



Jeb Bush
Governor

Department of Environmental Protection

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

David B. Struhs
Secretary

January 28, 1999

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Ronald W. Tomlin
Assistant Managing Director
Lakeland Electric & Water Utilities
501 East Lemon Street
Lakeland, Florida 33801-5079

Re: DEP File No. 1050004-006-AC (PSD-FL-245A)
McIntosh Unit No. 5 Combustion Turbine

Dear Mr. Tomlin:

The Department reviewed your request dated January 26, 1999 to provide additional time to demonstrate compliance with the Best Available Control Technology emission limits established in the reference permit. It is our understanding that the unit will start up in May or June of this year and that the initial tests will at least demonstrate compliance with the applicable New Source Performance Standard, 40CFR60, Subpart GG, "Standards of Performance for New Stationary Gas Turbines." Subsequent tuning of the Dry Low NO_x combustors will be conducted followed by additional testing to demonstrate compliance with the BACT-based emission limits. The request is acceptable and the referenced permit is hereby modified as follows:

SPECIFIC CONDITION 29

Compliance with the allowable emission limiting standards shall be determined within 60 days for applicable New Source Performance Standards and 120 days for all other emissions limits after achieving the maximum production rate, for each fuel, at which this unit will be operated, but not later than 180 days of initial operation of the unit for that fuel, and annually thereafter as indicated in this permit, by using the following reference methods as described in 40 CFR 60, Appendix A (1997 version), and adopted by reference in Chapter 62-204.800, F.A.C. Emission limits compliance dates shall conform to the timetable specified on Specific Condition No. 20.

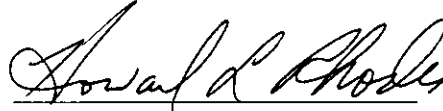
A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office 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 notice of intent. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3) of the Florida Statutes must be filed within fourteen days of publication of the public notice or within fourteen days of

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) F.S., 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 the 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.

A copy of this letter shall be filed with the referenced permit and certification and shall become part of the permit.

Sincerely,



Howard L. Rhodes, Director
Division of Air Resources
Management

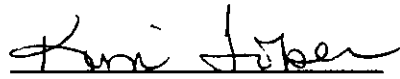
CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this AMENDMENT was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on 1-29-99 to the person(s) listed:

- Ms. Farzie Shelton, City of Lakeland*
- Mr. Gregg Worley, EPA
- Mr. John Bunyak, NPS
- Mr. Bill Thomas, DEP SWD
- Mr. Hamilton Owen DEP PPSO

Clerk Stamp

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to §120.52, Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.


(Clerk)

1-29-99
(Date)



Farzie Shelton, chE; REM

Environmental Affairs Manager of Licensing & Permitting

HAND DELIVERED

January 26, 1999

Mr. C.H. Fancy, P.E.
Chief Bureau of Air Regulation
Department of Environmental Protection
Twin Towers Office Building
2600 Blair Stone Road, Mail Station #5505
Tallahassee, Florida 32399-2400

Dear Mr. Fancy:

1050004-006-AC

Re: Air Construction Permit, DEP File No. 1050004-004-AC (PSD-FL-245)
250 Megawatt Combustion Turbine - McIntosh Power Plant Unit No. 5

As you are aware, Unit No. 5 is the first generation of Westinghouse 501G series Combustion Turbine and due to its large size has not been factory tested prior to its installation on site of McIntosh Power Plant. Hence, more time is needed to tune the unit and in particular the combustors for compliance demonstration with the Best Available Control Technology Standard (BACT). Therefore, we are writing to request a minor modification to the Section III. Emission Unit Specific Condition - Compliance Determination, condition No. 29 of the above referenced permit. We are requesting the Department to consider an additional time (60 more days) for demonstration and compliance with the BACT Standard beyond the 60 days allowed by the permit when the maximum production rate has been achieved, but no later than 180 days of initial operation of the unit.

However, please be advised that we intend and endeavor to demonstrate compliance with the New Source Performance Standard (NSPS) in accordance with the 40CFR60.8 and 40CFR60. Subpart GG (Standards of Performance for Stationary Gas Turbines) as per condition No. 29 of this permit.

We appreciate the Department's consideration to our request and accordingly we are enclosing a check for the sum of \$50.00 to cover the fees associated with this minor modification. If you should have any questions, please do not hesitate to contact me.

Sincerely,

Farzie Shelton

Enclosure

Cc: Mr. Hamilton Owen P.E.
Mr. Al Linero P.E.

City of Lakeland • Department of Electric

Is your RETURN ADDRESS completed on the reverse side?

SENDER: ■ Complete items 1 and/or 2 for additional services. ■ Complete items 3, 4a, and 4b. ■ Print your name and address on the reverse of this form so that we can return this card to you. ■ Attach this form to the front of the mailpiece, or on the back if space does not permit. ■ Write "Return Receipt Requested" on the mailpiece below the article number. ■ The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee): 1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery Consult postmaster for fee.
3. Article Addressed to: Ronald W. Tomlin Lakeland Electric & Water Utilities 501 E. Lemon St. Lakeland, FL 33801	4a. Article Number Z 333 612 506	4b. Service Type <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Express Mail <input type="checkbox"/> Insured <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> COD
5. Received By: (Print Name)	7. Date of Delivery 2-4-99	8. Addressee's Address (Only if requested and fee is paid)
6. Signature: (Addressee or Agent) X Ronald W. Tomlin		

Thank you for using Return Receipt Service.

PS Form 3811, December 1994

102595-97-B-0179 Domestic Return Receipt

Z 333 612 506

US Postal Service
Receipt for Certified Mail
 No Insurance Coverage Provided.
 Do not use for International Mail (See reverse)

Sent to	Ronald Tomlin
Street & Number	Lakeland E & W
Post Office, State, & ZIP Code	Lakeland FL
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	1-29-99
	1050004-006-AC
	PSO-FL-245A

PS Form 3800, April 1995

Memorandum

Florida Department of Environmental Protection

Kim

TO: Howard Rhodes

THRU: Clair Fancy *aaf for CHF*

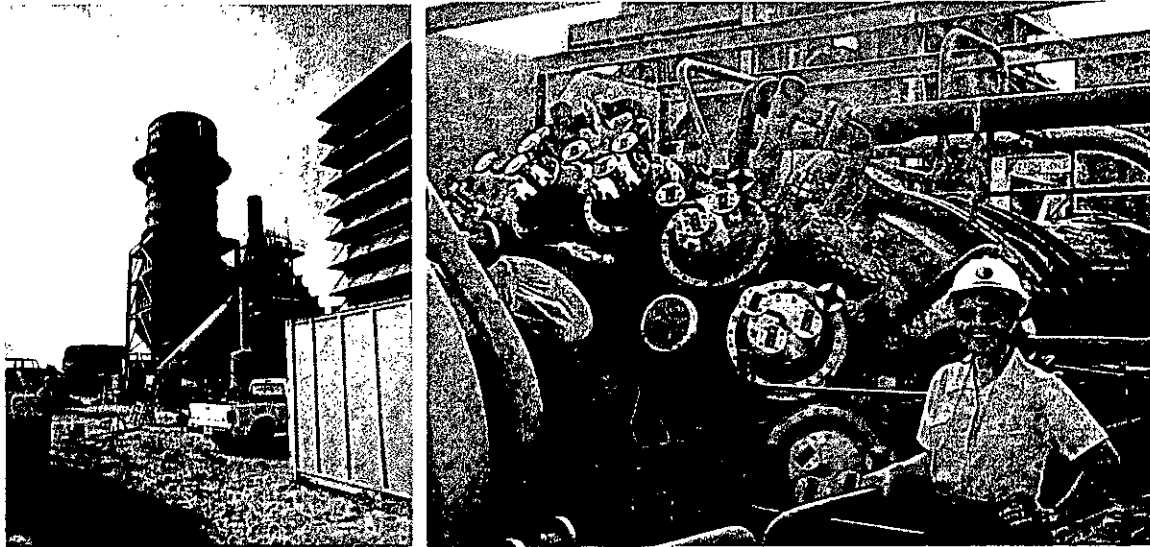
FROM: A. A. Linero *AAL*

DATE: January 22, 1999

SUBJECT: City of Lakeland McIntosh Unit No. 5
250 MW Gas Turbine (PSD-FL-245)

Attached is a modification to the City of Lakeland's permit for their new combustion turbine. They are asking for 60 days of additional time following start-up to conduct the BACT tests. Apparently Westinghouse plans only to demonstrate compliance with the NSPS within the first 60 days. The present permit requires demonstration of compliance with both sets of standards within 60 days.

I am convinced that granting some additional time is prudent based on my trip to Lakeland and my knowledge of the status of Westinghouse projects throughout the country. It will improve the probability that the unit will actually comply with the limits at an early date while allowing the City to generate electricity from the unit. I informed the City's representative that there will be no other future extensions of the time limit to demonstrate compliance with the BACT limits. My understanding is that Westinghouse must cover any damages and penalties if they are not able to comply with the permit requirements.



I recommend your approval and signature.

AAL/aal

Attachments