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**BUREAU OF  
AIR REGULATION**

July 22, 1997

Marty Costello  
Bureau of Air Regulation  
Florida Department of Environmental Protection  
2600 Blair Stone Road, MS 5505  
Tallahassee, FL 32301

RE: Lakeland Electric and Water Utilities  
Charles Larsen Memorial Power Plant  
Unit No. 8--Combined Cycle Gas Turbine System  
Permit Nos. PSD-FL-166 and AC53-190437  
Request for Permit Revision

Dear Marty:

We thank you, Al and Pat for the opportunity of meeting with us yesterday in your offices in reference to the above permit revision request. It was a mutually beneficial meeting and we are looking forward to receive a proposed permit revision from you in due course. However, as the 90 day time limit will be expiring on Friday July 25, 1997, in order to facilitate more time for further review of requested NOX limit we are submitting to you a signed "Waiver Of 90 Day Time Limit under Sections 120.60(2) and 403.087 Florida Statutes" extending the time limit to and including September 19, 1997.

Lakeland would endeavor to submit to you data from this unit's CEM depicting present 30 day rolling average for NOX in support of our application. Additionally Lakeland has the following comment in respect of draft revised permit which you graciously supplied to us:

- In carefully reviewing the draft revised Table 1 from the PSD permit, Lakeland noticed that the carbon monoxide emission limits in parts per million were inconsistent with the volatile organic compound (VOC) emission limits in tons per year. A further review indicated that PSD was not triggered for VOC emissions, therefore a Best Available Control Technology determination was not made for VOC emissions. Since the only limits are in tons per year, there are no testing requirements, PSD/BACT was not triggered, and there is no other regulatory basis for the VOC emission limits, Lakeland respectfully requests that the VOC limits be deleted from the revised Table 1.

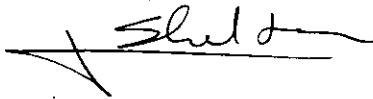
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- The draft Notice of Intent and draft public notice for the revisions to the PSD permit state that a "revised" draft will be issued if significant changes are made. While this may be appropriate for draft Title V permits, it is not appropriate for PSD permits. The Department's Rule 62-103.150(1)(a)5, F.A.C., states that a renote is necessary only if the activity or project is "substantially modified by the applicant and the Department proposes to issue the permit with the modification." "Substantially modified" means a major relocation or modification of the project that is reasonably expected to cause new or greater adverse environmental impacts upon the substantial interests of a person other than the applicant. The rules for construction permits do not require "revised" drafts to be issued and require renotes to be published only in these limited circumstances. Lakeland therefore requests that the draft Notice of Intent and draft public notice be revised to delete the sentence referencing issuance of a "revised draft" permit and another public notice.

If you should have any questions, please contact me at (941) 499-6603, or E-Mail "fshel@citymail.lakeland.net".

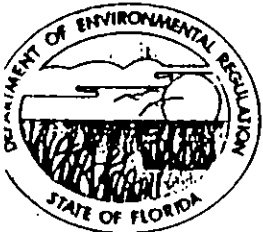
Sincerely



Farzie Shelton

Enc.

cc: Al Linero, DEP  
Angela Morrison, HGSS  
Ken Kosky, Golders Associate



# Florida Department of Environmental Regulation

Twin Towers Office Bldg. • 2600 Blair Stone Road • Tallahassee, Florida 32399-2400

Lawton Chiles, Governor

Carol M. Browner, Secretary

## WAIVER OF 90 DAY TIME LIMIT UNDER SECTIONS 120.60(2) and 403.0876, FLORIDA STATUTES

License (Permit, Certification) Application No. 1050003-015-AC

Applicant's Name: Lakeland Electric & Water Utilities

With regard to the above referenced application, the applicant hereby with full knowledge and understanding of applicant's rights under Sections 120.60(2) and 403.0876, Florida Statutes, waives the right to have the application approved or denied by the State of Florida Department of Environmental Regulation within the 90 day time period prescribed by law. Said waiver is made freely and voluntarily by the applicant, with full knowledge, and without any pressure or coercion by anyone employed by the State of Florida Department of Environmental Regulation.

This waiver shall expire on the 19 day of September, 1997.

The undersigned is authorized to make this waiver on behalf of the applicant.

Farzie Shelton  
Signature

FARZIG SHELTON  
NAME (PLEASE TYPE OR PRINT)

Revised April, 1990