



September 16, 2003

11-20-03
ARMS Update
B. Mee

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SEP 22 2003

**DIVISION OF AIR
RESOURCE MANAGEMENT**

Mr. Michael Cooke, Director
Florida Department of Environmental Protection
Division of Air Resource Management
2600 Blair Stone Rd. MS 5500
Tallahassee, FL 32399-2400

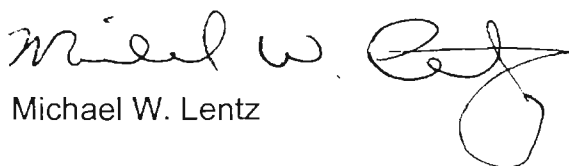
Subject: Additional Responsible Officials for Title V – Florida Power Corporation d/b/a
Progress Energy Florida Bayboro Plant and **Higgins Plant**

Dear Mr. Cooke:

As the Responsible Official for the Bayboro Plant and the Higgins Plant, I am submitting a Department of Environmental Protection form 62-213.900(8) for each plant to identify additional Responsible Officials.

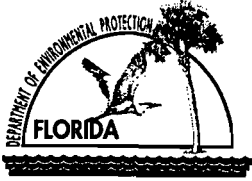
If you have any questions, please contact me at (727) 827-6235.

Very truly yours,


Michael W. Lentz

Attachments

c: Mr. Paul V. Crimi
Mr. J. Michael Kennedy
Mr. David R. Karp
Mr. Leonard Kozlov (FL-DEP)
Mr. Scott Sheplak (FL-DEP)



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Division of Air Resource Management

SEP 22 2003

RESPONSIBLE OFFICIAL NOTIFICATION FORM

DIVISION OF AIR RESOURCE MANAGEMENT

Note: A responsible official is not necessarily a designated representative under the Acid Rain Program. To become a designated representative, submit a certificate of representation to the U.S. Environmental Protection Agency (EPA) in accordance with 40 CFR Part 72.24.

Identification of Facility

1. Facility Owner/Company Name: Florida Power Corporation d/b/a Progress Energy Florida, Inc.	
2. Site Name: Higgins Plant	3. County: Pinellas County
4. Title V Air Operation Permit/Project No. (leave blank for initial Title V applications): 1030012-002-AV	

Notification Type (Check one or more)

<input type="checkbox"/> INITIAL:	Notification of responsible officials for an initial Title V application.
<input type="checkbox"/> RENEWAL:	Notification of responsible officials for a renewal Title V application.
<input checked="" type="checkbox"/> CHANGE:	Notification of change in responsible official(s). Effective date of change in responsible official(s) <u>September 10, 2003</u>

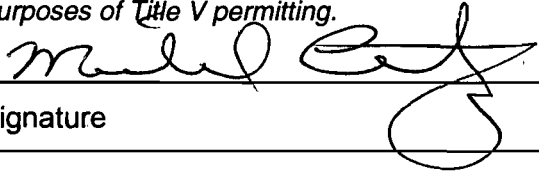
Primary Responsible Official

1. Name and Position Title of Responsible Official: Micheal W. Lentz – Plant Manager
2. Responsible Official Mailing Address: Organization/Firm: Progress Energy Florida, Inc. Street Address: 100 Central Ave. Mail Code BP44 City: St. Petersburg State: FL Zip Code: 33701
3. Responsible Official Telephone Numbers: Telephone: 727/827-6235 Fax: 727-827-6237
4. Responsible Official Qualification (Check one or more of the following options, as applicable): <input checked="" type="checkbox"/> For a corporation, the president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities applying for or subject to a permit under Chapter 62-213, F.A.C. <input type="checkbox"/> For a partnership or sole proprietorship, a general partner or the proprietor, respectively. <input type="checkbox"/> For a municipality, county, state, federal, or other public agency, either a principal executive officer or ranking elected official. <input type="checkbox"/> The designated representative at an Acid Rain source.

11-20-03
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5. Responsible Official Statement:

I, the undersigned, am a responsible official, as defined in Rule 62-210.200, F.A.C., of the Title V source addressed in this notification. I hereby certify, based on information and belief formed after reasonable inquiry, that the statements made in this notification are true, accurate and complete. Further, I certify that I have authority over the decisions of all other responsible officials, if any, for purposes of Title V permitting.


Signature

09/16/03
Date

Additional Responsible Official

1. Name and Position Title of Responsible Official: David R. Karp, Production Manager – CT
2. Responsible Official Mailing Address: Organization/Firm: Progress Energy Florida, Inc. Street Address: 100 Central Ave. Mail Code BA44 City: St. Petersburg State: FL Zip Code: 33701
3. Responsible Official Telephone Numbers: Telephone: (727) 826-4101 Fax: 727-827-6237
4. Responsible Official Qualification (<i>Check one or more of the following options, as applicable</i>): <input checked="" type="checkbox"/> For a corporation, the president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities applying for or subject to a permit under Chapter 62-213, F.A.C. <input type="checkbox"/> For a partnership or sole proprietorship, a general partner or the proprietor, respectively. <input type="checkbox"/> For a municipality, county, state, federal, or other public agency, either a principal executive officer or ranking elected official. <input type="checkbox"/> The designated representative at an Acid Rain source.

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DIVISION OF AIR RESOURCE MANAGEMENT

11-20-03

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Additional Responsible Official

1. Name and Position Title of Responsible Official: Paul V. Crimi, General Manager CT Operations
2. Responsible Official Mailing Address: Organization/Firm: Progress Energy Florida, Inc. Street Address: 100 Central Ave. Mail Code BB1C City: St. Petersburg State: FL Zip Code: 33701
3. Responsible Official Telephone Numbers: Telephone: (727) 826-4224 Fax: (727) 826-4222
4. Responsible Official Qualification (<i>Check one or more of the following options, as applicable</i>): <input checked="" type="checkbox"/> For a corporation, the president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities applying for or subject to a permit under Chapter 62-213, F.A.C. <input type="checkbox"/> For a partnership or sole proprietorship, a general partner or the proprietor, respectively. <input type="checkbox"/> For a municipality, county, state, federal, or other public agency, either a principal executive officer or ranking elected official. <input type="checkbox"/> The designated representative at an Acid Rain source.

11-20-03

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Progress Energy Florida, Inc
Bayboro Plant
160 13th Ave., S.
St. Petersburg, FL 33701

DIVISION OF AIR
RESOURCE MANAGEMENT

Bruce M. Baldwin
Vice President
CT – Operations Department
(727) 826-4201

September 10, 2003

Mr. Howard Rhodes, Director
Florida Department of Environmental Protection
Division of Air Resource Management
2600 Blair Stone Rd. MS 5500
Tallahassee, FL 32399-2400

Subject: Alternate Responsible Officials: Title V Air Permits

Dear Mr. Rhodes:

This letter is intended to delegate the alternate "responsible officials" for Title V air permits for Florida Power Corporation d/b/a Progress Energy Florida combustion turbine facilities. All delegations are made in accordance with a corporate procedure, and each person is duly qualified in accordance with applicable statute and regulation. The delegations being made today are noted on Attachment 1. Each facility will submit a Department of Environmental Protection form 62-213.900(8) at a later date.

By copy of this letter, notification of this delegation is provided to individuals newly authorized to sign on behalf of the company. This letter supersedes and negates any previous correspondence relating to the responsible officials for these facilities. Delegations for Progress Energy facilities not referenced in this letter and provided to you previously are not changed.

Very truly yours,

Bruce M. Baldwin
Vice President – Combustion Turbine Operations

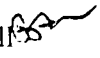
Attachment

C: Mr. Reginald D. Anderson
Mr. Ernie L. Bass
Mr. Paul V. Crimi
Mr. Martin J. Drango
Mr. William Dudley
Mr. Kris Edmondson
Mr. Wilson B. Hicks, Jr.
Mr. David R. Karp
Mr. J. Michael Kennedy
Mr. Leonard Kozlov (FL-DEP)
Mr. George Kerst
Mr. Mike W. Lentz
Mr. Dennis A. Merrick
Mr. Scott Sheplak (FL-DEP)
Mr. Roger B. Zirkle

Attachment 1
Progress Energy Florida Combustion Turbine
Title V Responsible Officials

Facility	Current RO: Plant Managers	Alternate: General Manager CT Operations	Alternate: Production Managers - CT	Alternate: DR if applicable
Avon Park	Kris Edmondson	Paul V. Crimi	William Dudley	
Bayboro	Mike W. Lentz	Paul V. Crimi	David R. Karp	
DeBary	Martin J. Drango	Paul V. Crimi	Reginald D. Anderson	J. Michael Kennedy
Higgins	Mike W. Lentz	Paul V. Crimi	David R. Karp	
Hines	Roger B. Zirkle	Paul V. Crimi	George Kerst	J. Michael Kennedy
Intercession City	Kris Edmondson	Paul V. Crimi	William Dudley	J. Michael Kennedy
Rio Pinar	Martin J. Drango	Paul V. Crimi	Reginald D. Anderson	
Tiger Bay	Roger B. Zirkle	Paul V. Crimi	Dennis A. Merrick	J. Michael Kennedy
Turner	Martin J. Drango	Paul V. Crimi	Reginald D. Anderson	
University of Florida Cogen	Wilson B. Hicks, Jr.	Paul V. Crimi	Ernie L. Bass	J. Michael Kennedy

TO: Bill Thomas, SWD

FROM: Bruce Mitchell 

DATE: December 18, 1996

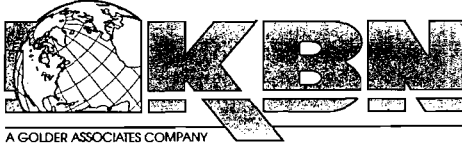
SUBJECT: Completeness Review of an Application Package for a Title V Operation Permit
Florida Power Corporation, Higgins: 1030012-001-AV

The Title V operating permit application package for the referenced facility is being processed in Tallahassee. The application was previously forwarded to your office for your files and future reference. Please have someone review the package for completeness and respond in writing by January 20, 1997, if you have any comments. Otherwise, no response is required. If there are any questions, please call the project engineer, Charles Logan, at 904/488-1344 or SC:278-1344. It is very important to verify the compliance statement regarding the facility. Since we do not have a readily effective means of determining compliance at the time the application was submitted, please advise if you know of any emissions unit(s) that were not in compliance at that time and provide supporting information. Also, do not write on the documents.

If there are any questions regarding this request, please call me or Scott Sheplak at the above number(s).

RBM/bm

cc: Jerry Kissel



Letter of Transmittal

Date: 06/27/96

Project No.: 14424-1200

To: Scott Sheplak
Florida Dept. of Environmental Prot.
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Re: Florida Power Corporation
Title V: Higgins Plant

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JUL 1 1996

BUREAU OF AIR REGULATION

The following items are being sent to you: [x] with this letter [] under separate cover

Table with 2 columns: Copies, Description. Row 1: 1, Page 1 of Form hardcopy for verification. Row 2: 4, Air Operating Permit Application (Electronic Submittal ELSA 1.3b)

These are transmitted:

- As requested, For approval, For review, For your information, For review and comment, [x] For Electronic Submittal

Remarks: This is an electronic submittal of the permit application represented by page 1 of the form (attached). As indicated by the bulletin accompanying the previously submitted hard copy, original signature pages are not enclosed. They were provided with the hardcopy submittal. These disks were created using the submittal program included in ELSA 1.3b. If you have any questions, please contact Teresa Franklin or Jane Burnette.

Sender: Teresa Franklin for Bob McCann

cc: Scott Osbourn, File(2)

14424Y/F1/WP/2.LOT (06/27/96)



Letter of Transmittal

Date: 06/14/96

Project No.: 14424-1200

To: Scott Sheplak
Florida Dept. of Environmental Prot.
2600 Blair Stone Road
Tallahassee, Florida 32399

Re: FLORIDA POWER CORPORATION
Higgins Facility

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JUN 14 1996

BUREAU OF AIR REGULATION

ID# 1030012

The following items are being sent to you: with this letter under separate cover

<u>Copies</u>	<u>Description</u>
<u>4</u>	<u>Title V Air Operating Permit Application (Hard Copy)</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

These are transmitted:

- As requested
- For review
- For review and comment
- For approval
- For your information
- See Below

Remarks: As indicated on the enclosed bulletin, we will be submitting the above referenced application electronically after June 15, 1996

RECEIVED BY: _____

DATE: _____ TIME: _____

14422Y/F1/WP/ALL-LOT-7 (06/14/96)

6241 Northwest 23rd Street
Suite 500
Gainesville, Florida 32653-1500
352-336-5600 FAX 352-336-6603

5405 West Cypress Street
Suite 215
Tampa, Florida 33607
813-287-1717 FAX 813-287-1716

1801 Clint Moore Road
Suite 105
Boca Raton, Florida 33487
407-994-9910 FAX 407-994-9393

7785 Baymeadows Way
Suite 105
Jacksonville, Florida 32256
904-739-5600 FAX 904-739-7777

1616 'P' Street NW
Suite 350
Washington, DC 20036
202-462-1100 FAX 202-462-2270

Department of Environmental Protection

DIVISION OF AIR RESOURCES MANAGEMENT

APPLICATION FOR AIR PERMIT - LONG FORM

See Instructions for Form No. 62-210.900(1)

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JUL 1 1996

BUREAU OF
AIR REGULATION

*Not
Complete
Form*

I. APPLICATION INFORMATION

This section of the Application for Air Permit form identifies the facility and provides general information on the scope and purpose of this application. This section also includes information on the owner or authorized representative of the facility (or the responsible official in the case of a Title V source) and the necessary statements for the applicant and professional engineer, where required, to sign and date for formal submittal of the Application for Air Permit to the Department. If the application form is submitted to the Department using ELSA, this section of the Application for Air Permit must also be submitted in hard-copy.

Identification of Facility Addressed in This Application

Enter the name of the corporation, business, governmental entity, or individual that has ownership or control of the facility; the facility site name, if any; and the facility's physical location. If known, also enter the facility identification number.

1. Facility Owner/Company Name: Florida Power Corporation	
2. Site Name: Higgins Plant	
3. Facility Identification Number: 1030012 [] Unknown	
4. Facility Location Information: Street Address or Other Locator: Shore Drive City: Oldsmar County: Pinellas Zip Code: 34677	
5. Relocatable Facility? [] Yes [x] No	6. Existing Permitted Facility? [x] Yes [] No

Application Processing Information (DEP Use)

1. Date of Receipt of Application:	
2. Permit Number:	
3. PSD Number (if applicable):	
4. Siting Number (if applicable):	

Phase II Permit Application

For more information, see instructions and refer to 40 CFR 72.30 and 72.31 and Chapter 62-214, F.A.C.

This submission is: New Revised

STEP 1
Identify the source by plant name, State, and ORIS code from NADB

Higgins Plant, FL, 630

STEP 2
Enter the boiler ID# from NADB for each affected unit, and indicate whether a repowering plan is being submitted for the unit by entering "yes" or "no" at column c. For new units, enter the requested information in columns d and e

Compliance Plan				
a	b		d	e
Boiler ID#	Unit Will Hold Allowances in Accordance with 40 CFR 72.9(c)(1)	Repowering Plan	Commence Operation Date	Monitor Certification Deadline
1	Yes	No		
2	Yes	No		
3	Yes	No		
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			

STEP 3
Check the box if the response in column c of Step 2 is "Yes" for any unit

For each unit that will be repowered, the Repowering Extension Plan form is included and the Repowering Technology Petition form has been submitted or will be submitted by June 1, 1997.

Plant Name (from Step 1)
Higgins Plant

STEP 4
 Read the standard requirements and certification, enter the name of the designated representative, and sign and date

Standard Requirements

Permit Requirements.

- (1) The designated representative of each Acid Rain source and each Acid Rain unit at the source shall:
 - (i) Submit a complete Acid Rain part application (including a compliance plan) under 40 CFR part 72, Rules 62-214.320 and 330, F.A.C. in accordance with the deadlines specified in Rule 62-214.320, F.A.C.; and
 - (ii) Submit in a timely manner any supplemental information that the permitting authority determines is necessary in order to review an Acid Rain part application and issue or deny an Acid Rain permit;
- (2) The owners and operators of each Acid Rain source and each Acid Rain unit at the source shall:
 - (i) Operate the unit in compliance with a complete Acid Rain part application or a superseding Acid Rain part issued by the permitting authority; and
 - (ii) Have an Acid Rain Part.

Monitoring Requirements.

- (1) The owners and operators and, to the extent applicable, designated representative of each Acid Rain source and each Acid Rain unit at the source shall comply with the monitoring requirements as provided in 40 CFR part 75, and Rule 62-214.420, F.A.C.
- (2) The emissions measurements recorded and reported in accordance with 40 CFR part 75 shall be used to determine compliance by the unit with the Acid Rain emissions limitations and emissions reduction requirements for sulfur dioxide and nitrogen oxides under the Acid Rain Program.
- (3) The requirements of 40 CFR part 75 shall not affect the responsibility of the owners and operators to monitor emissions of other pollutants or other emissions characteristics at the unit under other applicable requirements of the Act and other provisions of the operating permit for the source.

Sulfur Dioxide Requirements.

- (1) The owners and operators of each source and each Acid Rain unit at the source shall:
 - (i) Hold allowances, as of the allowance transfer deadline, in the unit's compliance subaccount (after deductions under 40 CFR 73.34(c)) not less than the total annual emissions of sulfur dioxide for the previous calendar year from the unit; and
 - (ii) Comply with the applicable Acid Rain emissions limitations for sulfur dioxide.
- (2) Each ton of sulfur dioxide emitted in excess of the Acid Rain emissions limitations for sulfur dioxide shall constitute a separate violation of the Act.
- (3) An Acid Rain unit shall be subject to the requirements under paragraph (1) of the sulfur dioxide requirements as follows:
 - (i) Starting January 1, 2000, an Acid Rain unit under 40 CFR 72.6(a)(2); or
 - (ii) Starting on the later of January 1, 2000 or the deadline for monitor certification under 40 CFR part 75, an Acid Rain unit under 40 CFR 72.6(a)(3).
- (4) Allowances shall be held in, deducted from, or transferred among Allowance Tracking System accounts in accordance with the Acid Rain Program.
- (5) An allowance shall not be deducted in order to comply with the requirements under paragraph (1)(i) of the sulfur dioxide requirements prior to the calendar year for which the allowance was allocated.
- (6) An allowance allocated by the Administrator under the Acid Rain Program is a limited authorization to emit sulfur dioxide in accordance with the Acid Rain Program. No provision of the Acid Rain Program, the Acid Rain permit application, the Acid Rain permit, or the written exemption under 40 CFR 72.7 and 72.8 and no provision of law shall be construed to limit the authority of the United States to terminate or limit such authorization.
- (7) An allowance allocated by the Administrator under the Acid Rain Program does not constitute a property right.

Nitrogen Oxides Requirements. The owners and operators of the source and each Acid Rain unit at the source shall comply with the applicable Acid Rain emissions limitation for nitrogen oxides.

Excess Emissions Requirements.

- (1) The designated representative of an Acid Rain unit that has excess emissions in any calendar year shall submit a proposed offset plan, as required under 40 CFR part 77.
- (2) The owners and operators of an Acid Rain unit that has excess emissions in any calendar year shall:
 - (i) Pay without demand the penalty required, and pay upon demand the interest on that penalty, as required by 40 CFR part 77; and
 - (ii) Comply with the terms of an approved offset plan, as required by 40 CFR part 77.

Recordkeeping and Reporting Requirements.

- (1) Unless otherwise provided, the owners and operators of the source and each Acid Rain unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 5 years, in writing by the Administrator or permitting authority:
 - (i) The certificate of representation for the designated representative for the source and each Acid Rain unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation, in accordance with Rule 62-214.350, F.A.C.; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation changing the designated representative;
 - (ii) All emissions monitoring information, in accordance with 40 CFR part 75;
 - (iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the Acid Rain Program; and,

Plant Name (from Step 1)
Higgins Plant

Recordkeeping and Reporting Requirements (cont.)

- (iv) Copies of all documents used to complete an Acid Rain part application and any other submission under the Acid Rain Program or to demonstrate compliance with the requirements of the Acid Rain Program.
- (2) The designated representative of an Acid Rain source and each Acid Rain unit at the source shall submit the reports and compliance certifications required under the Acid Rain Program, including those under 40 CFR part 72 subpart I and 40 CFR part 75.

Liability.

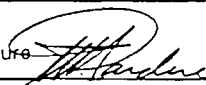
- (1) Any person who knowingly violates any requirement or prohibition of the Acid Rain Program, a complete Acid Rain part application, an Acid Rain part, or a written exemption under 40 CFR 72.7 or 72.8, including any requirement for the payment of any penalty owed to the United States, shall be subject to enforcement pursuant to section 113(c) of the Act.
- (2) Any person who knowingly makes a false, material statement in any record, submission, or report under the Acid Rain Program shall be subject to criminal enforcement pursuant to section 113(c) of the Act and 18 U.S.C. 1001.
- (3) No permit revision shall excuse any violation of the requirements of the Acid Rain Program that occurs prior to the date that the revision takes effect.
- (4) Each Acid Rain source and each Acid Rain unit shall meet the requirements of the Acid Rain Program.
- (5) Any provision of the Acid Rain Program that applies to an Acid Rain source (including a provision applicable to the designated representative of an Acid Rain source) shall also apply to the owners and operators of such source and of the Acid Rain units at the source.
- (6) Any provision of the Acid Rain Program that applies to an Acid Rain unit (including a provision applicable to the designated representative of an Acid Rain unit) shall also apply to the owners and operators of such unit. Except as provided under 40 CFR 72.44 (Phase II repowering extension plans), and except with regard to the requirements applicable to units with a common stack under 40 CFR part 75 (including 40 CFR 75.16, 75.17, and 75.18), the owners and operators and the designated representative of one Acid Rain unit shall not be liable for any violation by any other Acid Rain unit of which they are not owners or operators or the designated representative and that is located at a source of which they are not owners or operators or the designated representative.
- (7) Each violation of a provision of 40 CFR parts 72, 73, 75, 77, and 78 by an Acid Rain source or Acid Rain unit, or by an owner or operator or designated representative of such source or unit, shall be a separate violation of the Act.

Effect on Other Authorities. No provision of the Acid Rain Program, an Acid Rain part application, an Acid Rain part, or a written exemption under 40 CFR 72.7 or 72.8 shall be construed as:

- (1) Except as expressly provided in title IV of the Act, exempting or excluding the owners and operators and, to the extent applicable, the designated representative of an Acid Rain source or Acid Rain unit from compliance with any other provision of the Act, including the provisions of title I of the Act relating to applicable National Ambient Air Quality Standards or State Implementation Plans;
- (2) Limiting the number of allowances a unit can hold; *provided*, that the number of allowances held by the unit shall not affect the source's obligation to comply with any other provisions of the Act;
- (3) Requiring a change of any kind in any State law regulating electric utility rates and charges, affecting any State law regarding such State regulation, or limiting such State regulation, including any prudence review requirements under such State law;
- (4) Modifying the Federal Power Act or affecting the authority of the Federal Energy Regulatory Commission under the Federal Power Act; or,
- (5) Interfering with or impairing any program for competitive bidding for power supply in a State in which such program is established.

Certification

I am authorized to make this submission on behalf of the owners and operators of the Acid Rain source or Acid Rain units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment.

Name <i>W. Jeffrey Pardue, C.E.P., Director, Environmental Services Dept.</i>	
Signature 	Date <i>12/14/95</i>

STEP 5 (optional)
Enter the source AIRS
and FINDS identification
numbers, if known

AIRS
FINDS

TO: Charles & Bruce

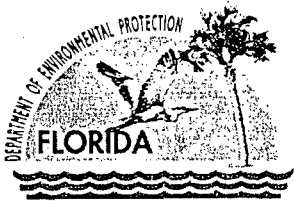
FROM: Scott a/b

FPC - Higgins Plant

Looks good.

Re: 1030012-001-AU

1. Since there are no NSPS emissions units do not need
FIGURE 1 - EXCESS EMISSIONS SUMMARY REPORT ~~No~~
2. Applicant indicated in Title V application that the
facility is not major for HAPs? ~~yes~~ they did
3. The boilers have not been removed from the site? ~~yes~~
they have not
4. Prior permits did not limit the quantity of on spec used
oil? ~~yes~~ they did not
5. Are the boilers also regulated under PM FACT? ~~yes~~
See condition A.35. If so add to regulatory
classifications cited in the permitting note on Page 6.
6. Subsection C. same is used for Andote's Title V?
Please save the entire subsection under models ~~yes~~
and hand copy me. The other FPC plants will need.
7. See miscellaneous tabs.



Charles Logan

Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

Mr. W. Jeffrey Pardue, C.E.P.
Director of Environmental Services
Florida Power Corporation
3201 34th Street South
St. Petersburg, Florida 33711

ORDER EXTENDING PERMIT EXPIRATION DATE Higgins Power Plant, Facility ID No.: 1030012

Section 403.0872(2)(b), Florida Statutes (F.S.), specifies that any facility which submits to the Department of Environmental Protection (Department) a timely and complete application for a Title V permit "is entitled to operate in compliance with its existing air permit pending the conclusion of proceedings associated with its application."

Section 403.0872(6), F.S., provides that a proposed Title V permit which is not objected to by the United States Environmental Protection Agency (EPA) "must become final no later than fifty-five (55) days after the date on which the proposed permit was mailed" to the EPA.

Pursuant to the Federal Acid Rain Program as defined in rule 62-210.200, Florida Administrative Code (F.A.C.), all Acid Rain permitting must become effective on January 1 of a given year.

This facility which will be permitted pursuant to section 403.0872, F.S., (Title V permit) will be required to have a permit effective date subsequent to the final processing date of the facility's Title V permit.

To prevent misunderstanding and to assure that the above identified facility continues to comply with existing permit terms and conditions until its Title V permit becomes effective, it is necessary to extend the expiration date(s) of its existing valid permit(s) until the effective date of its Title V permit. Therefore, under the authority granted to the Department by section 403.061(8), F.S., **IT IS ORDERED:**

1. The expiration date(s) of the existing valid permit(s) under which the above identified facility is currently operating is (are) hereby extended until the effective date of its permit issued pursuant to section 403.0872, F.S., (Title V permit);
2. The facility shall comply with all terms and conditions of its existing valid permit(s) until the effective date of its Title V permit;
3. The facility will continue to comply with the requirements of Chapter 62-214, F.A.C., and the Federal Acid Rain Program, as defined in rule 62-210.200, F.A.C., pending final issuance of its Title V permit.

PETITION FOR ADMINISTRATIVE REVIEW

The Department will take the action described in this Order 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 Department's proposed 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 must be filed within 21 days of receipt of this Order. 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 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 information:

- (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department 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 action or proposed action addressed in this notice of intent.

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 Order. 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.

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 the action proposed in this notice of intent.

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 any person under the Clean Air Act unless and until the Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

This Order constitutes final agency action unless a petition is filed in accordance with the above paragraphs.

RIGHT TO APPEAL

Any party to this Order has the right to seek judicial review of the Order pursuant to Section 120.68, F.S., 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, 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 Notice of Agency Action is filed with the Clerk of the Department.

DONE AND ORDERED this 18 day of Nov, 1997 in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



HOWARD L. RHODES, Director
Division of Air Resources Management
Twin Towers Office Building
Mail Station 5500
2600 Blair Stone Road
Tallahassee, Florida 32399-2400
850/488-0114

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this order and all copies were sent by certified mail before the close of business on 11/20/97 to the person(s) listed:

Mr. W. Jeffrey Pardue, C.E.P.
Mr. Bill Thomas, Southwest District Office
Mr. Gary Robbins, Pinellas County DEM

Clerk Stamp

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

Barbara J. Pontwell 11/20/97
(Clerk) (Date)



Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

November 21, 1997

Mr. W. Jeffrey Pardue, C.E.P.
Director of Environmental Services
Florida Power Corporation
3201 34th Street South
St. Petersburg, Florida 33711

Re: Proposed Title V Permit No.: 1030012-001-AV
Higgins Power Plant

Dear Mr. Pardue:

As per a telephone conversation with Robert Manning yesterday, the following changes have been made to the subject proposed permit;

1. Condition B.19 will be deleted.
2. The last part of the Figure 1 description on the placard page will be deleted.
3. The "not" in the first line of condition 2 in Section II will be deleted.
4. The verbiage "specified in condition A.18." will be added to the end of condition A.7.
5. Condition C.24 will be revised to read as follows:

C.24. Florida Power Corporation shall notify the Department's district office and the local air program (when applicable) of where the diesel generator(s) is presently located and where the diesel generator(s) is to be relocated, in writing, at least 15 days prior to the date on which any diesel generator(s) is to be relocated. The notification shall specify the following;

- a. which generator(s), by serial number, is being relocated,
- b. which location the generator(s) is being relocated from and which location it is being relocated to, and
- c. the approximate startup date at the new location.


[Rule 62-4.070(3), F.A.C.; and, Anclote Power Plant Permit AC 09-202080]

A copy of the public notice will be faxed to you as soon as we receive it and a copy of the Pinellas

Mr. W. Jeffrey Pardue
Proposed Permit, 1030012
Higgins Power Plant
November 21, 1997
Page 2 of 2

County comments have been faxed to Robert Manning. If you should have any questions, please contact Mr. Charles S. Logan at 850/488-1344.

Sincerely,



Scott M. Sheplak, P.E.
Administrator
Title V Section

/CSL

Enclosures

copy furnished to:

Mr. Jerry Kissel, FDEP/SWD

Mr. Gary Robbins, Pinellas County DEM

Mr. W. Jeffery Pardue, C.E.P., Florida Power Corporation

Mr. Kennard F. Kosky, P.E., Golder Associates, Inc.

Ms. Carla E. Pierce, USEPA, Region 4 (INTERNET E-mail Memorandum)

Ms. Yolanda Adams, USEPA, Region 4 (INTERNET E-mail Memorandum)

Mr. Robert Manning, Hopping, Green, Sam, and Smith

November 13, 1997

Mr. W. Jeffrey Pardue, C.E.P.
Director of Environmental Services
Florida Power Corporation
3201 34th Street South
St. Petersburg, Florida 33711

Re: Proposed Title V Permit No.: 1030012-001-AV
Higgins Power Plant

Dear Mr. Pardue:

One copy of the "PROPOSED PERMIT DETERMINATION" the Higgins Power Plant located at 998 East Shore Drive, Oldsmar, Pinellas County, is enclosed. This letter is only a courtesy to inform you that the DRAFT permit has become a PROPOSED permit.

An electronic version of this determination has been posted on the Division of Air Resources Management's world wide web site for the United States Environmental Protection Agency (USEPA) Region 4 office's review. The web site address is <http://www.dep.state.fl.us/air>.

Pursuant to Section 403.0872(6), Florida Statutes, if no objection to the PROPOSED permit is made by the USEPA within 45 days, the PROPOSED permit will become a FINAL permit no later than 55 days after the date on which the PROPOSED permit was mailed (posted) to USEPA. If USEPA has an objection to the PROPOSED permit, the FINAL permit will not be issued until the permitting authority receives written notice that the objection is resolved or withdrawn.

If you should have any questions, please contact Mr. Charles S. Logan at 850/488-1344.

Sincerely,

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

/CSL

Enclosures

copy furnished to:
Mr. Jerry Kissel, FDEP/SWD
Mr. Gary Robbins, Pinellas County DEM
Mr. W. Jeffery Pardue, C.E.P., Florida Power Corporation

Mr. Kennard F. Kosky, P.E., Golder Associates, Inc.
Ms. Carla E. Pierce, USEPA, Region 4 (INTERNET E-mail Memorandum)
Ms. Yolanda Adams, USEPA, Region 4 (INTERNET E-mail Memorandum)

PROPOSED PERMIT DETERMINATION

Florida Power Corporation
Higgins Power Plant
PROPOSED Permit No.: 1030012-001-AV
Page 1 of 8

I. Public Notice.

An "INTENT TO ISSUE TITLE V AIR OPERATION PERMIT" to Florida Power Corporation for the Higgins Power Plant located at 998 East Shore Drive, Oldsmar, Pinellas County was clerked on September 9, 1997. The "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT" was published in The Tampa Tribune on September 24, 1997. The DRAFT Title V Air Operation Permit was available for public inspection at the Pinellas County Department of Environmental Management, the Department's Southwest District Office in Tampa, and the permitting authority's office in Tallahassee. Proof of publication of the "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT" has not been received.

II. Public Comment(s).

Comments were received and the DRAFT Title V Operation Permit was changed. The comments were not considered significant enough to reissue the DRAFT Title V Permit and require another Public Notice. Comments were received from one respondent during the 30 (thirty) day public comment period. Listed below is each comment letter in the chronological order of receipt and a response to each comment in the order that the comment was received. The comment(s) will not be restated. Where duplicative comments exist, the original response is referenced.

A. Letter from Mr. Scott H. Osbourn with FPC dated October 27, 1997, and received on October 29, 1997.

General Comments:

1. The permit will be updated to reflect the most recent version of Appendix TV-1.
2. FPC will be provided a copy of the Notice intended to be published and proof of publication.
3. Reference to the Order Correcting Scrivener's Error, dated July 2, 1997, will follow the reference to ASP Number 97-B-01.
4. All references to and Figure I, Summary Report-Gaseous and Opacity Excess Emission and Monitoring System Performance Report, have been deleted.

Section I. Facility Information, Subsection A:

The correct date the Title V permit application was received is June 14, 1996.

Section II. Facility-wide Conditions

1. Condition 2, Page 3 of 48:

The word "not" will be deleted from the second line of this condition.

2. Condition 3, Page 3 of 48:

This condition will be changed to read as follows:

3. General Particulate Emission Limiting Standards. General Visible Emissions Standard. Except for a particulate matter or opacity limit set forth in or established elsewhere in this permit, no person shall cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity, the density of which is equal to or greater than that designated as Number 1 on the Ringelmann Chart (20 percent opacity). EPA Method 9, shall be used to determine compliance with this condition.

[Rule 62-296.320(4)(b)1. & 4., F.A.C.]

3. Condition 6, Page 3 of 48:

The phrase "exempt" remains unchanged.

4. Condition 7, Page 3 of 48:

Verbiage in the first line will be changed to read "The permittee shall not store, pump" instead of "The permittee shall allow no person to store, pump". Also, the verbiage "**Not federally enforceable**" will begin the condition.

5. Condition 9, Page 4 of 48:

This condition resulted from a request by EPA to establish when day one begins. The citation should be adequate.

6. Condition 12, Page 5 of 48:

The phrase "presently located at the Anclote Power Plant" will be deleted.

Section III. Subsection A Conditions

1. Introduction:

Rule 62-210.300(3)(a)3.d., F.A.C., references units subject to long term shutdown and applicable requirements. The first line of the description will be changed as follows:

SG 1, SG 2, and SG 3 were all placed on "Long Term Reserve Shutdown" on January 24, 1994 (Rule 62-210.300(2)(a)3.d., F.A.C.)

2. Condition A.1., Page 5 of 35:

This condition will be corrected to read as follows:

A.1. Methods of Operation. Fuel(s).

- a. Startup & Shutdown: The only fuels allowed to be burned are new #6 or lighter grades of fuel oils. On-specification used oil shall only be burned if the PCB's are less than 2 ppm and may be blended with new #2 fuel oil. The maximum sulfur content is 2.5 percent, by weight.
- b. Normal: The only fuels allowed to be burned are new #6 or lighter grades of fuel oils and on-specification used oil. The maximum sulfur content is 2.5 percent, by weight.
- c. The maximum annual cumulative amount of on-specification used oil, whether generated on or off-site, that can be burned in these emissions units shall not exceed 5 percent of the total permitted heat input for emissions units SG 1, SG 2, and SG 3.
- d. The heat inputs in condition A.2. are based on the following fuel consumption rates while firing No. 6 fuel oil and natural gas. These rates may vary depending on the heating values of the fuels:

Emissions Unit	Hours/year	Fuel Oil(s)	Natural Gas
SG 1	8760	3,654 gallons/hour	0.50 MMSCF/hour
SG 2	8760	3,486 gallons/hour	0.49 MMSCF/hour
SG 3	8760	3,654 gallons/hour	0.50 MMSCF/hour

[Rule 62-213.410, F.A.C.; and AO's 52-216382, 52-216383, & 52-216384; and Title V application received on June 14, 1996.]

3. Condition A.2., Page 7 of 48:

As requested the unit numbers have been corrected to SG 1, SG 2, and SG 3.

4. Condition A.7., Page 8 of 48:

The condition will be revised as follows:

A.7. Particulate Matter. Particulate matter emissions during normal operations shall not exceed 0.1 pound per million Btu heat input [(54.8 lb/hr & 240 TPY for SG 1 & SG 3, based on 548 MMBtu/hr.) and (52.3 lb/hr & 229 TPY for SG 2), based on 523 MMBtu/hr.] as measured by test methods referenced in condition A.18.

[Rule 62-296.405(1)(b), F.A.C.]

5. Condition A.8., Page 8 of 48:

The condition will be revised as follows:

A.8. Particulate Matter - Soot Blowing and Load Change. Particulate matter emissions shall not exceed an average of 0.3 pound per million Btu heat input [164.4 lb/hr for SG 1 & SG 3(based on 548 MMBtu/hr.) and 156.9 lb/hr(based on 523 MMBtu/hr.) for SG 2] during the 3-hours in any 24-hour

period of excess emissions allowed for boiler cleaning (soot blowing) and load change.
[Rule 62-210.700(3), F.A.C.]

6. Condition A.9., Page 8 of 48:

The condition will be change to reference the “test methods in condition A.19” instead of applicable compliance methods.

7. Condition A.10., Page 8 of 48:

The verbiage “For the purpose of Title V Annual Emissions Fee’s,” will be added at the beginning of the sentence referencing sulfur content of gas. The submittal date will be changed to June 14, 1996.

8. Condition A.24., Page 12 of 48:

The verbiage “When either EPA Method 9 or DEP Method 9 is specified as the applicable opacity test method” will be deleted.

9. Condition A.26., Page 13 of 48:

Provisions for compliance testing exemptions are provided for in A.26, A.27, and A.28. No changes are necessary. The same response applies to A.30.

10. Condition A.32 and A.33, Page 18 of 48:

These conditions will be designated “Not Federally Enforceable”.

11. Condition A.34., Page 18 of 48:

The citations for this condition provide the authority for its inclusion and this condition will remain. Condition A.34.b has been revised to read as follows:

b. Quantity Limited: The maximum cumulative annual amount of on-specification used oil that can be burned at this facility shall not exceed 5 % of the total allowable heat input for SG 1, SG 2, and SG 3.

h. The word “copy” will be changed to “summary”.

12. Condition A.35., Page 21 of 48:

This condition applies while the permit is valid. The information for the facility while it is not operating will have to be documented, even if it is zero. No change will be made.

Section III. Subsection B Conditions

1. Condition B.4., Page 23 of 48:

The verbiage in B.4.b will be revised to read as follows:

b. The heat inputs in condition B.1 are based on the following fuel consumption rates while firing new No. 2 fuel oil and natural gas. These rates may vary depending on the heating values of the fuels:

2. Condition B.7., Page 24 of 48:

This condition applies to combustion turbines and not boilers. Therefore, Rules 62-210.700(2) and (3) do not apply. No change is necessary.

3. Condition B.13., Page 25 of 48:

As requested, this condition will be revised to read as follows:

B.13. Operating Rate During Testing.

Testing of emissions shall be conducted with the emissions unit operating at capacity. Capacity is defined as 95 - 100 percent of the manufacturer's rated heat input achievable for the average ambient (or conditioned) air temperature during the test. If it is impracticable to test at permitted capacity, an emissions unit may be tested at less than capacity. In such cases, the entire heat input vs. inlet temperature curve will be adjusted by the increment equal to the difference between the design heat input value and 105 percent of the value reached during the test, provided however, operations do not exceed 100 percent of the maximum operation rate allowed by this permit. Data, curves, and calculations necessary to demonstrate the heat input rate correction at both design and test conditions shall be submitted to the Department's local office with the compliance test report.

4. Condition B.17., Page 27 of 48:

The first line of this condition will be revised to read as follows:

B.17. Malfunction Reporting. In the case of excess emissions resulting from malfunctions as defined in conditions B.7 and B.8, each owner or operator shall notify the Department in accordance with Rule 62-4.130, F.A.C.

5. Condition B.19., Page 28 of 48:

This condition is applicable and prescriptive in that it will provide you with values for your Annual Title V Emissions Fee's. The condition will not be deleted.

Section III. Subsection C Conditions

1. Introduction:

The description will be revised to read as follows:

The relocatable diesel generator(s) will have a maximum (combined) heat input of 25.74 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. Emissions from the generator(s) are uncontrolled. These conditions were requested in the Initial Title V Permit Application for the Anclote Power Plant received June 14, 1996. The generators may be relocated at any of the following facilities:

2. Conditions C.1, C.5, C.6, C.14, C.16, C.20, C.21, C.23, C.24, Pages 29 through 48:

The permit date is changed to June 14, 1996. The Anclote AC and AO are appropriately referenced. No change is necessary.

3. Condition C.15., Page 32 of 48:

The verbiage "When either EPA Method 9 or DEP Method 9 is specified as the applicable opacity test method" will be deleted.

4. Condition C.21., Page 34 of 48:

The first line of this condition will be revised to read as follows:

To demonstrate compliance with specific condition C.5, records shall indicate the daily hours of operation for each diesel generator, 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., Page 34 of 48:

This condition will not be deleted and the entire condition will be placed under the heading of Source Obligation.

6. Condition C.24., Page 35 of 48:

Pinellas County DEM must be provided the same notification if this source is removed from or relocated to Pinellas County. No change is necessary.

Section III. Acid Rain Part

1. Condition 1, Page 36 of 48:

Compliance with provisions in the DEP form is referenced so the form date is appropriate. The date the acid rain application was received is stated on the placard page of this permit. No change will be made.

2. Condition 4, Page 37 of 48:

This condition will be moved to the facility wide section and conditions renumbered accordingly.

Table & Appendix

1. Table 1-1, Page 38 of 48:

The footnote referencing lead emissions is deleted and replaced with a reference to the condition limiting the burning of OSUO to 5 percent of the total heat input.

2. Table 1-2, Page 39 of 48:

The first asterisk will not be deleted but will be revised to address the limit on burning OSUO to 5 percent of the total heat input. The reference to Rule 62-212.400(2)(f)1, F.A.C. has been deleted.

3. Table 1-4 & 2-2, Page 41 & 43 of 48:

The notes in the tables is revised to read "The above unit(s) are permitted to be located at seven facilities."

4. Appendix E-1, Page 32 of 35:

The spelling of citrosolv is corrected.

5. Appendix U-1, Page 33 of 36:

Surface Coating and Solvent Cleaning will be moved to Appendix E-1 and reference to the Helper Cooling Towers will be deleted.

B. Letter from Mr. Gary Robbins with Pinellas County DEM dated September 29, 1997, and received on October 2, 1997.

1. The numbering of emissions units or sources are changed accordingly.

2. There is no specific rule authority for and the requested condition would conflict with existing conditions presently in the permit. The condition will not be added.

3. Condition A.33 is directly from specific condition No. 18 of the current permit (AO52-216382). No change will be made.

4. The verbiage addition requested would make the statement grammatically incorrect. No change will be made.

5. It is not appropriate to address a frequency issue in the Title V permit. No change will be made.

6. This issue is addressed in responses (#3 of Section III, Subsection B Conditions above) to FPC comments.

III. Conclusion.

The permitting authority will issue the PROPOSED Permit No.: 1030012-001-AV, with any changes noted above.



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

RECEIVED

OCT 29 1997

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.C."

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,

A handwritten signature in black ink, appearing to read "W. Jeffrey Pardue".

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

A handwritten signature in black ink, appearing to read "Robert A. Manning".

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

cc: Scott Sheplak, DEP

10/22/97 cc: Scott Sheplak
 Charles Logan

RECEIVED

OCT 22 1997

BUREAU OF
 AIR REGULATION



October 2, 1997

RECEIVED

OCT 06 1997

BUREAU OF
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

RECEIVED

SEP 30 1997

Environmental Svcs
Department

Lawton Chiles
Governor

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

Virginia B. Wetherell
Secretary

NOTICE OF PERMIT ISSUANCE

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.

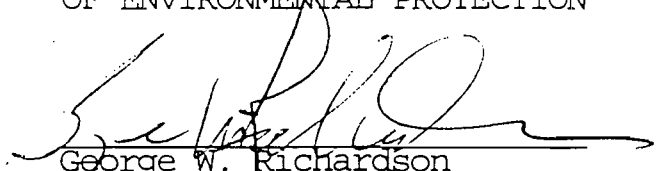
Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable 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.: AO09-205952

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

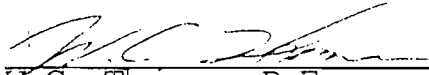
Specific Condition No. 17 continued:

- (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:

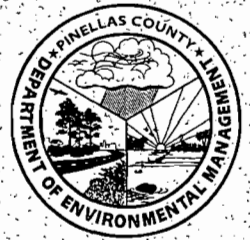
- a. Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
- b. The permittee shall hold at the facility or other location 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



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FAX: (813) 464-4420
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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 it's 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 Sogon



Florida
Power
CORPORATION

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BUREAU OF
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Dept. of Environmental Protection
Office of General Counsel

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