.E.P.
Director, Environmental Services Department
Title V Responsible Official

Robert A. Manning, Esq.
Hopping Green Sams & Smith

cc: Scott Sheplak, DEP