

Florida Department of Environmental Regulation

Southwest District

3804 Coconut Palm Dr.

Tampa, Florida 33619

Lawton Chiles, Governor

813-440-0100

Virginia Wetherell, Secretary

NOTICE OF PERMIT

In the Matter of an Application
for Permit by:

DER File No.: AC53-230744
County: Polk

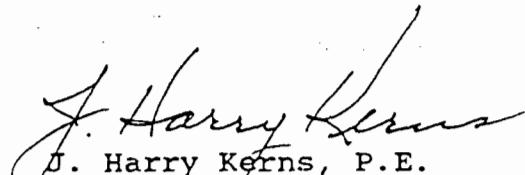
Mr. Robert I. Taylor, Project Manager
Central Florida Power Limited Partnership
2500 City West Boulevard, Suite 150
Houston, Texas 77042

Enclosed is Permit Number AC53-230744 for the construction of a wastewater treatment system spray dryer unit at the Tiger Bay Cogeneration Facility located west of Ft. Meade in Polk County, issued pursuant to Section 403.087, Florida Statutes.

Any party to this Order (permit) has the right to seek judicial review of the permit 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, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; 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 this Notice is filed with the Clerk of the Department.

Executed in Tampa, Florida.

Sincerely,


J. Harry Kerns, P.E.
District Air Engineer

DRZ/
enclosure

Copy furnished to:
Kennard F. Kosky, P.E., KBN Engineering & Applied Sciences, Inc.

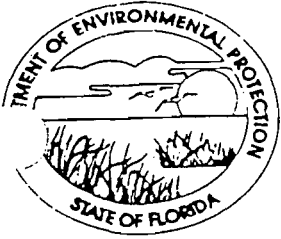
CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF PERMIT and all copies were mailed before the close of business on JUN 29 1993 to the listed persons.

Clerk Stamp

FILING AND ACKNOWLEDGEMENT
FILED, on this date, pursuant
to Section 120.52(9), Florida
Statutes, with the designated
Department Clerk, receipt of
which is hereby acknowledged.

Marilyn Quiske JUN 29 1993
(Clerk) (Date)



Florida Department of Environmental Protection

Southwest District

Lawton Chiles, Governor

3804 Coconut Palm Dr.

813-744-6100

Tampa, Florida 33619

Virginia Wetherell, Secretary

PERMITTEE:

Central Florida Power Limited
Partnership
2500 City West Boulevard, Suite 150
Houston, Texas 77042

PERMIT/PROJECT:

Permit No: AC53-230744
County: Polk
Expiration Date: 01/01/96
Project: Wastewater Treatment
System Spray Dryer w/Baghouse

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Chapters 17-200 through 297, and Chapter 17-4. 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 construction of a natural gas fired spray dryer unit and baghouse associated with the wastewater treatment system for a cogeneration facility. This equipment is used to process the concentrated wastewater brine from two falling-film evaporator units. The effluent from the evaporators is pumped to the spray dryer module where it is atomized into a spray and contacted by heated air to evaporate the liquid, thus resulting in the formation of dry particles from the remaining solids. The exhaust gas stream from the spray dryer is sent through a baghouse dust collector where the particulate matter is removed with a removal efficiency of at least 99.9% (based on vendor's guarantee). Design gas flow rate to the baghouse is 5,050 acfm @ 340°F. The spray dryer air heater is fired with natural gas at a maximum heat input rate of 3.07 MMBtu/hr.

Location: Tiger Bay Cogeneration Facility
County 630 Road, 3 miles west of Ft. Meade

UTM: 17-416.3 E 3069.3 N **NEDS No:** 0223 **Point ID No:** 02

Replaces Permit No.: N/A

SPECIFIC CONDITIONS:

1. A part of this permit is the attached 15 General Conditions. [Rule 17-4.160, F.A.C.].
2. All applicable rules of the Department and design discharge limitations specified in the application must be adhered to. The permit holder may also need to comply with county, municipal, federal, or other state regulations prior to construction. [Rule 17-4.070(7), F.A.C.].

Operation and Emission Limitations

3. This source is permitted for continuous operation (8,760 hours/year). [As requested in construction permit application].
4. The spray dryer unit air heater shall be fired with natural gas only at a maximum heat input rate not to exceed 3.07 MMBtu/hour. [Construction permit application].
5. Particulate matter emissions from the spray dryer unit baghouse exhaust shall not exceed 0.021 pounds per hour and 0.092 tons per year. (Note: on the basis of this limitation this source is exempted from the particulate matter RACT requirements of Rule 17-296.700, F.A.C.) [Construction permit application and Rule 17-296.700(2)(b) and (c), F.A.C.].
6. Due to the expense and complexity of conducting a stack test on a minor source of particulate matter, and because this source is equipped with a baghouse control device, the Department, pursuant to the authority granted under Rule 17-297.620(4), F.A.C., hereby establishes a visible emission limitation not to exceed an opacity of 5% in lieu of a particulate stack test.
7. The permittee shall not cause, suffer, allow, or permit the discharge of air pollutants which cause or contribute to an objectionable odor. [Rule 17-296.320(2), F.A.C.].
8. All reasonable precautions shall be taken to prevent and control generation of unconfined emissions of particulate matter in accordance with the provisions in Rule 17-296.310(3)(c), F.A.C. These provisions are applicable to any source, including but not limited to, vehicular movement, transportation of materials, construction, alteration, demolition or wrecking, or industrial related activities such as loading, unloading, storing and handling. [Rule 17-296.310(3)(b), F.A.C.].

SPECIFIC CONDITIONS:

Testing Requirements

9. The spray dryer unit baghouse shall be tested for visible emissions within 30 days after it is placed in commercial operation or 180 days after initial operation, whichever occurs first. A test report shall be submitted within 45 days of testing to the Southwest District Office of the Department in conjunction with a Certificate of Completion of Construction.

[Rules 17-297.340(1)(a), and 17-297.570, F.A.C.].

10. Should the Department have reason to believe the particulate emission standard is not being met, the Department may require that compliance with the particulate emission standard be demonstrated by stack testing in accordance with Rule 17-297, F.A.C.

[Rule 17-297.620(4), F.A.C.].

11. Compliance with the visible emission limitation of Specific Condition No. 6 shall be determined using EPA Method 9 contained in 40 CFR 60, Appendix A and adopted by reference in Rule 17-297, F.A.C. The visible emissions test shall be conducted by a certified observer and be a minimum of 30 minutes in duration. The test observation period shall include the period during which the highest opacity can reasonably be expected to occur. The minimum requirements for stationary point source emission test procedures and reporting shall be in accordance with Rule 17-297, F.A.C. and 40 CFR 60 Appendix A.

[Rule 17-297.330(1)(b), F.A.C.].

12. Stack testing shall be conducted during operation of the wastewater treatment system and spray dryer unit under conditions that could be reasonably expected to represent the worst case particulate loading to the baghouse. The test report shall include a description of the wastewater treatment system and spray dryer unit operating conditions during the test, including the following:

- A. spray dryer wastewater brine feed rate (gal/min. or other appropriate units);
- B. spray dryer air heater heat input rate (MMBtu/hr);
- C. any other operating parameters (such as pressure drops, temperatures, baghouse gas flow rate (acfm), etc.) that the permittee feels are indicative of the operating conditions during the test.

Failure to submit the above operating information and or operating at conditions which do not reflect the normal operating conditions may invalidate the data and fail to provide reasonable assurance of compliance.

[Rule 17-4.070(3), F.A.C.].

Central Florida Power L.P.
Tiger Bay Cogeneration Facility

Permit No. : AC53-230744
Project: Spray Dryer w/Baghouse

SPECIFIC CONDITIONS:

13. The permittee shall notify the Southwest District Office of the Department 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 17-297.340(1)(i), F.A.C.].

Reporting and Permit Requirements

14. Effective as soon as commercial operation begins at the facility, the permittee shall submit to the Southwest District Office of the Department each calendar year on or before March 1, completed DER Form 17-213.900(4), "Annual Operating Report for Air Pollutant Emitting Facility," for the preceding calendar year.

[Rule 17-210.370(2), F.A.C.].

15. The permittee, may, for good cause, request that this construction permit be extended. Such a request shall be submitted to the Southwest District Office of the Department at least 60 days prior to the expiration date of the permit.

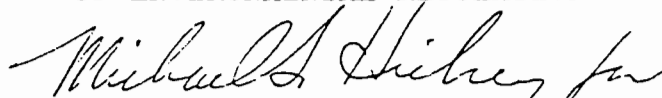
[Rule 17-4.090, F.A.C.].

16. Two applications for an operating permit shall be submitted to the Southwest District Office of the Department within 45 days of testing or at least 60 days prior to the expiration date of this permit, whichever occurs first. To properly apply for an operation permit, the applicant shall submit the following:

- A. the appropriate application form (Certificate of Completion of Construction) noting any deviations from the construction permit application;
- B. the compliance test report as required by Specific Condition No. 9 of this permit.

[Rules 17-4.070(3) and 17-297.340(1)(a), F.A.C.].

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION



Richard D. Garrity, Ph.D.
Director of District Management
Southwest District

ATTACHMENT - GENERAL CONDITIONS:

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, 403.161, 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 this 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.

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 and used by the permittee to achieve compliance with the conditions of this permit, are 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 reasonable times, access to the premises where the permitted activity is located or conducted to:

- (a) Have access to and copy any records that must be kept under conditions of the permit;
- (b) Inspect the facility, equipment, practices, or operations regulated or required under this permit;
- (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 noncompliance; and
- (b) The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance.

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 403.111 and 403.73, 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 Rule 17-4.120 and 17-730.300, Florida Administrative Code, as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.

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)
- () Certification of compliance with State Water Quality Standards (Section 401, PL 92-500)
- () Compliance with New Source Performance Standard

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:
 1. the date, exact place, and time of sampling or measurements;
 2. the person responsible for performing the sampling or measurements;
 3. the dates analyses were performed;
 4. the person responsible for performing the analyses;
 5. the analytical techniques or methods used;
 6. 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 the 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.

Check Sheet

Company Name: DESTEC - TIGER BAY
Permit Number: 105 0223 -003 -AC
PSD Number: 190
Permit Engineer: COSTELLO /LINERO

Application:

- Initial Application
- Incompleteness Letters
- Responses
- Waiver of Department Action
- Department Response
- Other

Cross References:

-
-
-

Intent:

- Intent to Issue
- Notice of Intent to Issue
- Technical Evaluation
- BACT Determination
- Unsigned Permit

Correspondence with:

- EPA
- Park Services
- Other
- Proof of Publication
- Petitions - (Related to extensions, hearings, etc.)
- Waiver of Department Action
- Other

Final Determination:

- Final Determination
- Signed Permit
- BACT Determination
- Other

Post Permit Correspondence:

- Extensions/Amendments/Modifications
- Other

1) Teresa working on PPSA Application to increase steam production/elect. gen.

2) Transferred ownership

3) extended deadline for NOx Limit of 15 ppm

AFFIDAVIT OF PUBLICATION

THE LEDGER

Lakeland, Polk County, Florida

Case No

STATE OF FLORIDA)
COUNTY OF POLK)

Before the undersigned authority personally appeared Nelson Kirkland, who on oath says that he is Classified Advertising Manager of The Ledger, a daily newspaper published at Lakeland in Polk County, Florida; that the attached copy of advertisement, being a

Public Notice Of Intent

in the matter of

Draft Permit Amendment No.1050223-006-AC

in the

Court, was published in said newspaper in the issues of

October 24;

1997

Affiant further says that said The Ledger is a newspaper published at Lakeland, in said Polk County, Florida, and that the said newspaper has heretofore been continuously published in said Polk County, Florida, daily, and has been entered as second class matter at the post office in Lakeland, in said Polk County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

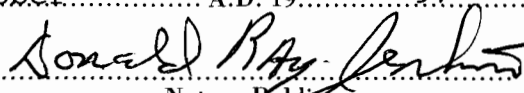
Signed 
Nelson Kirkland
Classified Advertising Manager
By Nelson Kirkland who is
personally known to me

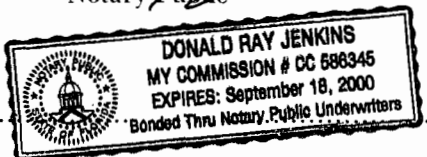
24th

Sworn to and subscribed before me this

day of October A.D. 19..... 97

(Seal)


Notary Public



My Commission Expires

Order#674474
S Wilkes

A860

PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT AMENDMENT

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DRAFT Permit Amendment No. 1050223-006-AC. (PSD-FL-190)
Tiger Bay Power Plant
Polk County

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit amendment to Florida Power Corporation's requested changes in certain emission testing requirements at the Tiger Bay Power Plant located near Fort Meade, Polk County. The facility consists of a 258 megawatt gas and oil fired combustion turbine with a heat recovery steam generator and duct burner. A Best Available Control Technology (BACT) determination was not required pursuant to Rule 62-212.400, F.A.C. and 40 CFR 52.21, Prevention of Significant Deterioration (PSD). The amendment will not result in an increase in any emissions from the facility, and will not cause a violation of any state or federal ambient air quality standards or increments. The applicant's name and address are: Florida Power Corporation, 3201 34th Street South, St. Petersburg, FL 33733.

This amendment clarifies when annual testing for volatile organic compounds is required and that EPA Method 3A is an acceptable alternate for Method 3 for determining oxygen concentrations.

The Department will issue the FINAL Permit Amendment, in accordance with the conditions of the DRAFT Permit Amendment unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed DRAFT Permit Amendment issuance action for a period of 14 (fourteen) days from the date of publication of this Notice. Any written comments should be provided to the Department's Bureau of Air Regulation, 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this DRAFT Permit Amendment, the Department shall issue a Revised DRAFT Permit Amendment and require, if applicable, another Public Notice.

The Department will issue FINAL Permit Amendment with the conditions of the DRAFT Permit Amendment unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57 F.S. The procedures for petitioning for a hearing are set forth below. Mediation is not available for this action.

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 F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, telephone: 850/488-9370, fax: 850/487-4938. Petitions must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. 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 F.S., 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 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 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 Department's 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 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.

A complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

Department of Environmental Protection Bureau of Air Regulation 111 South Magnolia Drive, Suite 4 Tallahassee, Florida, 32301 Telephone: 850/488-1344 Fax: 850/922-6979	Department of Environmental Protection Southwest District Office Air-Permitting Section 3804 Coconut Palm Drive Tampa, Florida 33619 Telephone (813) 744-6100 Fax: (813) 744-6084
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The complete project file includes the Draft Permit Amendment, the application, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Administrator, New Resource Review Section at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/488-1344, for additional information.

A-860 - 10-24; 1997

AFFIDAVIT OF PUBLICATION

THE LEDGER Lakeland, Polk County, Florida

Case No

STATE OF FLORIDA)
COUNTY OF POLK)

Before the undersigned authority personally appeared Nelson Kirkland, who on oath says that he is Classified Advertising Manager of The Ledger, a daily newspaper published at Lakeland in Polk County, Florida; that the attached copy of advertisement, being a

Public Notice Of Intent

in the matter of

DEP. File No. 1050223-007-AC

in the

Court, was published in said newspaper in the issues of

November 25;

1997.

Affiant further says that said The Ledger is a newspaper published at Lakeland, in said Polk County, Florida, and that the said newspaper has heretofore been continuously published in said Polk County, Florida, daily, and has been entered as second class matter at the post office in Lakeland, in said Polk County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Signed

Nelson Kirkland
Nelson Kirkland
Classified Advertising Manager

By Nelson Kirkland who is
personally known to me

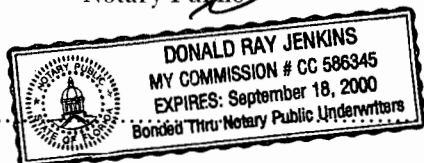
Sworn to and subscribed before me this 26th

day of NOVEMBER A.D. 19 97

(Seal)

Donald Ray Jenkins
Notary Public

My Commission Expires



Order#674596
Tiger Bay Power Plant

Attach Notice Here

PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT MODIFICATION

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DEP File No. 1050223-007-AC
Florida Power Corporation
Tiger Bay Power Plant - 258 MW Cogen Unit
Polk County

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit modification to Florida Power Corporation (FPC) to defer the applicability date of a lower nitrogen oxides emission limit at its 258 megawatt cogeneration facility located five miles west of Fort Meade, Polk County. A Best Available Control Technology (BACT) determination was not required pursuant to Rules 62-212.400 and 410, F.A.C., Prevention of Significant Deterioration (PSD). The permit modification will not cause a violation of any state or federal ambient air quality standards or increments. The applicant's name and address are: Florida Power Corporation, 3201 34th Street South, St. Petersburg, Florida 33733.

At present, the unit is in compliance with a nitrogen oxide (NOx) limit of 25 parts per million (ppm). Conditions in original Permit No. AC-53-214903 (PSD-FL-190) were modified on January 8, 1997. These require that the unit achieve a nitrogen oxide (NOx) emission limit of 15 parts per million (ppm) while burning natural gas not later than December 31, 1998 using appropriate combustion technology improvements or selective catalytic reduction (SCR). DESTEC (former owner) indicated to the Department at the time the conditions were modified that SCR would be installed by the December 31, 1998 date. DESTEC asserted that the cost of retrofitting this system with the Dry Low NOx combustors would be significantly greater than that of SCR. General Electric (manufacturer) and FPC have since agreed upon terms that will make the DLN system cost-effective.

This modification will further defer the applicability date of the lower limit given in the permit from December 31, 1998 to December 31, 1999 for the installation of DLN. DLN will achieve the limits specified in the permit without requiring storage, use, or emissions of ammonia. If SCR is chosen as the control technology, the maximum NOx emission limits will be lowered to 64.8 pounds per hour (equivalent to 10 ppm @ 15% O2) and made effective on the deferred date.

The Department will issue the FINAL Permit Modification, in accordance with the conditions of the DRAFT Permit Modification unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed DRAFT Permit Modification issuance action for a period of 30 (thirty) days from the date of publication of this Notice. Written comments should be provided to the Department's Bureau of Air Regulation, 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this DRAFT Permit Modification, the Department shall issue a Revised DRAFT Permit Modification and require, if applicable, another Public Notice.

The Department will issue FINAL Permit Modification with the conditions of the DRAFT Permit Modification unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57 F.S. The procedures for petitioning for a hearing are set forth below. Mediation is not available for this action.

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 F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, telephone: 850/488-9370, fax: 850/487-4938. Petitions must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. 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 F.S., 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 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 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 Department's 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 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.

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Department of Environmental Protection
Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619-8218
Telephone: 850/744-6100
Fax: 850/744-6084

Department of Environmental Protection
Bureau of Air Regulation
111 South Magnolia Drive, Suite 4
Tallahassee, Florida 32301
Telephone: 850/488-1344
Fax: 850/922-6979

The complete project file includes the Draft Permit Modification, the application, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Administrator, New Resource Review Section at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/488-1344, for additional information.

A-982 - 11-25; 1997

A982



Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

November 17, 1997

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

W. Jeffrey Pardue, C.E.P.
Director, Environmental Services Department
Florida Power Corporation
3201 34th Street South
St. Petersburg, FL 33733

Re: Permit Amendment No. 1050223-006-AC
Permit Nos. PSD-FL-190 / AC53-214903
Tiger Bay Power Plant
Changes To Testing Conditions

Dear Mr. Pardue:

The Department has reviewed your September 11 letter requesting an amendment to the above referenced permit for VOC testing and the use of Method 3A for determination of oxygen concentration. This request is acceptable and the permit is hereby amended as follows:

The following shall be added to the end of Specific Condition 8:

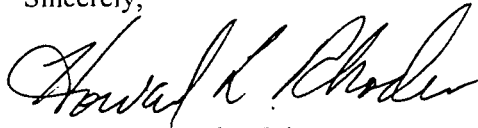
Annual VOC testing on the CT and duct burner shall be conducted using only Method 25A (Method 18 is not required) however the annual VOC testing shall not be required provided that the annual CO test demonstrates emissions below the CO limits in Table 1. Method 3A may be substituted for Method 3 to determine oxygen concentrations.

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

This permit amendment is issued pursuant to Chapter 403, Florida Statutes. Any party to this order (permit amendment) has the right to seek judicial review of the permit 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 Legal Office; 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 (thirty) days from the date this Notice is filed with the Clerk of the Department.

Executed in Tallahassee, Florida.

Sincerely,



Howard L. Rhodes, Director
Division of Air Resources
Management

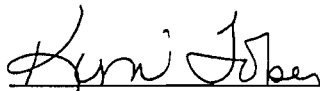
CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF FINAL PERMIT AMENDMENT (including the FINAL permit amendment) was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on 11-19-97 to the person(s) listed:

- Mr. W. Jeffrey Pardue, FPC*
- Mr. Brian Beals, EPA Region 4
- Mr. Bill Thomas, SWD
- Mr. Roy Harwood, Polk County

Clerk Stamp

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


(Clerk)

11-19-97
(Date)

Fold at line over top of envelope to

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):

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

Is your RETURN ADDRESS completed on the reverse side?

3. Article Addressed to
 W. Jeffrey Paudue, CEP
 Fla. Power Corp.
 3201 34th Street South
 St. Pete, FL 33733

4a. Article Number
P 265 659 253

4b. Service Type
 Registered Certified
 Express Mail Insured
 Return Receipt for Merchandise COD

7. Date of Delivery
11/24/97

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)
 X *W. Jeffrey Paudue*

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

P 265 659 253

US Postal Service
Receipt for Certified Mail

No Insurance Coverage Provided.
Do not use for International Mail (See reverse)

Sent to	<i>Jeffrey Paudue</i>
Street & Number	<i>PFC</i>
Post Office, State, & ZIP Code	<i>St. Pete, FL</i>
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	<i>11-19-97</i>
<i>1050223-006-AC</i>	
<i>PSP-FI-190</i>	

PS Form 3800, April 1995

Florida Department of
Environmental Protection

Memorandum

TO: Howard Rhodes
THRU: Clair Fancy *act for CHF*
THRU: Al Linero *Al Linero 11/17*
FROM: Martin Costello *MC*
DATE: November 17, 1997
SUBJECT: Permit Amendment
Tiger Bay Power Plant
Revised Testing Conditions

Markus

Attached is a letter amending a construction permit for the combined cycle combustion turbine which has recently been purchased by FPC. This amendment clarifies when annual VOC testing is required and that EPA Method 3A is an acceptable alternate for Method 3.

No comments were received from the public notice.

I recommend your approval and signature.

Attachments

MC/c



Department of Environmental Protection

Lawton Chiles
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400
November 17, 1997

Virginia B. Wetherell
Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

W. Jeffrey Pardue, C.E.P.
Director, Environmental Services Department
Florida Power Corporation
3201 34th Street South
St. Petersburg, FL 33733

Re: DEP File No. 1050223-007-AC (PSD-FL-190)
Tiger Bay Power Plant - 258 MW Cogen Unit
Extension of NOx Emission Limit Applicability Date

Dear Mr. Pardue:

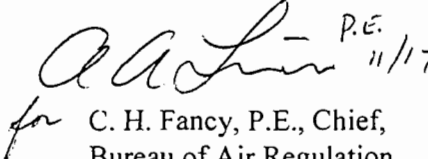
Enclosed is one copy of the Draft Air Construction Permit Modification for the cogeneration facility located near Ft. Meade, Polk County. The Department's Intent to Issue Air Construction Permit Modification and the "PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT MODIFICATION" are also included.

The "PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT MODIFICATION" must be published within 30 (thirty) days of receipt of this letter. Proof of publication, i.e., newspaper affidavit, must be provided to the Department's Bureau of Air Regulation office within 7 (seven) days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit modification.

Please note that the draft permit includes a condition requiring lower NOx emissions if Selective Catalytic Reduction is used in lieu of the Dry Low NOx option. This matter was discussed with your staff before submittal of this request.

Please submit any written comments you wish to have considered concerning the Department's proposed action to A. A. Linero, P.E., Administrator, New Source Review Section at the above letterhead address. If you have any other questions, please contact Mrs. Teresa Heron or Mr. Linero at 850/488-1344.

Sincerely,


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

CHF/aal/th

Enclosures

In the Matter of an
Application for Permit Modification by:

Mr. W. Jeffrey Pardue, CEP, Director
Environmental Services Department
Florida Power Corporation
3201 34th Street South
St. Petersburg, Florida 33733

DEP File No. 1050223-007-AC
AC-53-214903 (PSD-FL-190)
Tiger Bay Cogen Facility
Polk County

INTENT TO ISSUE AIR CONSTRUCTION PERMIT MODIFICATION

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit modification (copy of DRAFT Permit modification attached) for the proposed project, as detailed in the application specified above, for the reasons stated below.

The applicant, Florida Power Corporation, applied on October 30, 1997 to the Department for an air construction permit modification for its Tiger Bay Cogen Combined Cycle Unit located five miles west of Ft. Meade, Polk County. The requested permit modification is to defer the applicability date by one year for Specific Condition No. 15 relating to nitrogen oxides emission limits. The revised date will be December 31, 1999.

The Department has permitting jurisdiction under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, and 62-212. The above actions are not exempt from permitting procedures. The Department has determined that an air construction permit modification is required to continue operations at the described facility.

The Department intends to issue this air construction permit modification based on the belief that reasonable assurances have been provided to indicate that operation of these emission units will not adversely impact air quality, and the emission units will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C.

Pursuant to Section 403.815, F.S., and Rule 62-103.150, F.A.C., you (the applicant) are required to publish at your own expense the enclosed "PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT MODIFICATION". The notice shall be published one time only within 30 (thirty) days in the legal advertisement section of a newspaper of general circulation in the area affected. For the purpose of these rules, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. Where there is more than one newspaper of general circulation in the county, the newspaper used must be one with significant circulation in the area that may be affected by the permit. If you are uncertain that a newspaper meets these requirements, please contact the Department at the address or telephone number listed below. The applicant shall provide proof of publication to the Department's Bureau of Air Regulation, at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400 (Telephone: 850/488-1344; Fax 850/ 922-6979) within 7 (seven) days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit modification pursuant to Rule 62-103.150 (6), F.A.C.

The Department will issue the FINAL Permit Modification, in accordance with the conditions of the enclosed DRAFT Permit Modification unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed DRAFT Permit Modification issuance action for a period of 30 (thirty) days from the date of publication of "PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT MODIFICATION." Written comments should be provided to the Department's Bureau of Air Regulation, 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this DRAFT Permit Modification, the Department shall issue a Revised DRAFT Permit Modification and require, if applicable, another Public Notice.

The Department will issue the permit modification with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57 F.S. The procedures for petitioning for a hearing are set forth below. Mediation is not available for this action.

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 F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, telephone: 850/488-9730, fax: 850/487-4938. Petitions must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. 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 F.S., 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 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 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 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.

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 F.S. 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) F.S., and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner.

PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT MODIFICATION

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

DEP File No.1050223-007-AC

Florida Power Corporation
Tiger Bay Power Plant-258 MW Cogen Unit
Polk County

NOV 11 1997
10 11 1997

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit modification to Florida Power Corporation (FPC) to defer the applicability date of a lower nitrogen oxides emission limit at its 258 megawatt cogeneration facility located five miles west of Fort Meade, Polk County. A Best Available Control Technology (BACT) determination was not required pursuant to Rules 62-212.400 and 410, F.A.C., Prevention of Significant Deterioration (PSD). The permit modification will not cause a violation of any state or federal ambient air quality standards or increments. The applicant's name and address are: Florida Power Corporation, 3201 34th Street South, St. Petersburg, Florida 33733.

At present, the unit is in compliance with a nitrogen oxide (NOx) limit of 25 parts per million (ppm). Conditions in original Permit No. AC-53-214903 (PSD-FL-190) were modified on January 8, 1997. These require that the unit achieve a nitrogen oxide (NOx) emission limit of 15 parts per million (ppm) while burning natural gas not later than December 31, 1998 using appropriate combustion technology improvements or selective catalytic reduction (SCR). DESTEC (former owner) indicated to the Department at the time the conditions were modified that SCR would be installed by the December 31, 1998 date. DESTEC asserted that the cost of retrofitting this system with the Dry Low NOx combustors would be significantly greater than that of SCR. General Electric (manufacturer) and FPC have since agreed upon terms that will make the DLN system cost-effective.

This modification will further defer the applicability date of the lower limit given in the permit from December 31, 1998 to December 31, 1999 for the installation of DLN. DLN will achieve the limits specified in the permit without requiring storage, use, or emissions of ammonia. If SCR is chosen as the control technology, the maximum NOx emission limits will be lowered to 64.8 pounds per hour (equivalent to 10 ppm @ 15 % O2) and made effective on the deferred date.

The Department will issue the FINAL Permit Modification, in accordance with the conditions of the DRAFT Permit Modification unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed DRAFT Permit Modification issuance action for a period of 30 (thirty) days from the date of publication of this Notice. Written comments should be provided to the Department's Bureau of Air Regulation, 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this DRAFT Permit Modification, the Department shall issue a Revised DRAFT Permit Modification and require, if applicable, another Public Notice.

The Department will issue FINAL Permit Modification with the conditions of the DRAFT Permit Modification unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57 F.S. The procedures for petitioning for a hearing are set forth below. Mediation is not available for this action.

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 F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, telephone: 850/488-9370, fax: 850/487-4938. Petitions must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. 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 F.S., 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 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 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 Department's 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 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.

A complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

Department of Environmental Protection
Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619-8218
Telephone: 850/744-6100
Fax: 850/744-6084

Department of Environmental Protection
Bureau of Air Regulation
111 South Magnolia Drive, Suite 4
Tallahassee, Florida, 32301
Telephone: 850/488-1344
Fax: 850/922-6979

The complete project file includes the Draft Permit Modification, the application, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Administrator, New Resource Review Section at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/488-1344, for additional information.

DRAFT

December XX, 1997

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

W. Jeffrey Pardue, C.E.P.
Director, Environmental Services Department
Florida Power Corporation
3201 34th Street South
St. Petersburg, FL 33733

Re: DEP File No. 1050223-007-AC
Tiger Bay Power Plant - 258 MW Cogen Unit

Dear Mr. Pardue:

The Department has reviewed your October 30, 1997 letter requesting a modification of construction permit No. AC-53-214903 (PSD-FL-190) to extend the compliance date for achievement of the 15 parts per million nitrogen oxides (15 ppm NOx) emission limit. This request is acceptable and the permit (previously modified on January 8, 1997) is hereby modified as follows:

SPECIFIC CONDITION 15(a)

The NOx maximum emission limit of 97.2 pounds per hour (equivalent to 15 ppm @ 15% O2) firing gas/326 pounds per hour (equivalent to 42 ppm @ 15 % O2) firing distillate fuel oil will be achieved not later than 12/31/98 99 using appropriate combustion technology improvements or SCR. If SCR is chosen as the control technology, the maximum NOx emission limits will be changed to 64.8 pounds per hour (equivalent to 10 ppm @ 15 % O2) and made effective the same date.

TABLE 1, FOOTNOTE B

The NOx maximum emission limit of 97.2 pounds per hour (equivalent to 15 ppm @ 15% O2) firing gas/326 pounds per hour (equivalent to 42 ppm @ 15 % O2) firing distillate fuel oil will be achieved not later than 12/31/98 99 using appropriate combustion technology improvements or SCR. If SCR is chosen as the control technology, the maximum NOx emission limits will be changed to 64.8 pounds per hour (equivalent to 10 ppm @ 15 % O2) and made effective the same date.

A copy of this letter shall be filed with the referenced permit and shall become part of the permit. This permit modification is issued pursuant to Chapter 403, Florida Statutes. Any party to this order (permit modification) has the right to seek judicial review of the permit 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 Legal Office; 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 (thirty) days from the date this Notice is filed with the Clerk of the Department.

DRAFT

Executed in Tallahassee, Florida.

Sincerely,

Howard L. Rhodes, Director
Division of Air Resources
Management

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF FINAL PERMIT MODIFICATION (including the FINAL permit modification) was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on _____ to the person(s) listed:

Mr. W. Jeffrey Pardue, FPC*
Mr. Brian Beals, EPA Region 4
Mr. John Bunyak, NPS
Mr. Bill Thomas, SWD
Mr. Roy Harwood, Polk County

Clerk Stamp

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

(Clerk)

(Date)

HLR/th

Memorandum

Florida Department of Environmental Protection

TO: Clair Fancy - *Discussed with CHF. Adj 11/17*

THRU: Al Linero *Al Linero 11/17*

FROM: Teresa Heron

DATE: November 17, 1997

SUBJECT: FPC/ Tiger Bay Power Plant
Modification of Permit
AIRS No. 1050223-007-AC (PSD-FL-190)

Attached is a draft permit amendment deferring by one year the applicability date of the ratchet-down provision for NOx emissions at the FPC/Tiger Bay Power Plant facility.

Currently, the unit is in compliance with its present nitrogen oxide (NOx) limit of 25 parts per million (ppm). Specific Condition No. 15, modified on January 8, 1997, of the above referenced construction permit requires that the unit achieve a nitrogen oxide (NOx) emission limit of 15 parts per million using appropriate combustion technology improvements or SCR.

DESTEC (former owner) indicated to the Department, at the time the condition was modified, that SCR would be installed by the December 31, 1998 date. It appeared, at that time, that the cost of retrofitting this system with the DLN would be significantly greater than that of SCR. However since that time GE and FPC (new owner) have agreed upon terms that will make the DLN system cost-effective.

This modification will defer the applicability date of Specific Condition No. 15 from December 31, 1998 to December 31, 1999 for the installation of DLN. However, if SCR is chosen as the control technology, the maximum NOx emission limits will be changed to 64.8 pounds per hour (equivalent to 10 ppm @ 15 % O2) and made effective the same date. We remind FPC of last item through the attached transmittal letter.

I recommend your approval and signature

AAL/th

Attachment

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. Addressee's Address
- 2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Mr. W. Jeffrey Pardue, CEP
 Fla. Power Corp. - Tiger Bay
 3201 34th St. South
 St. Pete, FL 33733

4a. Article Number

P 265 659 489

4b. Service Type

- Registered Certified
- Express Mail Insured
- Return Receipt for Merchandise COD

7. Date of Delivery

11/19/97

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)

X. *Frank Chynar*

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

P 265 659 489

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to		<i>Jeff Pardue</i>
Street & Number		<i>FPC - Tiger Bay</i>
Post Office, State, & ZIP Code		<i>St. Pete, FL</i>
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		<i>11-17-97</i>

PS Form 3800, April 1995

Golder Associates Inc.

6241 NW 23rd Street, Suite 500
Gainesville, FL 32653-1500
Telephone (352) 336-5600
Fax (352) 336-6603



file w/ JI app'n

June 5, 1997

Mr. Clair H. Fancy, P.E., Chief
Bureau of Air Regulation
Florida Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

*entered in ARMS 6/16/97
KFK*

RE: Revision to Title V Application
File No. 1050223-003-AC (PSD-FL-190)
Tiger Bay Limited Partnership, Polk County

ATTN: Title V Section - Mr. Scott Sheplak, P.E.

Dear Scott:

On January 8, 1997, the compliance date for the combustion turbine to achieve the NO_x emission limit of 97.2 lb/hr (equivalent to 15 ppmvd corrected to 15% O₂) was revised with Final Permit Amendment No. 1050223-003-AC (PSD-FL-190) to no later than December 31, 1998. This submittal provides information for the Title V application relative to the revised permit which allows for either appropriate combustion technology or the use of selective catalytic reduction (SCR) to achieve compliance. Information in the application form was updated and is presented in both paper and computerized versions. The Responsible Official's and the Professional Engineer's statements have been included.

Please call if you have any questions.

Sincerely,

Kennard F. Kosky, P.E.
Principal

KFK/lcb

cc: Jeffrey Keenan, DESTEC Energy
Jeffrey Fassett, DESTEC Energy
Ken Nash, Tiger Bay Limited Partnership
File (2)

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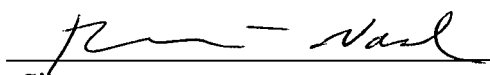
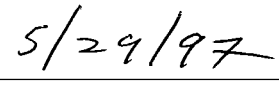
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AIR REGULATION

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RECEIVED
JUN 10 1997
BY SOUTH WEST DISTRICT
Department of Environmental Protection

Owner/Authorized Representative or Responsible Official

1. Name and Title of Owner/Authorized Representative or Responsible Official: Ken Nash, President
2. Owner/Authorized Representative or Responsible Official Mailing Address: Organization/Firm: Tiger Bay Limited Partnership Street Address: 2500 City West Blvd Suite 150 City: Houston State: TX Zip Code: 77042
3. Owner/Authorized Representative or Responsible Official Telephone Numbers: Telephone: (713) 735-4124 Fax: (713) 735-4169
4. Owner/Authorized Representative or Responsible Official Statement: <i>I, the undersigned, am the owner or authorized representative* of the non-Title V source addressed in this Application for Air Permit or the responsible official, as defined in Rule 62-210.200, F.A.C., of the Title V source addressed in this application, whichever is applicable. I hereby certify, based on information and belief formed after reasonable inquiry, that the statements made in this application are true, accurate and complete and that, to the best of my knowledge, any estimates of emissions reported in this application are based upon reasonable techniques for calculating emissions. The air pollutant emissions units and air pollution control equipment described in this application will be operated and maintained so as to comply with all applicable standards for control of air pollutant emissions found in the statutes of the State of Florida and rules of the Department of Environmental Protection and revisions thereof. I understand that a permit, if granted by the Department, cannot be transferred without authorization from the Department, and I will promptly notify the Department upon sale or legal transfer of any permitted emissions unit.</i>  _____ Signature  _____ Date

* Attach letter of authorization if not currently on file.

4. Professional Engineer's Statement:

I, the undersigned, hereby certify, except as particularly noted herein, that:*

(1) To the best of my knowledge, there is reasonable assurance that the air pollutant emissions unit(s) and the air pollution control equipment described in this Application for Air Permit, when properly operated and maintained, will comply with all applicable standards for control of air pollutant emissions found in the Florida Statutes and rules of the Department of Environmental Protection; and

(2) To the best of my knowledge, any emission estimates reported or relied on in this application are true, accurate, and complete and are either based upon reasonable techniques available for calculating emissions or, for emission estimates of hazardous air pollutants not regulated for an emissions unit addressed in this application, based solely upon the materials, information and calculations submitted with this application.

If the purpose of this application is to obtain a Title V source air operation permit (check here [] if so), I further certify that each emissions unit described in this Application for Air Permit, when properly operated and maintained, will comply with the applicable requirements identified in this application to which the unit is subject, except those emissions units for which a compliance schedule is submitted with this application.

If the purpose of this application is to obtain an air construction permit for one or more proposed new or modified emissions units (check here [] if so), I further certify that the engineering features of each such emissions unit described in this application have been designed or examined by me or individuals under my direct supervision and found to be in conformity with sound engineering principles applicable to the control of emissions of the air pollutants characterized in this application.

If the purpose of this application is to obtain an initial air operation permit or operation permit revision for one or more newly constructed or modified emissions units (check here [] if so), I further certify that, with the exception of any changes detailed as part of this application, each such emissions unit has been constructed or modified in substantial accordance with the information given in the corresponding application for air construction permit and with all provisions contained in such permit.



27 May 1997
Date

Attach any exception to certification statement.

ATTACHMENT TB-FE-2

FACILITY PLOT PLAN

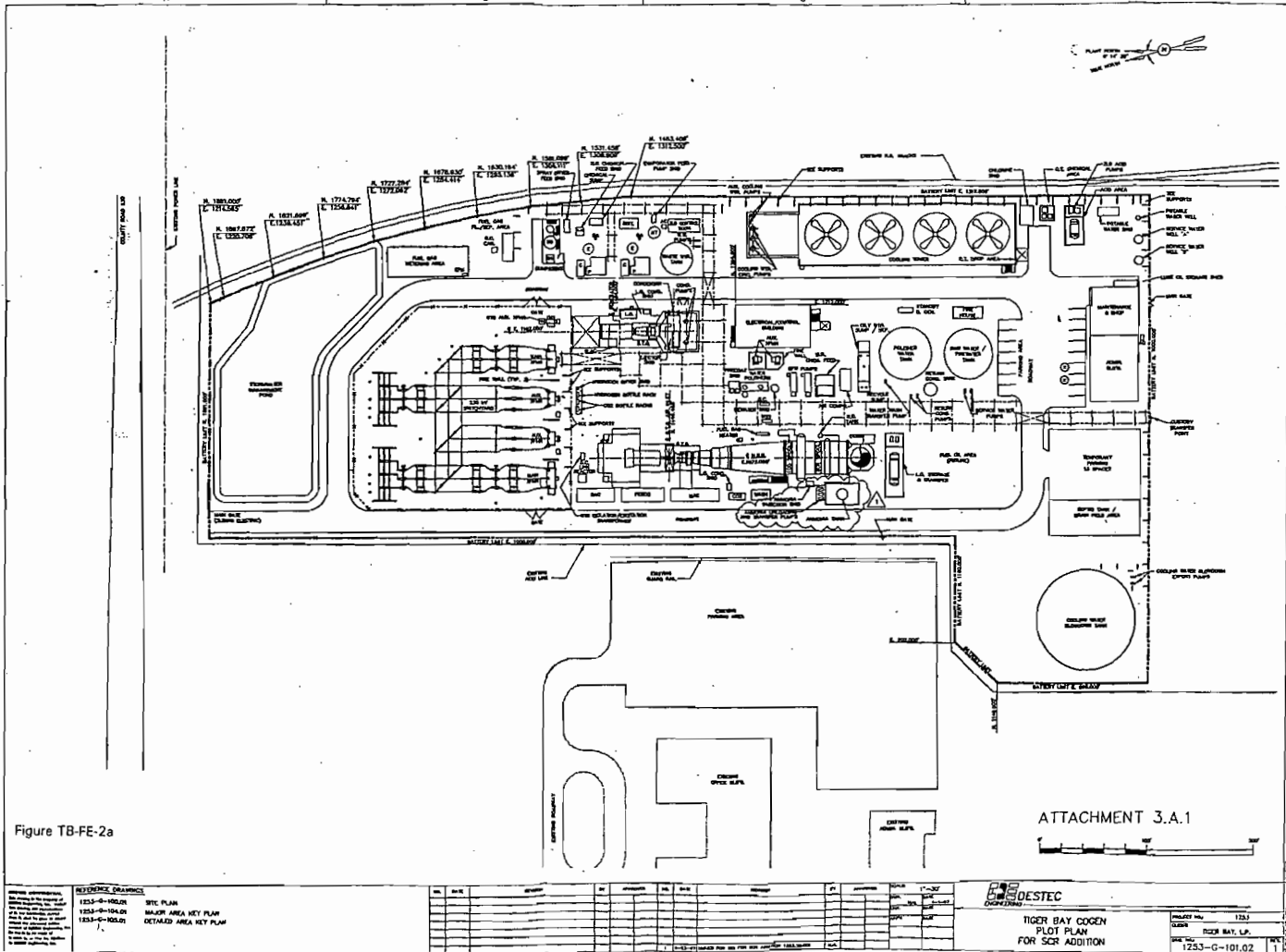


Figure TB-FE-2a

NO.	DATE	DESCRIPTION
1	12/15/01	ISSUED FOR PERMIT
2	01/10/02	REVISED FOR SCR ADDITION
3	02/15/02	REVISED FOR SCR ADDITION
4	03/15/02	REVISED FOR SCR ADDITION
5	04/15/02	REVISED FOR SCR ADDITION
6	05/15/02	REVISED FOR SCR ADDITION
7	06/15/02	REVISED FOR SCR ADDITION
8	07/15/02	REVISED FOR SCR ADDITION
9	08/15/02	REVISED FOR SCR ADDITION
10	09/15/02	REVISED FOR SCR ADDITION
11	10/15/02	REVISED FOR SCR ADDITION
12	11/15/02	REVISED FOR SCR ADDITION

NO.	DATE	DESCRIPTION	BY	CHKD.
1	12/15/01	ISSUED FOR PERMIT	J. COHEN	J. COHEN
2	01/10/02	REVISED FOR SCR ADDITION	J. COHEN	J. COHEN
3	02/15/02	REVISED FOR SCR ADDITION	J. COHEN	J. COHEN
4	03/15/02	REVISED FOR SCR ADDITION	J. COHEN	J. COHEN
5	04/15/02	REVISED FOR SCR ADDITION	J. COHEN	J. COHEN
6	05/15/02	REVISED FOR SCR ADDITION	J. COHEN	J. COHEN
7	06/15/02	REVISED FOR SCR ADDITION	J. COHEN	J. COHEN
8	07/15/02	REVISED FOR SCR ADDITION	J. COHEN	J. COHEN
9	08/15/02	REVISED FOR SCR ADDITION	J. COHEN	J. COHEN
10	09/15/02	REVISED FOR SCR ADDITION	J. COHEN	J. COHEN
11	10/15/02	REVISED FOR SCR ADDITION	J. COHEN	J. COHEN
12	11/15/02	REVISED FOR SCR ADDITION	J. COHEN	J. COHEN

DESTEC
 TIGER BAY COGEN
 PLOT PLAN
 FOR SCR ADDITION

PROJECT NO.	123
SHEET NO.	123
DATE	12/15/01
SCALE	AS SHOWN
DESIGNED BY	J. COHEN
CHECKED BY	J. COHEN
DATE	12/15/01

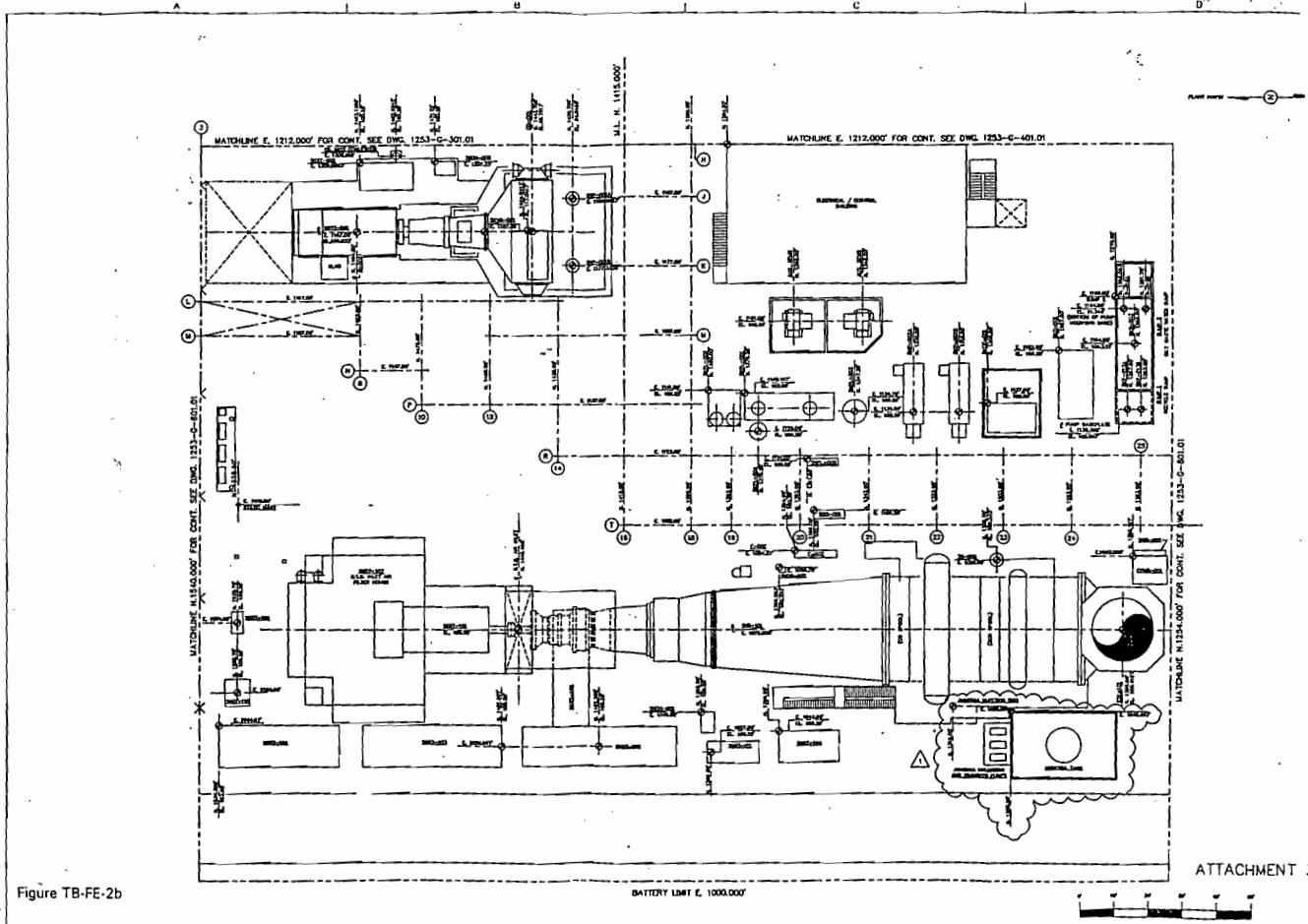


Figure TB-FE-2b

NO.	DATE	DESCRIPTION
1	1253-C-101.01	PLANT PLAN
2	1253-C-104.02	RAJON AREA KEY PLAN
3	1253-C-105.01	AREA 70 FOUNDATION LOCATION PLAN

NO.	DATE	DESCRIPTION	BY	CHKD.	APP'D.

DESTEC
ENGINEERS

TIGER BAY COGEN
EQUIPMENT LOCATION PLAN AREA 70
END SHEET

PROJECT NO. 1253
DATE: 10/28/01
DRAWN BY: TIGER BAY, LP
CHECKED BY: TIGER BAY, LP

ATTACHMENT TB-FE-14
COMPLIANCE REPORT AND PLAN

ATTACHMENT TB-FE-14

COMPLIANCE PLAN

Tiger Bay Limited Partnership

This attachment presents information on the emission units in this application that provide certification that the emission units are in compliance with the applicable requirements as of the date of the application.

COMBUSTION TURBINE:

In accordance with Chapter 62 - 213, F.A.C., and Tiger Bay's FDEP Permit No. AC53-214903/PSD-FL-190 (as amended) compliance status and requirements are presented herein and listed in the table on the following page.

Initial Compliance Test

The initial compliance test was performed on October 19-23, 1994 to verify that the unit was in compliance. The results of the test is summarized in the submittal of the certificate of completion of construction and was submitted to FDEP in December 1994.

Initial compliance testing for oil-firing has not yet been performed. Such compliance tests will be performed in accordance with Specific Conditions 8, 9, and 10 of AC53-214903 and summarized in the attached table.

Annual Compliance Test

An annual compliance test must be performed to verify compliance with the NO_x and CO requirements while the CT is fired on natural gas.

Compliance with NO_x Emission Limits

The compliance date for the combustion turbine to achieve the NO_x emission limit of 97.2 lb/hr (equivalent to 15 ppmvd corrected to 15% O₂) was revised with Final Permit Amendment No. 1050223-003-AC (PSD-FL-190) to no later than December 31, 1998. Meeting this emission limit will be made with either appropriate combustion technology improvements or selective catalytic reduction (SCR). If SCR is used, the schedule for engineering, procurement, construction, and testing will be complete prior to December 31, 1998.

ZERO LIQUID DISCHARGE (ZLD) SYSTEM:

In accordance with Chapter 62-213 and Tiger Bay's FDEP Permit AC53-230744, the following is the compliance status of the ZLD system.

Initial Compliance Test

The initial compliance test for VE using EPA Method 9 was performed on 8/24/94. The results found zero visible emissions compared with the permitted limit of 5 percent opacity.

Annual Compliance Test

The ZLD is required to perform an annual VE test. In 1995 and during the period through June 15, 1996, the ZLD did not operate. In accordance with Rule 62-297.310(7)(a)3.a., an annual test was not required. A VE test will be performed within 30 days of continued operation of the ZLD.

Combustion Turbine Compliance Values, Reporting, and Test Methods

Compliance Parameter	Compliance Values ^a	Compliance Reporting	Compliance Test Method (EPA)
Run Hours	8760	Annual Operating Report (AOR)	None
Heat Input	1,710 MMBtu/hr	Quarterly and AOR	Fuel Analysis
NO _x	15 ppmvd @ 15% O ₂ ; 97.2 lb/hr ^b ; 425.7 TPY (gas)	Annual Compliance Test ^c ; Quarterly and AOR	20
	25 ppmvd @ 15% O ₂ ; 161.9 lb/hr; 709.1 TPY (gas)	Annual Compliance Test ^c ; Quarterly and AOR	20
	42 ppmvd @ 15% O ₂ ; 326 lb/hr; 48.9 TPY (oil)	Initial Compliance Test ^c and AOR	20
CO	15 ppmvd; 48.8 lb/hr; 213.7 TPY (gas)	Annual Compliance Test ^c and AOR	10
	30 ppmvd; 98.4 lb/hr; 14.8 TPY (oil)	Initial Compliance Test ^c	10
VOC	2.8 lb/hr; 12.3 TPY (gas)	Annual Compliance Test ^c and AOR	18/25A
	7.5 lb/hr; 1.1 TPY (oil)	Initial Compliance Test ^c	18/25A
Visible Emissions (VE)	10% (gas)	Annual Compliance Test ^c and AOR	
	20% (oil)		
PM10	9 lb/hr; 39.4 TPY (gas)	Only Initial Compliance Test required/AOR	5 or 17
	17 lb/hr; 2.6 TPY (oil)	Initial Compliance Test ^c and AOR	201A or 202
SO ₂	4.86 lb/hr; 21.3 TPY (gas)	Annual Compliance Test ^c	Fuel Analysis
	99.7 lb/hr; 15 TPY (oil)	Initial Compliance Test ^c	Fuel Analysis
H ₂ SO ₄	5.95x10 ⁻¹ lb/hr; 26 TPY (gas)	Annual Compliance Test ^c	Fuel Analysis
	1.22 lb/hr; 0.183 TPY (oil)	Initial Compliance Test ^c	Fuel Analysis

Note: Initial testing for Hg, and Be when oil is fired is requested to be deleted from permit per FDEP May 19, 1995 guidance (DARM-PER/GEN-18)

^a The above emission limits are based on baseload conditions @ 27°F.

^b The NO_x maximum limit will be lowered to 97.2 lb/hr (equivalent to 15 ppmv @ 15% O₂) on 12/31/98 using appropriate combustion improvements or SCR.

^c Baseload conditions.

**G. EMISSIONS UNIT POLLUTANTS
(Regulated and Unregulated Emissions Units)**

1. Pollutant Emitted	2. Primary Control Device Code	3. Secondary Control Device Code	4. Pollutant Regulatory Code
NOX	024	065	EL
SO2			EL
CO			EL
PM10			EL
VOC			EL
SAM			NS

**H. EMISSIONS UNIT POLLUTANT DETAIL INFORMATION
(Regulated Emissions Units Only - Emissions Limited Pollutants Only)**

Pollutant Detail Information:

1. Pollutant Emitted: NOX	
2. Total Percent Efficiency of Control:	90 %
3. Potential Emissions:	161.9 lb/hour 709.1 tons/year
4. Synthetically Limited? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
5. Range of Estimated Fugitive/Other Emissions: <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 _____ to _____ tons/yr	
6. Emission Factor:	161.9 lb/hr Reference: See Comment
7. Emissions Method Code: <input checked="" type="checkbox"/> 0 <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5	
8. Calculation of Emissions (limit to 600 characters): Potential-to-emit authorized by FDEP permit AC53-214903/ 1050223-003-AC/PSD-FL-190, as amended (equivalent to 25 ppmvd @ 15% O2).	
9. Pollutant Potential/Estimated Emissions Comment (limit to 200 characters): Emission Factor Ref.: AC53-214903/1050223-AC/PSD-FL-190 as amended. Potential Emissions based on oil (lb/hr) & gas (annual) firing. Maximum lb/hr when firing fuel oil is 326 lb/hr & 48.9 TPY.	

Emissions Unit Information Section 1 of 3
Allowable Emissions (Pollutant identified on front page)

A.

1. Basis for Allowable Emissions Code: OTHER		
2. Future Effective Date of Allowable Emissions:		
3. Requested Allowable Emissions and Units: 161.9 lb/hr*		
4. Equivalent Allowable Emissions:	161.9 lb/hour	709.1 tons/year
5. Method of Compliance (limit to 60 characters): Annual Compliance Test, EPA Method 20 Annual Fuel Usage- AFU		
6. Pollutant Allowable Emissions Comment (Desc. of Related Operating Method/Mode) (limit to 200 characters): *709.1 TPY (equivalent to 25 ppmvd @ 15% O2). Natural gas firing (refer to FDEP Permit AC53-214903 and 1050223-003-AC)		

B.

1. Basis for Allowable Emissions Code: OTHER		
2. Future Effective Date of Allowable Emissions:		
3. Requested Allowable Emissions and Units: 326 lb/hr*		
4. Equivalent Allowable Emissions:	326 lb/hour	48.9 tons/year
5. Method of Compliance (limit to 60 characters): Initial Compliance Test		
6. Pollutant Allowable Emissions Comment (Desc. of Related Operating Method/Mode) (limit to 200 characters): *48.9 TPY (42 ppmvd @ 15% O2) Distillate Fuel-Oil firing which the EU is capable of accommodating. Annual tons/year based on 300 hours/year operation.		

Emissions Unit Information Section 1 of 3
Allowable Emissions (Pollutant identified on front page)

A.

1. Basis for Allowable Emissions Code: OTHER		
2. Future Effective Date of Allowable Emissions:		
3. Requested Allowable Emissions and Units: 97.2 lb/hr*		
4. Equivalent Allowable Emissions:	97.2 lb/hour	425.7 tons/year
5. Method of Compliance (limit to 60 characters): Annual Compliance Test, EPA Method 20; Annual Fuel Usage		
6. Pollutant Allowable Emissions Comment (Desc. of Related Operating Method/Mode) (limit to 200 characters): *425.7 TPY (equivalent to 15 ppmvd @ 15% O2) FDEP Permit AC53-214903/1050223-003-AC/PSD190. Compliance on or before 12/31/98.		

B.

1. Basis for Allowable Emissions Code: RULE		
2. Future Effective Date of Allowable Emissions:		
3. Requested Allowable Emissions and Units:		
4. Equivalent Allowable Emissions:	lb/hour	tons/year
5. Method of Compliance (limit to 60 characters): Quarterly Report		
6. Pollutant Allowable Emissions Comment (Desc. of Related Operating Method/Mode) (limit to 200 characters): Excess Emissions allowed by Rule 62-210.700(1) for startup, shutdown and malfunction up to 2 hrs/24 hrs.		

ATTACHMENT TB-EU1-L3

DETAILED DESCRIPTION OF CONTROL EQUIPMENT

ATTACHMENT TB-EU1-L3
DETAILED DESCRIPTION OF CONTROL EQUIPMENT

The General Electric (GE) PG 7221 FA uses dry low-NO_x combustion to control NO_x emissions resulting from the combustion of natural gas. The control of NO_x is accomplished by reducing the flame temperatures through the use of staged combustion techniques. At lower loads, the combustors operate in a diffusion mode with lean mixtures of air and gas. At higher loads, the combustors operate in a premix mode where gas and air are mixed prior to combustion. When fuel oil is fired, NO_x emissions are controlled by water injection. Although not yet operated with oil firing, the water to fuel ratio for this machine is 1.2 at 72°F, based on data provided in the original air construction application. The control systems for the machine when firing natural gas and oil are internal to GE's digital control systems (DCS).

To achieve the NO_x emissions of 97.2 lb/hr (equivalent to 15% O₂), selective catalytic reduction (SCR) may be used. SCR reduces NO_x emissions by injection of ammonia into turbine exhaust flow upstream of a catalyst operating in temperatures ranging from 600 to 750°F. The ammonia reacts with NO_x to form nitrogen and water. In a combined cycle plant this temperature range is achieved within the heat recovery steam generator (HRSG). During the construction of the HRSG and as required by Specific Condition 15a of the original FDEP construction permit, a module was added to the HRSG to install SCR if required to meet the lower NO_x limit. At this time the SCR vendor has not been determined from a bidding process. A representative design used in budgetary estimates is included with this attachment.

MESSRS. SARGENT & LUDY

TECHNICAL SPECIFICATION

OF

DRY SELECTIVE CATALYTIC NOx REMOVAL SYSTEM

FOR

TIGER BAY/POLK COUNTY

SPEC. NO. LAK1C80

Jun. 29, 1996



MITSUBISHI HEAVY INDUSTRIES, LTD.

501-13

§ 1. GENERAL DESCRIPTION

This specification covers the design specification and scope of supply for MITSUBISHI Dry Selective NOx Removal system(s).

1. NOx Removal Performance

Offered SCR system is designed to achieve the performance described in section 2 "TECHNICAL SPECIFICATION" and/or performance requirements of Buyer's data sheets as attached except where stated otherwise in this specification.

2. Scope of Supply

Any item which is not shown in this specification means Mitsubishi's Out of Scope.

§2 TECHNICAL SPECIFICATION

1. SCR SYSTEM SPECIFICATION

- Type of Catalyst : HOMOGENEOUS HONEYCOMB TYPE
- Nos. of SCR System : 1
- Flue Gas Source : CTG/GE 7F
- Main Fuel Considered for SCR Design : NG
- Supplementary Firing : N/A
- Fuel of Supplementary Firing :

2. REACTOR INLET FLUE GAS CONDITION

- Performance Case : 1
- Flue Gas Flow Rate (Lb/Hr) : 3264000
- Flue Gas Temperature Low (°F) : 630
- Flue Gas Temperature High (°F) : 630
- Flue Gas Main Component (VOL%)
- N₂ : 73.74
- O₂ : 12.52
- H₂O : 9.14999
- CO₂ : 3.71
- Ar : .88

• Other Flue Gas Component

- Particulate (Lb/Hr) : 0
- SO₂ (ppmvd. @ 15%O₂) : 0
- SO₃ (ppmvd. @ 15%O₂) : 0
- NO_x (ppmvd. @ 15%O₂) : 25

3. SCR PERFORMANCE DATA

(items marked show warranty values)

- Catalyst life (Years) : 3
- NO_x Removal Performance
- NO_x Removal Efficiency (%) : 40
- SCR Outlet NO_x (ppmvd. @ 15%O₂) : 15
- Slip NH₃ (ppmvd. @ 15%O₂) : 10
- Gas Side Pressure Drop (Inches WC) : 2 ← 2" ΔP

4. PREDICTED OTHER DATA

- Ammonia Consumption (Lb/Hr) : 171.2
- (25 % AQUEOUS AMMONIA)

5. LIMITATION ON OPERATION

- Heat Resistance Temperature of Catalyst (°F) = 750
- Minimum Temperature to Inject Ammonia (°F) = 520

5. OVERALL HOUSING DIMENSION

- Interface Dimensions at Reactor Inlet and/or Outlet
(Housing or Duct Internal Dimension)
W × H = 27'-4 1/4" × 65'-7 1/4"
- Gas Pass Dimensions of Boiler Side at Upstream of Reactor (ASSUMED)
W × H = 27'-4 1/4" × 56'-9"

Reactor Internal Dimensions

W × H × L = 26'-9" × 55'-9" × ~~31'-0"~~ ^{6'-0 7/8"}

- NOTE
1. Items marked "*" show(s) MHI's assumption value(s). Please let us know these data immediately to design properly.
 2. There shall be no warranty owing to any causes or circumstances beyond control of this system including improper plant operation over this specification, or fly of abnormal flammable, fragmental insulation or rust from upstream equipments.
 3. Initial loading of catalyst modules shall be conducted after complete starting-up adjustment of plant.
 4. Minimum temperature to inject ammonia is defined by SO3 concentration which is shown above.
 5. Materials

- Catalyst Module Frame	Carbon Steel
- SCR Housing	
Casing & Structure	Carbon Steel
Inner Liner	12GA Carbon Steel
Insulation/Mineral Wool	3" t
Insulation/Ceramic Fiber	0" t
- AIG	Carbon Steel
- Ammonia Injection System	Carbon Steel
 6. Shipping Condition

Module size for SCR Housing should be decided the largest one under following Transportation Limit.
Maximum Legal Load with permits not Regarding Escorts.
12'-0" wide × 15'-0" overall height.
 7. NO2 in NOx
NO2/NOx ratio at SCR inlet shall be less than 50%.

S 3. SCOPE OF SUPPLY

7

SCOPE OF SUPPLY SHEET (1/3)

ITEM	BY MHI		BY OTHERS	OUT OF SCOPE
	BASE	OPTION		
1. DESIGN				
1.1 BASIC DESIGN	<input type="radio"/>			
1.2 DETAIL DESIGN FOR CATALYST MODULE	<input type="radio"/>			
1.3 DETAIL DESIGN FOR SCR HOUSING	<input type="radio"/>			
1.4 DETAIL DESIGN FOR NH3 INJECTION SYSTEM	<input type="radio"/>			
1.5 CONTROL LOGIC	<input type="radio"/>			
1.6 INSTRUCTION MANUAL (10 SETS)	<input type="radio"/>			
1.7 PE STAMP			<input type="radio"/>	
2. CATALYST				
2.1 CATALYST MODULES (TO BE INITIALLY INSTALLED)	<input type="radio"/>			
2.2 FUTURE CATALYST MODULES				<input type="radio"/>
3. SCR HOUSING				
3.1 SCR HOUSING w/INTERNAL INSULATIONS (INCLUDE SUPPORTS STRUCTURES FOR CATALYST MODULES & SCR HOUSING	<input type="radio"/>			
3.2 INLET & OUTLET TRANSITIONS w/INTERNAL INSULATIONS	<input type="radio"/>			
3.3 AIG SUPPORT DUCT			<input type="radio"/>	
3.4 SPACE FOR FUTURE CATALYST MODULES				<input type="radio"/>
3.5 HOIST & MONORAIL w/SUPPORT STRUCTURES		<input type="radio"/>		
3.6 INTERNAL PLATFORM w/LADDERS				<input type="radio"/>
3.7 EXTERNAL PLATFORM FOR CATALYST LOADING HATCH			<input type="radio"/>	
3.8 ACCESS DOORS (2 SETS)	<input type="radio"/>			
3.9 INSTRUMENT OR SAMPLING TAPS (10 SETS)	<input type="radio"/>			
3.10 SLIDE PLATES FOR FOUNDATION			<input type="radio"/>	
3.11 FOUNDATION BOLTS			<input type="radio"/>	
3.12 THERMOCOUPLE (0 SETS)			<input type="radio"/>	
3.13 DIFFERENTIAL PRESSURE INDICATOR (0 SETS)				<input type="radio"/>
3.14 DRAINAGE (2 SETS)	<input type="radio"/>			
3.15 EXPANSION JOINT			<input type="radio"/>	
4. AMMONIA INJECTION GRID (AIG)				
4.1 AIG PIPES w/INJECTION NOZZLES	<input type="radio"/>			
5. AMMONIA ADJUSTMENT HEADER (2 SETS)				
5.1 HEADER w/CONNECTING PIPES	<input type="radio"/>			
5.2 FLOW CONTROL DAMPERS (MANUAL)	<input type="radio"/>			
5.3 FLOW ORIFICES	<input type="radio"/>			
5.4 MANOMETERS w/ISOLATION VALVES	<input type="radio"/>			
5.5 PRESSURE INDICATOR	<input type="radio"/>			
5.6 TEMPERATURE INDICATOR	<input type="radio"/>			
5.7 THERMOCOUPLE	<input type="radio"/>			
5.8 DRAIN VALVE	<input type="radio"/>			
5.9 INSULATION			<input type="radio"/>	
5.10 SUPPORT LEGS				<input type="radio"/>

SCOPE OF SUPPLY SHEET (2/3)

ITEM	BY MHI		BY OTHERS	OUT OF SCOPE
	BASE	OPTION		
6. AQUEOUS AMMONIA FLOW CONTROL SKID (ELECTRIC AIR HEATER TYPE)				
6.1 DILUTION AIR FANS w/MOTORS, FILTERS & SILENCERS (100% CAPACITY x 2 SETS)	<input type="radio"/>			
6.2 DILUTION AIR PIPING DAMPERS	<input type="radio"/>			
6.3 DILUTION AIR FLOW ORIFICE & TRANSMITTER	<input type="radio"/>			
6.4 ELECTRIC AIR HEATER w/HEATER CONTROL PANEL	<input type="radio"/>			
6.5 AMMONIA VAPORIZER w/AIR ATOMIZING NOZZLE	<input type="radio"/>			
6.6 AQUEOUS AMMONIA PIPING & VALVES	<input type="radio"/>			
6.7 AQUEOUS AMMONIA FLOW ORIFICE & TRANSMITTER	<input type="radio"/>			
6.8 AQUEOUS AMMONIA FLOW CONTROL VALVE	<input type="radio"/>			
6.9 AQUEOUS AMMONIA FLOW SHUT-OFF VALVE	<input type="radio"/>			
6.10 AQUEOUS AMMONIA STRAINER	<input type="radio"/>			
6.11 ATOMIZING AIR PIPING & VALVES	<input type="radio"/>			
6.12 ATOMIZING AIR FLOW SHUT-OFF VALVE	<input type="radio"/>			
6.13 ATOMIZING AIR PRESSURE CONTROL VALVE	<input type="radio"/>			
6.14 ATOMIZING AIR PRESSURE LOW SWITCH	<input type="radio"/>			
6.15 ATOMIZING AIR FILTER	<input type="radio"/>			
6.16 INSTRUMENT AIR PIPING & VALVES	<input type="radio"/>			
6.17 JUNCTION BOX	<input type="radio"/>			
6.18 INSULATIONS	<input type="radio"/>			
7. AQUEOUS AMMONIA STORAGE FACILITY				
7.1 AQUEOUS AMMONIA STORAGE TANK (10,000 Gallon)	<input type="radio"/>			
7.2 AQUEOUS AMMONIA PUMP SKID	<input type="radio"/>			
8. EXTERNAL PIPE				
8.1 DILUTED NH3 PIPING w/EXPANSION JOINT (SKID - HEADER) 50ft	<input type="radio"/>			
8.2 SUPPORTS FOR DILUTED NH3 PIPING	<input type="radio"/>			
8.3 INSULATIONS FOR DILUTED NH3 PIPING			<input type="radio"/>	
8.4 AMMONIA DISTRIBUTION PIPING w/EXPANSION JOINTS (HEADER - AIG) 400ft	<input type="radio"/>			
8.5-SUPPORTS FOR AMMONIA DISTRIBUTION PIPING	<input type="radio"/>			
8.6 INSULATIONS FOR AMMONIA DISTRIBUTION PIPING			<input type="radio"/>	
8.7 AQUEOUS AMMONIA PIPING (PUMP - SKID)			<input type="radio"/>	
8.8 SUPPORTS FOR AQUEOUS AMMONIA PIPING			<input type="radio"/>	
9. CONTROL & ELECTRICAL SYSTEM				
9.1 MOTOR CONTROL CENTER			<input type="radio"/>	
9.2 POWER SUPPLY OF ELECTRICAL EQUIPMENT			<input type="radio"/>	

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07/01/96

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MHIA LOS ANGELES

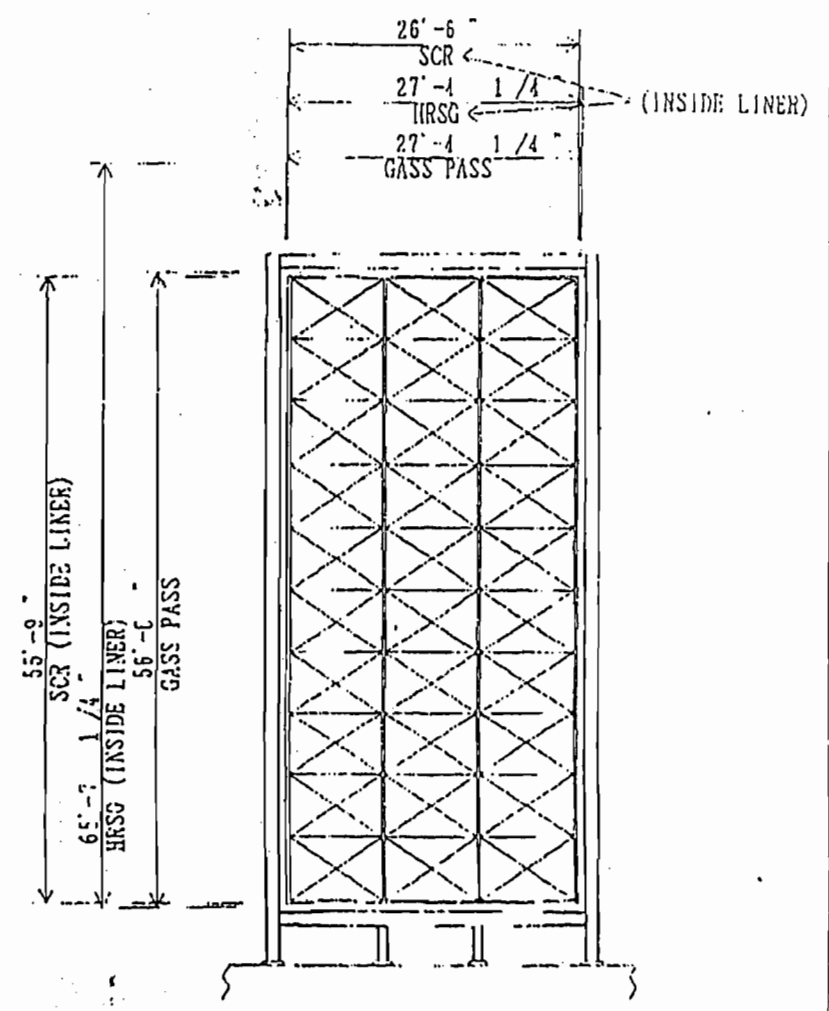
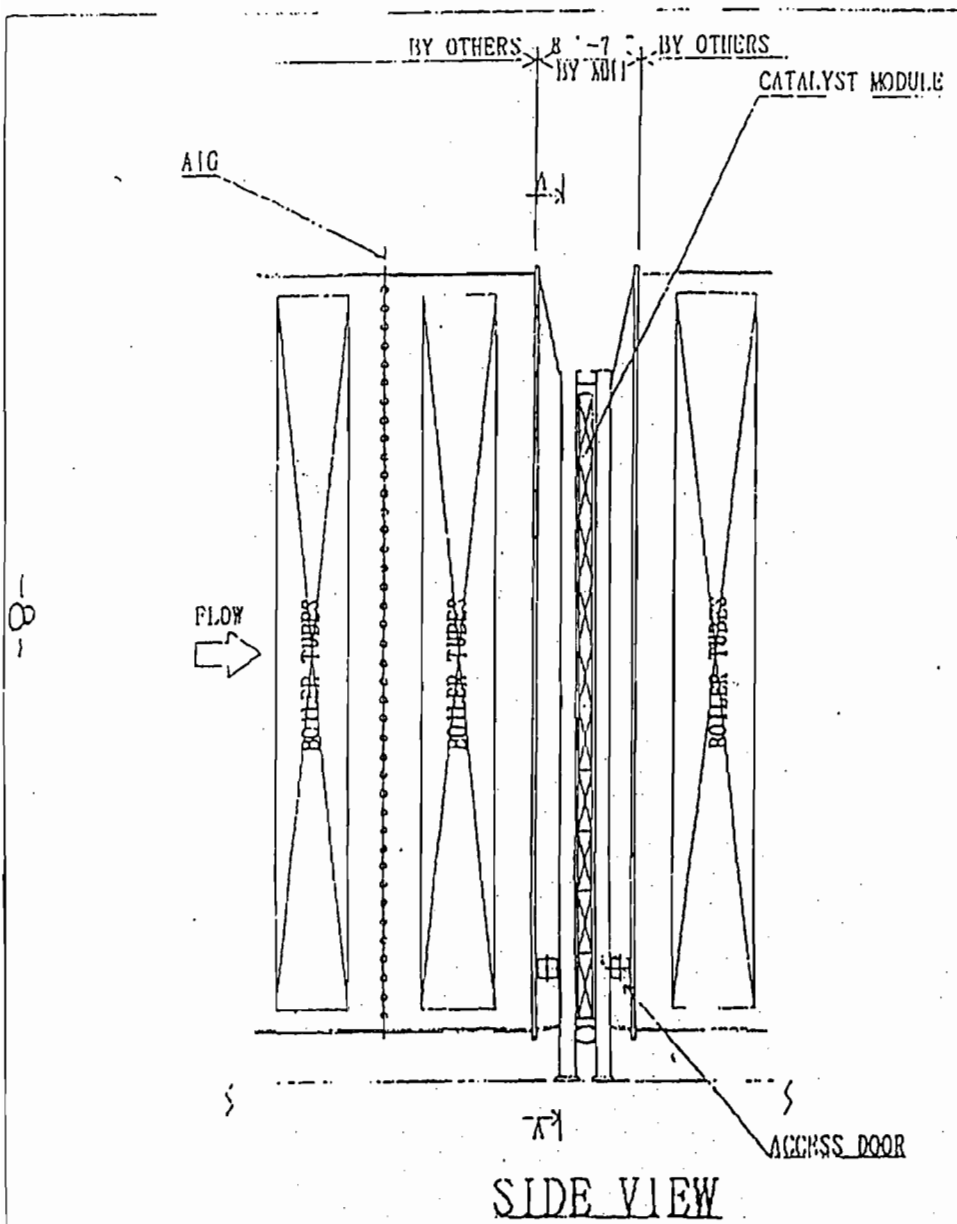
0009

SCOPE OF SUPPLY SHEET (3/3)

ITEM	BY MHI		BY OTHERS	OUT OF SCOPE
	BASE	OPTION		
10. SCR INLET NOx/O2 ANALYZER				
10.1 ANALYZER (NOIR TYPE)		<input type="radio"/>		
10.2 HEATED SAMPLING LINE (LENGTH: 30 FEET)		<input type="radio"/>		
10.3 CEM SYSTEM			<input type="radio"/>	
11. SCR OUTLET NOx/NH3 ANALYZER				
11.1 ANALYZER w/PROBE			<input type="radio"/>	
11.2 HEATED SAMPLING LINE (LENGTH: FEET)			<input type="radio"/>	
11.3 CEM SYSTEM			<input type="radio"/>	
12. SURFACE PREPARATION (ACCORDING TO SSPC - SF6)				
12.1 SCR HOUSING (OUTSIDE OF OUTER CASING ONLY)	<input type="radio"/>			
12.2 AIG PIPES	<input type="radio"/>			
12.3 AMMONIA ADJUSTMENT HEADER	<input type="radio"/>			
12.4 AMMONIA FLOW CONTROL SKID	<input type="radio"/>			
12.5 EXTERNAL PIPES			<input type="radio"/>	
13. PRIMER				
13.1 SCR HOUSING (OUTSIDE OF OUTER CASING ONLY)	<input type="radio"/>			
13.2 AIG PIPES				<input type="radio"/>
13.3 AMMONIA ADJUSTMENT HEADER	<input type="radio"/>			
13.4 AMMONIA FLOW CONTROL SKID	<input type="radio"/>			
13.5 EXTERNAL PIPES			<input type="radio"/>	
14. FINISH PAINTING				
14.1 SCR HOUSING (OUTSIDE OF OUTER CASING ONLY)			<input type="radio"/>	
14.2 AIG PIPES				<input type="radio"/>
14.3 AMMONIA ADJUSTMENT HEADER			<input type="radio"/>	
14.4 AMMONIA FLOW CONTROL SKID			<input type="radio"/>	
14.5 EXTERNAL PIPES			<input type="radio"/>	
15. FIELD WORK				
15.1 FOUNDATIONS			<input type="radio"/>	
15.2 ERECTION			<input type="radio"/>	
15.3 SETTING CATALYST MODULES			<input type="radio"/>	
15.4 START-UP SCR SYSTEM			<input type="radio"/>	
15.5 PERFORMANCE TEST			<input type="radio"/>	
15.6 FIELD PAINT & TOUCH-UP PAINTING			<input type="radio"/>	
16. SUPERVISORY SERVICE				
16.1 ERECTION		<input type="radio"/>		
16.2 SETTING CATALYST MODULES		<input type="radio"/>		
16.3 START-UP SCR SYSTEM		<input type="radio"/>		
16.4 PERFORMANCE TEST		<input type="radio"/>		

§ 3 ATTACHMENT

1. P & I DIAGRAM FOR SCR SYSTEM
(STANDARD DRAWING)
2. SUPPLEMENTARY P & I DIAGRAM
3. GENERAL VIEW OF REACTOR
4. SPECIFIED PERFORMANCE SHEET(S)
5. DATA SHEET(S)
6. EXCEPTION & CLARIFICATION



GENERAL VIEW OF SCR HOUSING
LA10800

07/01/98 12:19 0714 640 6945 MHA LOS ANGELES 011

1 2 3 4 5 A2

A
B
C
D

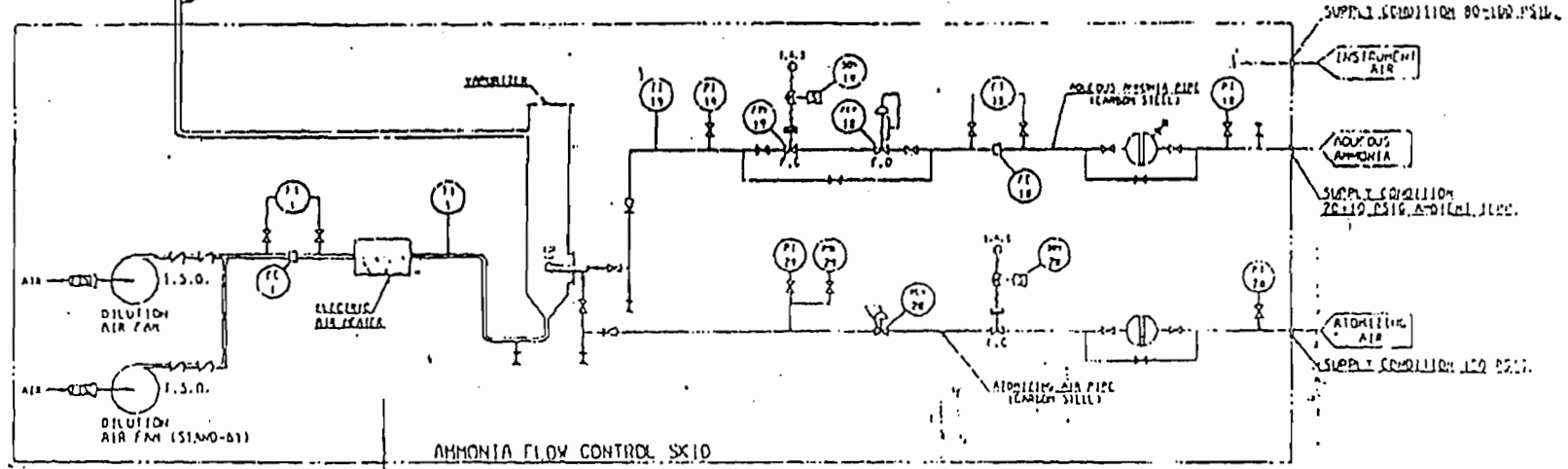
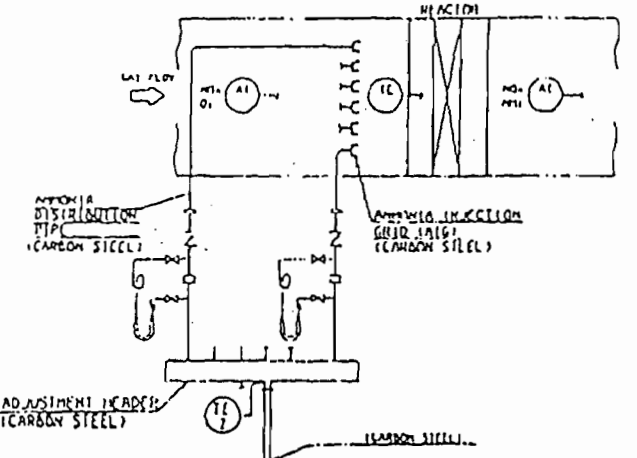
REVISIONS		DATE	BY	CHKD	APP'D
1	REVISED	JULY 28 1991	[Signature]		

PLAN RECORD
ISOTHERM SURVEY THEORY
MAY 1991

NOTES
1. PIPE SIZE SCHEDULE
2" OR LESS 80
MORE THAN 2" STANDARD
2. CONFORMING WITH SCOPE
OF SUPPLEMENTAL SPEC.
TO SPEC. FOR SUPPL.
SYSTEMS

SYMBOL	EXPLANATION
FCV	FLOW CONTROL VALVE
FSV	FLOW STOP OFF VALVE
PCV	PRESSURE CONTROL VALVE
SOV	SOLENOID VALVE
IC	INSTRUMENT CLAMP
FI	FLOW INDICATOR
FE	FLOW ELEMENT INDICATOR
AI	AMPLIFIER
PSL	PRESSURE SWITCH CLOSED
TI	TEMPERATURE INDICATOR
PI	PRESSURE INDICATOR
UPI	DIFF. PRESS. INDICATOR
I.A.S	INSTRUMENT AIR SUPPLY
F.C	FAILURE CLOSED
F.O	FAILURE OPEN
F.S.O	FAIL SAFE OFF

LEGEND	EXPLANATION
—	AMMONIA
—	AIR
—	VENT
—	WATER
—	STEAM
—	CONDENSATE
—	DRY AIR
—	WET AIR
—	WET AIR WITH AMMONIA
—	WET AIR WITH AMMONIA AND WATER
—	WET AIR WITH AMMONIA AND WATER AND STEAM
—	WET AIR WITH AMMONIA AND WATER AND STEAM AND CONDENSATE
—	WET AIR WITH AMMONIA AND WATER AND STEAM AND CONDENSATE AND DRIFT
—	WET AIR WITH AMMONIA AND WATER AND STEAM AND CONDENSATE AND DRIFT AND AMMONIA



PROJECT NO.	No. 2 LAND BOILER	STANDARD DRAWING
DESIGNING SECTION	DESIGNING SECTION	
DATE	DATE	P & I DIAGRAM FOR SCR SYSTEM (AMONEX AMMONIA ELECTRIC HEATER TYPE)
SCALE	SCALE	
DATE	DATE	N59-0004
DATE	DATE	

A B C D

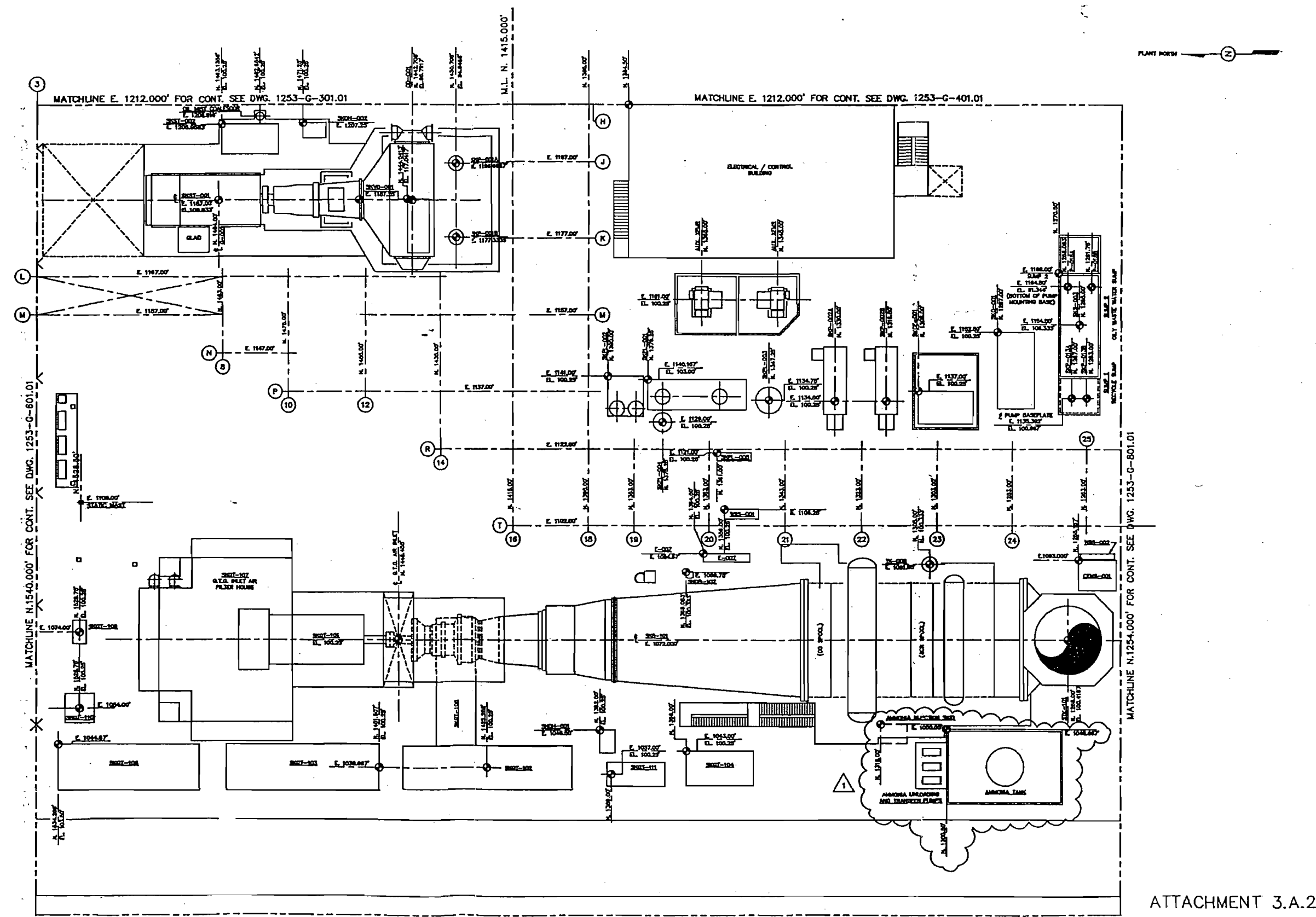



Figure TB-FE-2b

ATTACHMENT 3.A.2

NOTED CONFIDENTIAL
 This drawing is the property of
 DESTEC Engineering, Inc. It is to be
 used only for the project and location
 of it, and information contained
 herein is not to be given to others
 without the expressed written
 consent of DESTEC Engineering, Inc.
 It is made to the best of the
 knowledge of DESTEC Engineering, Inc.

REFERENCE DRAWINGS	
1253-G-101.01	PLOT PLAN
1253-G-104.01	MAJOR AREA KEY PLAN
1253-C-700.01	AREA 70 FOUNDATION LOCATION PLAN

NO.	DATE	REVISION	BY	APPROVED	NO.	DATE	REVISION	BY	APPROVED


DESTEC
 ENGINEERING

TIGER BAY COGEN
 EQUIPMENT LOCATION PLAN AREA 70
 FOR SCB ADDITION

PROJECT NO.	1253
CLIENT	TIGER BAY, L.P.
DRAW. NO.	

SCALE: 1" = 10'
 DATE: 8-2-07
 DRAWN BY:
 CHECKED BY:
 APPROVED BY:
 DATE:

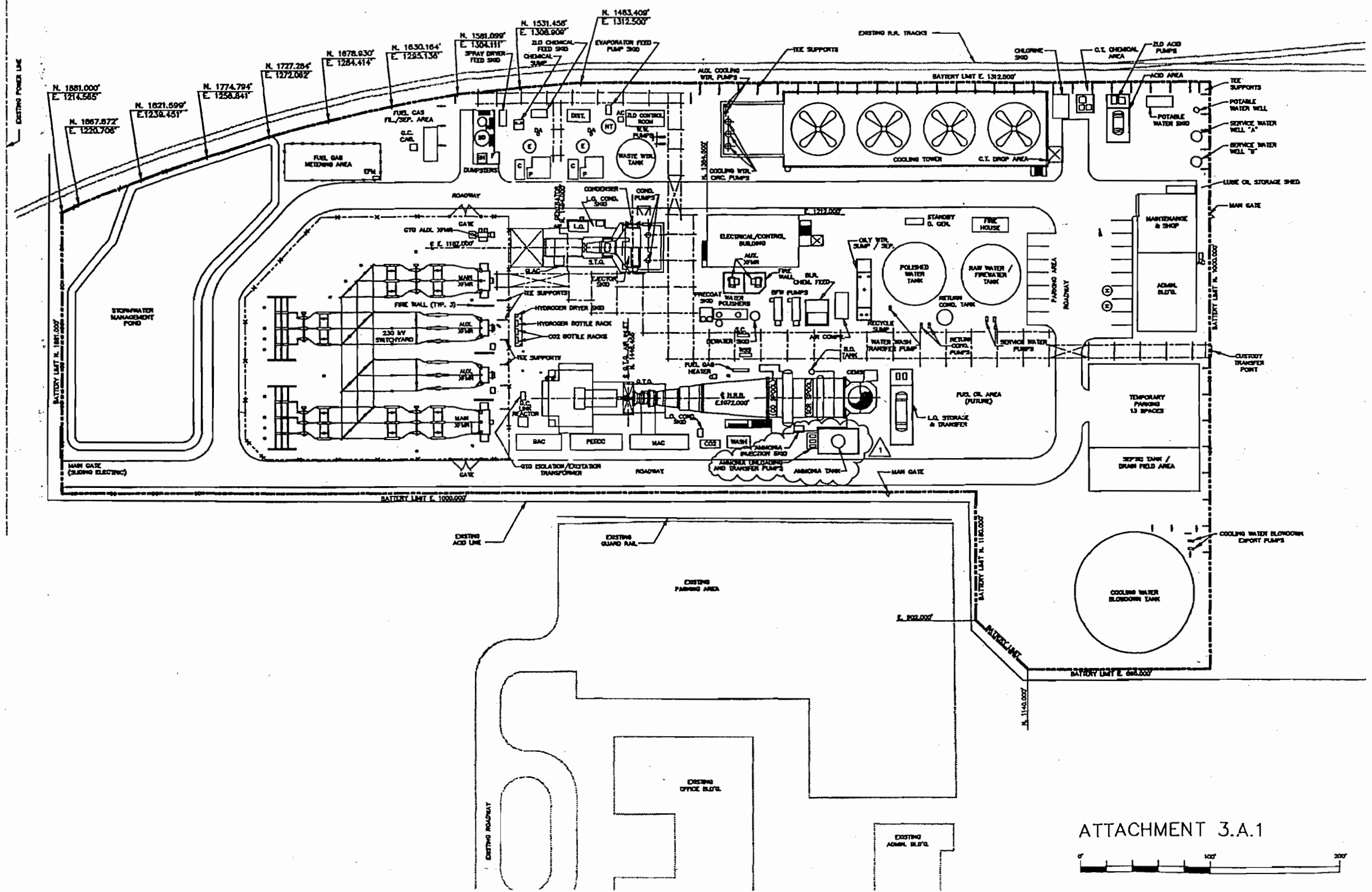
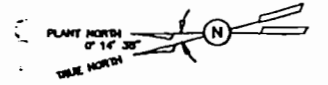


Figure TB-FE-2a

ATTACHMENT 3.A.1



REVISED CONFIDENTIAL
 Not showing to the property of
 DESTEC Engineering, Inc. without
 the written consent of DESTEC Engineering, Inc.
 If, in any future drawings, the
 name of DESTEC Engineering, Inc.
 is used, it shall be the name of
 DESTEC Engineering, Inc.
 DESTEC Engineering, Inc.

REFERENCE DRAWINGS	
1253-G-100.01	SITE PLAN
1253-G-104.01	MAJOR AREA KEY PLAN
1253-G-105.01	DETAILED AREA KEY PLAN

NO.	DATE	REVISION	BY	APPROVED	NO.	DATE	REVISION	BY	APPROVED
1	4-23-07	ORIG FOR BID FOR SCR ADDITION 1253.30.001	HAL						



TIGER BAY COGEN PLOT PLAN FOR SCR ADDITION		PROJECT NO. 1253
		CLIENT TIGER BAY, L.P.
DATE 4-1-07	SCALE 1"=30'	REV. NO. 1253-G-101.02
CHK. DATE		REV. 1
APP. DATE		



Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

January 12, 1998

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

W. Jeffrey Pardue, C.E.P.
Director, Environmental Services Department
Florida Power Corporation
3201 34th Street South
St. Petersburg, FL 33733

Re: DEP File No. 1050223-007-AC
Tiger Bay Power Plant - 258 MW Cogen Unit

Dear Mr. Pardue:

The Department has reviewed your October 30, 1997 letter requesting a modification of construction permit No. AC-53-214903 (PSD-FL-190) to extend the compliance date for achievement of the 15 parts per million nitrogen oxides (15 ppm NO_x) emission limit. This request is acceptable and the permit (previously modified on January 8, 1997) is hereby modified as follows:

SPECIFIC CONDITION 15(a)

The NO_x maximum emission limit of 97.2 pounds per hour (equivalent to 15 ppm @ 15% O₂) firing gas/326 pounds per hour (equivalent to 42 ppm @ 15 % O₂) firing distillate fuel oil will be achieved not later than 12/31/98 99 using appropriate combustion technology improvements or SCR. If SCR is chosen as the control technology, the maximum NO_x emission limits will be changed to 64.8 pounds per hour (equivalent to 10 ppm @ 15 % O₂) and made effective the same date.

TABLE 1, FOOTNOTE B

The NO_x maximum emission limit of 97.2 pounds per hour (equivalent to 15 ppm @ 15% O₂) firing gas/326 pounds per hour (equivalent to 42 ppm @ 15 % O₂) firing distillate fuel oil will be achieved not later than 12/31/98 99 using appropriate combustion technology improvements or SCR. If SCR is chosen as the control technology, the maximum NO_x emission limits will be changed to 64.8 pounds per hour (equivalent to 10 ppm @ 15 % O₂) and made effective the same date.

A copy of this letter shall be filed with the referenced permit and shall become part of the permit. This permit modification is issued pursuant to Chapter 403, Florida Statutes. Any party to this order (permit modification) has the right to seek judicial review of the permit 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 Legal Office; 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 (thirty) days from the date this Notice is filed with the Clerk of the Department.

"Protect, Conserve and Manage Florida's Environment and Natural Resources"

Printed on recycled paper.

Executed in Tallahassee, Florida.

Sincerely,



Howard L. Rhodes, Director
Division of Air Resources
Management

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF FINAL PERMIT MODIFICATION (including the FINAL permit modification) was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on 1-14-98 to the person(s) listed:

Mr. W. Jeffrey Pardue, FPC*
Mr. Brian Beals, EPA Region 4
Mr. John Bunyak, NPS
Mr. Bill Thomas, SWD
Mr. Roy Harwood, Polk County

Clerk Stamp

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

Karin Jones 1-14-98
(Clerk) (Date)

HLR/th

FINAL DETERMINATION

FLORIDA POWER CORPORATION
TIGER BAY FACILITY
PERMIT No. 1050223-007-AC
Polk County

An Intent to Issue an air construction permit amendment to Florida Power Corporation (FPC) was distributed on November 17, 1997. This permit amendment was to defer the applicability date of a lower nitrogen oxides emission limit at its 258 megawatt cogeneration facility located five miles west of Fort Meade, Polk County. The Public Notice of Intent to Issue Air Construction Permit was published in The Ledger, Lakeland, Polk County, Florida on November 25, 1997.

No comments were submitted during the public notice period.

The final action of the Department will be to issue the permit as noticed during the public notice period.

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. Addressee's Address
- 2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:
 Jeffrey Pardue, CEP
 Fla. Power Corp
 3201 34th St. South
 St. Pete, FL
 33733

4a. Article Number
 P 265 659 280

4b. Service Type
 Registered Certified
 Express Mail Insured
 Return Receipt for Merchandise COD

7. Date of Delivery
 1-20-98

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)
 X *Jeffrey Pardue*

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

P 265 659 280

US Postal Service
Receipt for Certified Mail

No Insurance Coverage Provided.
 Do not use for International Mail (See reverse)

Sent to	Jeff. Pardue
Street & Number	F-DC-Tiger Bay
Post Office, State, & ZIP Code	St. Pete 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	1-14-98

PS Form 3800, April 1995

Memorandum

Florida Department of Environmental Protection

TO: Howard Rhodes

THRU: Clair Fancy *CF*
Al Linero *alin* 1/12

FROM: Teresa Heron

DATE: January 12, 1998

SUBJECT: FPC/ Tiger Bay Power Plant
Modification of Permit
AIRS No. 1050223-007-AC (PSD-FL-190)

Attached is the permit amendment deferring by one year the applicability date of the ratchet-down provision for NOx emissions at the FPC/Tiger Bay Power Plant facility.

Currently, the unit is in compliance with its present nitrogen oxide (NOx) limit of 25 parts per million (ppm). Specific Condition No. 15, modified on January 8, 1997, of the above referenced construction permit requires that the unit achieve a nitrogen oxide (NOx) emission limit of 15 parts per million using appropriate combustion technology improvements or SCR.

DESTEC (former owner) indicated to the Department, at the time the condition was modified, that SCR would be installed by the December 31, 1998 date. It appeared, at that time, that the cost of retrofitting this system with the DLN would be significantly greater than that of SCR. However since that time GE and FPC (new owner) have agreed upon terms that will make the DLN system cost-effective.

This modification will defer the applicability date of Specific Condition No. 15 from December 31, 1998 to December 31, 1999 for the installation of DLN. However, if SCR is chosen as the control technology, the maximum NOx emission limits will be changed to 64.8 pounds per hour (equivalent to 10 ppm @ 15 % O2) and made effective the same date. We remind FPC of last item through the attached transmittal letter.

I recommend your approval and signature

AAL/th

Attachment



December 11, 1997

Mr. A. A. Linero, P.E.
Florida Department of
Environmental Protection
New Source Review Section
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Re: Permit Amendment No. 1050223-006-AC
Permit Nos. PSD-FL-190 / AC53-214903
Tiger Bay Facility
Modification to Construction Permit

Dear Mr. Linero:

Enclosed is the newspaper affidavit of publication for the permit amendment concerning the extension to reach 15 ppm using GE's new Dry Low NOx combustors. The Public Notice of Intent was published in the Lakeland Ledger in Polk County on November 25, 1997.

If you have any questions, please feel free to give me a call at (813) 866-5022 or Mr. J. Michael Kennedy at (813)866-4344.

Sincerely,

A handwritten signature in cursive script that reads "Jennifer L. Tillman".

Jennifer L. Tillman, P.E.

Enclosure

cc: J. Nelson, BAR
Polk Co.
SWD
EPA
NPS

RECEIVED

DEC 16 1997

**BUREAU OF
AIR REGULATION**

AFFIDAVIT OF PUBLICATION

THE LEDGER Lakeland, Polk County, Florida

Case No

STATE OF FLORIDA)
COUNTY OF POLK)

Before the undersigned authority personally appeared Nelson Kirkland, who on oath says that he is Classified Advertising Manager of The Ledger, a daily newspaper published at Lakeland in Polk County, Florida; that the attached copy of advertisement, being a

Public Notice Of Intent

in the matter of

DEP File No. 1050223-007-AC

in the

Court, was published in said newspaper in the issues of

November 25;

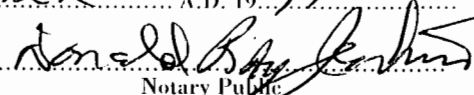
1997.

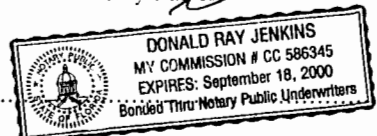
Affiant further says that said The Ledger is a newspaper published at Lakeland, in said Polk County, Florida, and that the said newspaper has heretofore been continuously published in said Polk County, Florida, daily, and has been entered as second class matter at the post office in Lakeland, in said Polk County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Signed 

Nelson Kirkland
Classified Advertising Manager
By Nelson Kirkland who is personally known to me

Sworn to and subscribed before me this 26th day of NOVEMBER A.D. 19 97

(Seal) 
Notary Public



My Commission Expires

Order#674596
Tiger Bay Power Plant

Attach Notice Here

PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT MODIFICATION
STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DEP File No. 1050223-007-AC
Florida Power Corporation
Tiger Bay Power Plant - 258 MW Cogen Unit
Polk County

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit modification to Florida Power Corporation (FPC) to defer the applicability date of a lower nitrogen oxides emission limit at its 258 megawatt cogeneration facility located five miles west of Fort Meade, Polk County. A Best Available Control Technology (BACT) determination was not required pursuant to Rules 62-212.400 and 410, F.A.C., Prevention of Significant Deterioration (PSD). The permit modification will not cause a violation of any state or federal ambient air quality standards or increments. The applicant's name and address are: Florida Power Corporation, 3201 34th Street South St. Petersburg, Florida 33733.

At present, the unit is in compliance with a nitrogen oxide (NOx) limit of 25 parts per million (ppm). Conditions in original Permit No. AC-53-214903 (PSD-FL-190) were modified on January 8, 1997. These require that the unit achieve a nitrogen oxide (NOx) emission limit of 15 parts per million (ppm) while burning natural gas not later than December 31, 1998 using appropriate combustion technology improvements or selective catalytic reduction (SCR). DESTEC (former owner) indicated to the Department at the time the conditions were modified that SCR would be installed by the December 31, 1998 date. DESTEC asserted that the cost of retrofitting this system with the Dry Low NOx combustors would be significantly greater than that of SCR. General Electric (manufacturer) and FPC have since agreed upon terms that will make the DUN system cost-effective.

This modification will further defer the applicability date of the lower limit given in the permit from December 31, 1998 to December 31, 1999 for the installation of DUN. DUN will achieve the limits specified in the permit without requiring storage, use, or emissions of ammonia. If SCR is chosen as the control technology, the maximum NOx emission limits will be lowered to 64.8 pounds per hour (equivalent to 10 ppm @ 15% O2) and made effective on the deferred date.

The Department will issue the FINAL Permit Modification. In accordance with the conditions of the DRAFT Permit Modification unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed DRAFT Permit Modification issuance action for a period of 30 (thirty) days from the date of publication of this Notice. Written comments should be provided to the Department's Bureau of Air Regulation, 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this DRAFT Permit Modification, the Department shall issue a Revised DRAFT Permit Modification and require, if applicable, another Public Notice.

The Department will issue FINAL Permit Modification with the conditions of the DRAFT Permit Modification unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57 F.S. The procedures for petitioning for a hearing are set forth below. Mediation is not available for this action.

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 F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, telephone: 850/488-9370, fax: 850/487-4938. Petitions must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. 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 F.S., 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 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 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 Department's 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 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.

A complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

Department of Environmental Protection Southwest District 3804 Coconut Palm Drive Tampa, Florida 33619-8218 Telephone: 850/744-6100 Fax: 850/744-6084	Department of Air Regulation Bureau of Air Regulation 111 South Magnolia Drive, Suite 4 Tallahassee, Florida 32301 Telephone: 850/488-1344 Fax: 850/922-6979
--	---

The complete project file includes the Draft Permit Modification, the application, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Administrator, New Resource Review Section at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/488-1344, for additional information.

A-982 - 11-25-1997

A982

BEST AVAILABLE COPY



**GE Power Systems
Americas**

Zigmund F. Biernacki
Generation Account Manager

*General Electric Company
Pittsford Plaza, Suite 900
7650 W. Courtney Campbell Crwy, Tampa, FL 33607
Mail Address: P.O. Box 10577, Tampa, FL 33607
Phone (813) 286-4834 Fax (813) 286-4808
E-Mail: Biernacki@schmms3.ge.com*

November 14, 1997

Mr. Bruce Baldwin
Florida Power Corporation
3201 34th Street South
St. Petersburg, FL 33711

**Subject: Florida Power Corporation
Tiger Bay NOx Reduction Proposal**

Dear Bruce,

As a follow-up to my discussion with your Bob Anderson, GE is pleased that Florida Power Corporation (FPC) has accepted GE's proposal to modify the Tiger Bay M57001FA DLN 2.0 Combustion System to a DLN 2.6 Combustion System prior to 2000. This modification, as detailed in our Proposal No. : 980064Q, will obtain a NOx emission of 15 ppmvd @ 15% O2. The DLN 2.6 combustion system is the latest combustion design to meet emission requirements below the 25 ppm NOx level.

Again, thank you for your continued interest in GE Power Generation products.

Sincerely,

Zigmund F. Biernacki

cc: F. Gates / 37-4 Schdy
J. Wells/G. Steasbury
G. L. Hammond
W. Golden - FPC



Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

November 12, 1997

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. W. Jeffrey Pardue, Director
Environmental Services Department
Florida Power Corporation
3201 34th Street South
St. Petersburg, FL 33733

Re: DEP File No. 1050223-007-AC
Tiger Bay Power Plant - 258 MW Cogen Unit

Dear Mr. Pardue:

The Department has reviewed your October 30, 1997 letter requesting a modification of construction permit No. AC-53-214903 (PSD-FL-190) to extend the compliance date for achievement of the 15 parts per million nitrogen oxides (15 ppm NO_x) emission limit. Prior to issuing an Intent on this request, we require the manufacturer's written confirmation that the Dry Low-NO_x (DLN 2.6) technology will meet the limit of 15 ppm and will, in-fact, be installed by December 31, 1999. Alternatively, we will accept a sealed professional engineer's evaluation. Attached is an example of reasonable assurance provided by GE on a similar project.

We agree that the technology is preferable for environmental and operational reasons to Selective Catalytic Reduction (SCR) when it achieves approximately the same level of NO_x. For those reasons we determined higher Best Available Control Technology emissions on projects utilizing various "dry" technologies. As discussed with Mr. Kennedy of your staff, should FPC choose to install SCR, the Department will revise the emission limit to 10 ppm.

Sincerely,

A. A. Linero, P.E. Administrator
New Source Review Section

AAL/aal

enclosure

cc: Brian Beals, EPA
John Bunyak, NPS
Bill Thomas, SWD
Buck Oven, DEP
Jennifer Tillman, FPC

"Protect, Conserve and Manage Florida's Environment and Natural Resources"



GE Power Generation

Global Power Plant Systems Department
General Electric Company
One River Road, Schenectady, NY 12345
518-385-7222

11 October, 1996

Subject: Kissimmee Utility Authority
Cane Island No. 1
DLE upgrade

Mr. A. K. Sharma
Power Supply Department
Kissimmee Utility Authority
P.O.Box 423219
Kissimmee, Florida 34742

RECEIVED

OCT 16 1996

POWER SUPPLY DEPT.

Dear Ben:

GE is aware that Kissimmee Utility Authority (KUA) Cane Island No. 1 Gas Turbine is currently permitted to operate at the Allowable Emission Rate of 25 ppmvd on Gas and 42 ppmvd on Oil. The BACT Determination section of the permit states that "the department has accepted the water injection (LM6000) and the 25 ppmvd (natural gas) /42 ppmvd (oil) at 15%O₂ as BACT for a limited time (up to 1/1/98)". The permit also states that "the manufacturer will attempt to achieve a maximum NO_x emission level of 15 (gas)/42 (oil) ppmvd by 1/1/98," and that "should this level of control not be achieved..... the permittee must provide the Department with expected compliance dates which will be updated annually."

The BACT Determination further states that "it is the Department's understanding that General Electric is developing programs for....the LM6000, to achieve a NO_x emission control level of 9 ppm when firing natural gas. The Department has determined that the following BACT will apply....

b) For the simple cycle unit (LM6000), the manufacturer will attempt to achieve a maximum NO_x emission level of 15(gas)/42(oil) ppmvd by 1/1/98. Should this level of control not be achieved, the permittee must notify the Department of the expected compliance date by 1/1/97."

This letter is to inform you that the GE DLE development program is not currently in a position which would allow us to provide a dry low emission (DLE) retrofit package for the LM6000 at Cane Island to meet the requirements of your air permit by the 1/1/98 date.

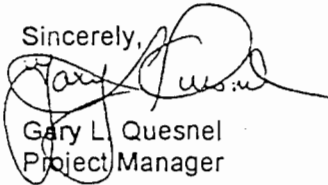
GE has undertaken programs to develop the technology for reducing the emissions of the GE gas turbines to the levels listed in your permit and beyond. These are complex and lengthy programs and the progress estimates provided to KUA at the time of the establishment of your permit were based on what we knew then. GE has embarked on these programs for both the heavy duty frame type machines manufactured by GE Power Generation and the aeroderivative type turbines manufactured by the Marine and Industrial Engine Division(M&I) of GE Aircraft Engines. Although the programs have been able to take advantage of achievements in each other's progress, the programs have developed separately due to differences in the equipment and technologies.

There may be some confusion regarding retrofit availability for GE gas turbines with dry low NOx (DLN) combustors because of the dual development programs that GE is conducting. The GE dry low NOx (DLN) development program for our heavy duty frame units is two to three years ahead of the LM 6000 DLE program. DLN retrofit packages for existing heavy duty frame units with steam or water injection are available for some Frame 3, 6B and 7EA gas turbines. In addition, there may be some new frame 7EAs and 7F/FA machines retrofit with advanced DLN combustors. The nature of any combustion development program is such that a database of experience must be established from units operating in commercial service before the advanced (lower NOx) combustor can be made available. In such cases, regulatory agencies have allowed units to go into commercial operation with higher NOx levels with a goal of lower levels in the future. In such cases (for frame units), retrofits of lower NOx combustor may have been committed. The key point to note, however, is that the heavy duty gas turbine DLN program has been successful in meeting its goals and is at least two to three years ahead of the LM DLE program.

GE remains committed to the DLE and DLN development programs for both aeroderivative and heavy duty type gas turbines. No firm date has yet been established for retrofit availability for existing or new LM6000 units; however, key milestone tests significant to the development process are scheduled to be completed during the first half of 1997. Once these tests have been completed, GE will have a firm plan established and will be able to advise KUA as to when the retrofit package for Cane Island No. 1 will be available.

GE will support KUA as necessary in petitioning the Florida DER to allow the Air Permit for Cane Island to be amended such that the required date for operation at 15 ppmvd(gas) and 42 ppmvd(oil) be changed from 1/1/93 to 1/1/99 initially. The change will then bring the permit in line with the state of advancement in technology development of the DLE program. Please contact me with what actions that KUA would like GE to take in the future in this regard.

Sincerely,



Gary L. Quesnel
Project Manager

cc: H. Jacobs B&V
 D. Swanson GE
 J. Such GE

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. Addressee's Address
- 2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:
 Mr. W. Jeffrey Pardue
 Env. Services Dept.
 FPC
 3201 34th St. South
 St. Pete, FL 33733

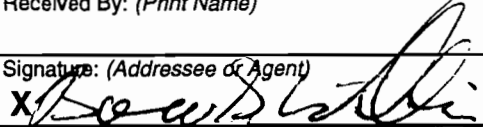
4a. Article Number
 P265 659 487

4b. Service Type
 Registered Certified
 Express Mail Insured
 Return Receipt for Merchandise COD

7. Date of Delivery
 11/12/97

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)


PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

P 265 659 487

US Postal Service
Receipt for Certified Mail

No Insurance Coverage Provided.
 Do not use for International Mail (See reverse)

Sent to		Jeffrey Pardue
Street & Number		FPC
Post Office, State, & ZIP Code		St. Pete, 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		11-12-97
		1050223-007-AC

PS Form 3800, April 1995



November 4, 1997

Mr. A. A. Linero, P.E.
Florida Department of
Environmental Protection
New Source Review Section
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Re: Permit Amendment No. 1050223-006-AC
Permit Nos. PSD-FL-190 / AC53-214903
Tiger Bay Facility
Changes to Testing Conditions

Dear Mr. Linero:

Enclosed is the newspaper affidavit of publication for the permit amendment referenced above. The Public Notice of Intent was published in the Lakeland Ledger in Polk County on October 24, 1997.

If you have any questions, please feel free to give me a call at (813) 866-5022 or Mr. J. Michael Kennedy at (813)866-4344.

Sincerely,

A handwritten signature in cursive script that reads "Jennifer L. Tillman".

Jennifer L. Tillman, P.E.

Enclosure

cc: J. Heron, BAR
SWD
Polk Co.
M. Costello, BAR

RECEIVED

NOV 10 1997

BUREAU OF
AIR REGULATION

AFFIDAVIT OF PUBLICATION

THE LEDGER Lakeland, Polk County, Florida

Case No

STATE OF FLORIDA)
COUNTY OF POLK)

Before the undersigned authority personally appeared Nelson Kirkland, who on oath says that he is Classified Advertising Manager of The Ledger, a daily newspaper published at Lakeland in Polk County, Florida; that the attached copy of advertisement, being a

Public Notice Of Intent

in the matter of
Draft Permit Amendment No. 1050223-006-AC

in the
Court, was published in said newspaper in the issues of
October 24;
1997.

Affiant further says that said The Ledger is a newspaper published at Lakeland, in said Polk County, Florida, and that the said newspaper has heretofore been continuously published in said Polk County, Florida, daily, and has been entered as second class matter at the post office in Lakeland, in said Polk County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Signed 
Nelson Kirkland
Classified Advertising Manager
By Nelson Kirkland who is
personally known to me

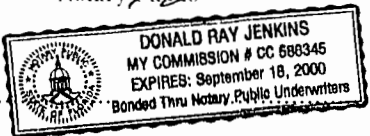
Sworn to and subscribed before me this 24th

day of October A.D. 19 97

(Seal)


Notary Public

My Commission Expires



Order#674474
S Wilkes

A860

PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT AMENDMENT

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DRAFT Permit Amendment No. 1050223-006-AC, (PSD-FL-190)
Tiger Bay Power Plant
Polk County

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit amendment to Florida Power Corporation's requested changes in certain emission testing requirements at the Tiger Bay Power Plant located near Fort Meade, Polk County. The facility consists of a 258 megawatt gas and oil fired combustion turbine with a heat recovery steam generator and duct burner. A Best Available Control Technology (BACT) determination was not required pursuant to Rule 62-212.400, F.A.C. and 40 CFR 52.21. Prevention of Significant Deterioration (PSD). The amendment will not result in an increase in any emissions from the facility, and will not cause a violation of any state or federal ambient air quality standards or increments. The applicant's name and address are: Florida Power Corporation, 3201 34th Street South, St. Petersburg, FL 33733.

This amendment clarifies when annual testing for volatile organic compounds is required and that EPA Method 3A is an acceptable alternate for Method 3 for determining oxygen concentrations.

The Department will issue the FINAL Permit Amendment, in accordance with the conditions of the DRAFT Permit Amendment unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed DRAFT Permit Amendment issuance action for a period of 14 (fourteen) days from the date of publication of this Notice. Any written comments should be provided to the Department's Bureau of Air Regulation, 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this DRAFT Permit Amendment, the Department shall issue a Revised DRAFT Permit Amendment and require, if applicable, another Public Notice.

The Department will issue FINAL Permit Amendment with the conditions of the DRAFT Permit Amendment unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57 F.S. The procedures for petitioning for a hearing are set forth below. Mediation is not available for this action.

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 F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station 435, Tallahassee, Florida 32399-3000, telephone: 850/488-9370, fax: 850/487-4938. Petitions must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. 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 F.S., 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 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 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 Department's action or proposed action addressed in this notice of intent.

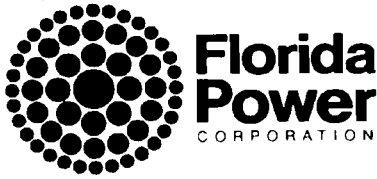
Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice of intent. Persons whose substantial interests will be affected by any such final decision 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.

A complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

Department of Environmental Protection Bureau of Air Regulation 111 South Magnolia Drive, Suite 4 Tallahassee, Florida, 32301 Telephone: 850/488-1344 Fax: 850/922-6979	Department of Environmental Protection Southwest District Office Air Permitting Section 3804 Coconut Palm Drive Tampa, Florida 33619 Telephone (813) 744-6100 Fax: (813) 744-6084
--	---

The complete project file includes the Draft Permit Amendment, the application, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Administrator, New Resource Review Section at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/488-1344, for additional information.

A-860 - 10-24; 1997



October 30, 1997

Mr. Clair Fancy
Bureau of Air Regulation
Florida Department of Environmental Protection
2600 Blair Stone Rd.
Tallahassee, FL 32399

RECEIVED

NOV 03 1997

BUREAU OF
AIR REGULATION

RE: Tiger Bay Facility Power Plant Permit Amendment Request
AC53-214903; PSD-FL-190

1050223-007-AC
PSD-FL-190

Dear Mr. Fancy:

Florida Power Corporation (FPC) is applying for an amendment to the permit referenced above. The request is for an extension of the compliance due date from December 31, 1998 to December 31, 1999. A check in the amount of \$250 is enclosed for the processing of this amendment.

The construction permit referenced above requires that compliance with the NOx emission limit of 15 ppm be demonstrated by December 31, 1998. Progress has been made toward meeting this deadline; in fact, the most recent compliance test, which was performed earlier this month, indicated a NOx emissions level of 16 ppm. For the Tiger Bay facility, final compliance can be achieved through more advanced combustion technology or the use of selective catalytic reduction (SCR).

As Mr. Mike Kennedy of my staff recently discussed with you, General Electric (GE) is completing development of a new dry low-NOx combustor that can achieve the 15 ppm emission limit, which GE terms DLN 2.6. Initially, it appeared that the cost of retrofitting this system at the Tiger Bay facility would be significantly greater than that of SCR. As a result, FPC recently indicated to you that SCR would be installed by the December 31, 1998 date in order to achieve final compliance. However, since that time GE and FPC have agreed upon terms that will make the DLN 2.6 system cost-effective.

GE has indicated that the new combustion system can be installed by mid-1999, followed by a period of performance evaluation and compliance demonstration. Therefore, as FPC discussed with you a few weeks ago, FPC requests a 12-month extension to the compliance due date for Tiger Bay.

By installing advanced combustion technology rather than SCR, FPC will achieve compliance and avoid the negative issues associated with using SCR. These include transportation, storage, and handling of

Mr. Clair Fancy
October 30, 1997
Page Two

ammonia, ammonia "slip" through the SCR exiting the stack, disposal of spent catalyst, and the energy use by the SCR unit.

Thank you for your consideration of this request. Please contact Ms. Jennifer Tillman at (813) 866-5022 or Mr. Mike Kennedy at (813) 866-4344 if you have any questions.

Sincerely,



W. Jeffrey Pardue, C.E.P.
Director

cc: Mr. Jerry Kissel, DEP - Tampa

cc: J. Neuron
EPA
NPS
SWD
Polk Co.



ACCOUNTS PAYABLE DEPT. C2N
 P. O. BOX 14042
 ST. PETERSBURG, FL 33733-4042 REMITTANCE ADVICE
 (813) 866-5257

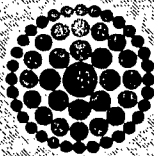
89

CHECK DATE 10/28/97 VENDOR DEPARTMENT OF ENVIRONMENTAL VENDOR NO. 184812 CHECK NO. 1928417

INVOICE NO.	DATE	OUR ORDER NO.	VOUCHER	GROSS AMOUNT	DISCOUNT	NET AMOUNT
DE1023250	10/23/97		9710150826	250.00	.00 TOTAL	250.00 250.00

THE ATTACHED REMITTANCE IS IN FULL SETTLEMENT OF ACCOUNT AS STATED. IF NOT CORRECT PLEASE RETURN TO ABOVE ADDRESS.

Accounts Payable Department C2N
 P.O. Box 14042
 St. Petersburg, FL 33733-4042



Florida Power
CORPORATION

63-115
631

DATE 10/28/97 CHECK NO. 1928417

PAY: \$250*DOLLARS AND 00 CENTS

\$*****250.00

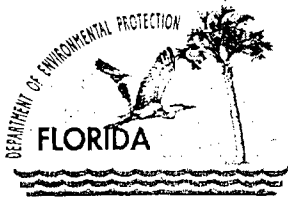
SunTrust / Mid-Florida

TO
THE
ORDER
OF

DEPARTMENT OF ENVIRONMENTAL
 PROTECTION-FINANCE & ACCTNG
 2600 BLAIR STONE RD
 TALLAHASSEE FL 32399

Void after 60 days

J. V. Smalley
Treasurer



Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

October 14, 1997

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

W. Jeffrey Pardue, C.E.P.
Director, Environmental Services Department
Florida Power Corporation
3201 34th Street South
St. Petersburg, FL 33733

Re: Permit Amendment No. 1050223-006-AC
Permit Nos. PSD-FL-190 / AC53-214903
Tiger Bay Power Plant
Changes To Testing Conditions

Dear Mr. Pardue:

Enclosed is one copy of the Draft Air Construction Permit Amendment for the Tiger Bay Power Plant located near Fort Meade, Polk County. The Department's Intent to Issue Air Construction Permit Amendment and the "PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT AMENDMENT" are also included.

The "PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT AMENDMENT" must be published within 30 (thirty) days of receipt of this letter. Proof of publication, i.e., newspaper affidavit, must be provided to the Department's Bureau of Air Regulation office within 7 (seven) days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit amendment.

Please submit any written comments you wish to have considered concerning the Department's proposed action to A. A. Linero, P.E., Administrator, New Source Review Section at the above letterhead address. If you have any other questions, please contact Martin Costello or Mr. Linero at 850/488-1344.

Sincerely,

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

CHF/mc

Enclosures

"Protect, Conserve and Manage Florida's Environment and Natural Resources"

In the Matter of an
Application for Permit Amendment by:

Florida Power Corporation
3201 34th Street South
St. Petersburg, FL 33733

DRAFT Permit Amendment No. 1050223-006-AC
Permit No. PSD-FL-190 / AC53-214903
Tiger Bay Power Plant
Polk County

INTENT TO ISSUE AIR CONSTRUCTION PERMIT AMENDMENT

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit amendment (copy of DRAFT Permit amendment attached) for the proposed project, as detailed in the application specified above, for the reasons stated below.

The applicant, Florida Power Corporation, applied on September 12, 1997 to the Department for an air construction permit amendment for its Tiger Bay Power Plant located near Ft. Meade, Polk County.

The Department has permitting jurisdiction under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, and 62-212. The above actions are not exempt from permitting procedures. The Department has determined that an air construction permit amendment is required to waive the annual testing of volatile organic compounds (VOC) using Method 25A when testing for carbon monoxide (CO) is within limits, and to allow the use of EPA Method 3A for determining oxygen concentrations.

The Department intends to issue this air construction permit amendment based on the belief that reasonable assurances have been provided to indicate that operation of these emission units will not adversely impact air quality, and the emission units will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C.

Pursuant to Section 403.815, F.S., and Rule 62-103.150, F.A.C., you (the applicant) are required to publish at your own expense the enclosed "PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT AMENDMENT". The notice shall be published one time only within 30 (thirty) days in the legal advertisement section of a newspaper of general circulation in the area affected. For the purpose of these rules, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. Where there is more than one newspaper of general circulation in the county, the newspaper used must be one with significant circulation in the area that may be affected by the permit. If you are uncertain that a newspaper meets these requirements, please contact the Department at the address or telephone number listed below. The applicant shall provide proof of publication to the Department's Bureau of Air Regulation, at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400 (Telephone: 850/488-1344; Fax 850/ 922-6979) within 7 (seven) days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit amendment pursuant to Rule 62-103.150 (6), F.A.C.

The Department will issue the FINAL Permit Amendment, in accordance with the conditions of the enclosed DRAFT Permit Amendment unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed DRAFT Permit Amendment issuance action for a period of 14 (fourteen) days from the date of publication of "PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT AMENDMENT." Any written comments should be provided to the Department's Bureau of Air Regulation, 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this DRAFT Permit Amendment, the Department shall issue a Revised DRAFT Permit Amendment and require, if applicable, another Public Notice.

The Department will issue the permit amendment with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57 F.S. The procedures for petitioning for a hearing are set forth below. Mediation is not available for this action

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 F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, telephone: 850/488-9730, fax: 850/487-4938. Petitions must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. 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 F.S., 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 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 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 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.

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 F.S. 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) 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.

Executed in Tallahassee, Florida.

Martin Costello for

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

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this INTENT TO ISSUE AIR CONSTRUCTION PERMIT AMENDMENT (including the PUBLIC NOTICE, and DRAFT permit amendment) was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on 10-14-97 to the person(s) listed:

Mr. W. Jeffrey Pardue, FPC*
Mr. Brian Beals, EPA Region 4
Mr. Bill Thomas, SWD
Mr. Roy Harwood, Polk County

Clerk Stamp

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

Kurn Jaber

(Clerk)

10-14-97
(Date)

NOTICE TO BE PUBLISHED IN THE NEWSPAPER

PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT AMENDMENT

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

DRAFT Permit Amendment No. 1050223-006-AC, (PSD-FL-190)
Tiger Bay Power Plant
Polk County

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit amendment to Florida Power Corporation's requested changes in certain emission testing requirements at the Tiger Bay Power Plant located near Fort Meade, Polk County. The facility consists of a 258 megawatt gas and oil fired combustion turbine with a heat recovery steam generator and duct burner. A Best Available Control Technology (BACT) determination was not required pursuant to Rule 62-212.400, F.A.C. and 40 CFR 52.21, Prevention of Significant Deterioration (PSD). The amendment will not result in an increase in any emissions from the facility, and will not cause a violation of any state or federal ambient air quality standards or increments. The applicant's name and address are: Florida Power Corporation, 3201 34th Street South, St. Petersburg, FL 33733.

This amendment clarifies when annual testing for volatile organic compounds is required and that EPA Method 3A is an acceptable alternate for Method 3 for determining oxygen concentrations.

The Department will issue the FINAL Permit Amendment, in accordance with the conditions of the DRAFT Permit Amendment unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed DRAFT Permit Amendment issuance action for a period of 14 (fourteen) days from the date of publication of this Notice. Any written comments should be provided to the Department's Bureau of Air Regulation, 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this DRAFT Permit Amendment, the Department shall issue a Revised DRAFT Permit Amendment and require, if applicable, another Public Notice.

The Department will issue FINAL Permit Amendment with the conditions of the DRAFT Permit Amendment unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57 F.S. The procedures for petitioning for a hearing are set forth below. Mediation is not available for this action.

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 F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, telephone: 850/488-9370, fax: 850/487-4938. Petitions must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. 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

**NOTICE TO BE PUBLISHED
IN THE NEWSPAPER**

(hearing) under Sections 120.569 and 120.57 F.S., 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 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 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 Department's action or proposed action addressed in this notice of intent.

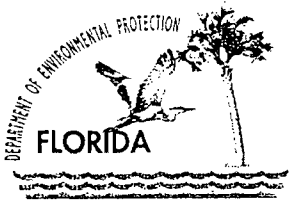
Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice of intent. Persons whose substantial interests will be affected by any such final decision 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.

A complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

Department of Environmental
Protection
Bureau of Air Regulation
111 South Magnolia Drive, Suite 4
Tallahassee, Florida, 32301
Telephone: 850/488-1344
Fax: 850/922-6979

Department of Environmental Protection
Southwest District Office
Air Permitting Section
3804 Coconut Palm Drive
Tampa, Florida, 33619
Telephone(813) 744-6100
Fax: (813) 744-6084

The complete project file includes the Draft Permit Amendment, the application, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Administrator, New Resource Review Section at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/488-1344, for additional information.



Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

November xx, 1997

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

W. Jeffrey Pardue, C.E.P.
Director, Environmental Services Department
Florida Power Corporation
3201 34th Street South
St. Petersburg, FL 33733

DRAFT

Re: Permit Amendment No. 1050223-006-AC
Permit Nos. PSD-FL-190 / AC53-214903
Tiger Bay Power Plant
Changes To Testing Conditions

Dear Mr. Pardue:

The Department has reviewed your September 11 letter requesting an amendment to the above referenced permit for VOC testing and the use of Method 3A for determination of oxygen concentration. This request is acceptable and the permit is hereby amended as follows:

The following shall be added to the end of Specific Condition 8:

Annual VOC testing on the CT and duct burner shall be conducted using only Method 25A (Method 18 is not required) however the annual VOC testing shall not be required provided that the annual CO test demonstrates emissions below the CO limits in Table 1. Method 3A may be substituted for Method 3 to determine oxygen concentrations.

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

This permit amendment is issued pursuant to Chapter 403, Florida Statutes. Any party to this order (permit amendment) has the right to seek judicial review of the permit 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 Legal Office; 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 (thirty) days from the date this Notice is filed with the Clerk of the Department.

Executed in Tallahassee, Florida.

Sincerely,

DRAFT

Howard L. Rhodes, Director
Division of Air Resources
Management

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF FINAL PERMIT AMENDMENT (including the FINAL permit amendment) was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on _____ to the person(s) listed:

- Mr. W. Jeffrey Pardue, FPC*
- Mr. Brian Beals, EPA Region 4
- Mr. Bill Thomas, SWD
- Mr. Roy Harwood, Polk County

Clerk Stamp

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

(Clerk)

(Date)

Fold at line over top of envelope to

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):

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:
 Mr. W. Jeffrey Pardue, CEP
 Fla. Power Corp.
 3201 34th St. South
 St. Petersburg, FL
 33733

4a. Article Number:
 P 265 659 470

4b. Service Type
 Registered Certified
 Express Mail Insured
 Return Receipt for Merchandise COD

7. Date of Delivery:
 10/14/97

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)
 X Milton Moore

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994 Domestic Return Receipt

Is your RETURN ADDRESS completed on the reverse side?

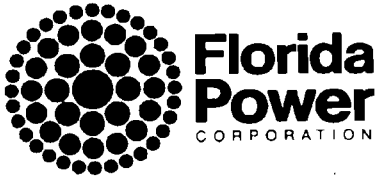
Thank you for using Return Receipt Service.

P 265 659 470

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

Sent to Jeffrey Pardue	
Street & Number FPC	
Post Office, State, & ZIP Code St. Pete, 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 10-14-97	
1050223-006-AC PSD-FL-190	

PS Form 3800, April 1995



RECEIVED

SEP 12 1997

BUREAU OF
AIR REGULATION

September 11, 1997

Mr. Al Linero, P.E.
Administrator, New Source Review Section
Florida Department of Environmental Protection
2600 Blair Stone Rd.
Tallahassee, FL 32399

RE: Tiger Bay Facility Power Plant Permit Amendment Request
AC53-214903; PSD-FL-190

1050223-006-AC

Dear Mr. Linero:

Florida Power Corporation (FPC) is applying for an amendment to the permit referenced above. The request is for three minor changes to the methods used for compliance determination. A check in the amount of \$250 is enclosed for the processing of this amendment. Each request is described in detail below.

1. Specific Condition 8 contains the required test methods for performing annual compliance tests. Under this condition, a separate test for VOC is required. At other FPC facilities, such as DeBary and Intercession City, the performance of the VOC test is not required if compliance with the CO limit is demonstrated. This has been effective in assessing compliance without the added burden of completing a VOC test. Therefore, FPC requests that the DEP add the following language to Specific Condition 8:

Performance of VOC testing shall not be required provided that compliance with the CO limit is demonstrated.

2. Specific Condition 8 contains both Method 18 and Method 25A as requirements for the determination of VOC emissions. It is not clear from the language in the condition whether either method may be used or both methods are required. FPC requests that since only one method is necessary, and since Method 25A is the one normally used for facilities such as Tiger Bay, that the DEP delete the reference to Method 18 from Specific Condition 8.

3. Method 3, which is a manual method, is required for determining the gas analysis. The instrumental Method 3A is much more commonly used, and it is more convenient. Therefore, FPC requests that the DEP change Method 3 to Method 3A in Specific Condition 8.



Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

September 8, 1997

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. W. Jeffrey Pardue, C.E.P.
Director of Environmental Services
Florida Power Corporation
3201 Thirty-fourth Street South
Post Office Box 14042
St. Petersburg, Florida 33733

Re: Transfer of Permits
Project Nos. 1050223-004-AO and 1050223-005-AC
Title V Application Revision

Dear Mr. Pardue:

On August 14, 1997, the Department received your completed "Applications For Transfer Of Permits." Pursuant to Rule 62-4.120, F.A.C., Transfer of Permits, the Department hereby approves the transfer of permits numbered PSD-FL-190/AC53-214903 and AO53-261950 for the Tiger Bay Cogeneration Facility, located at 3219 State Road 630 West, Fort Meade, Polk County, Florida, from the Tiger Bay Limited Partnership to the Florida Power Corporation.

Included with your letter requesting the permit transfers were revised pages to this facility's Title V Operation Permit Application. However, the necessary Professional Engineer certification was not included with your submission. Please provide this document as soon as possible. Please note that Rule 62-4.050(3), F.A.C., requires that all applications for a Department permit must be certified by a professional engineer registered in the State of Florida. This requirement also applies to revisions to the application. Please complete and submit a new P.E. certification statement page from the new long application form, DEP Form No. 62-210.900, effective March 21, 1996 (enclosed).

The Department hereby transfers the permits as follows:

CHANGE PERMITTEE FROM:

Ms. Jeanne Benedetti
Vice President
Tiger Bay Limited Partnership

CHANGE PERMITTEE TO:

Mr. W. Jeffrey Pardue, C.E.P.
Director of Environmental Services
Florida Power Corporation

A person whose substantial interests are affected by these permit amendments may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, telephone: 850/488-9730, fax: 850/487-4938. Petitions must be filed within fourteen days of receipt of these permit amendments. 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, F.S., 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. Mediation is not available for this action.

A petitioner, the applicant's name and address, the 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 facts which 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.


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 these permit amendments. 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.

These permit amendments are final and effective on the date filed with the Clerk of the Department unless a petition 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. Upon timely filing of a petition or a request for an extension of time these permit amendments will not be effective until further order of the Department.

When the Orders (Permit Amendments) are final, any party to the Orders has the right to seek judicial review of the Orders 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 Legal Office; 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 (thirty) days from the date this Notice is filed with the Clerk of the Department.

A copy of this letter shall be filed with the referenced permits and becomes a part of the permits.

**STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION**

for 

Howard L. Rhodes, Director
Division of Air Resources
Management

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that these TRANSFER OF PERMITS were sent by certified mail (*) before the close of business on 9-9-97 to the person(s) listed:

Mr. W. Jeffery Pardue, Florida Power Corporation*
Ms. Jeanne Benedetti, Tiger Bay L. P.*
Mr. Jerry Kissel, Southwest District

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.



(Clerk)

9-9-97
(Date)

Fold at line over top of envelope to

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. Addressee's Address
- 2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:
 Mr. W. Jeffrey Pardue, CEP
 Director of Env. Services
 FPC
 P O Box 14042
 St. Petersburg, FL
 33733

4a. Article Number
 P 265 659 449

4b. Service Type
 Registered Certified
 Express Mail Insured
 Return Receipt for Merchandise COD

7. Date of Delivery
 SEP 12 1997

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)

X *Mullen*

Thank you for using Return Receipt Service.

PS Form 3811, December 1994

Domestic Return Receipt

P 265 659 449

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sender	<i>Jeffrey Pardue</i>	
Street & Number	<i>FPC</i>	
Post Office, State, & ZIP Code	<i>St-Pete FL</i>	
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	<i>9-9-97</i>	
	<i>1050223-004-AC</i>	
	<i>1050223-005-AC</i>	

PS Form 3800, April 1995



August 11, 1997

CERTIFIED: P 283-451-846

Mr. Jerry Kissel
Florida Department of Environmental Protection
Southwest District
3804 Coconut Palm Drive
Tampa, FL 33619

RECEIVED
AUG 14 1997

Department of Environmental Protection
SOUTHWEST DISTRICT

Dear Mr. Kissel:

BY _____

Re: Request for Transfer of Permits
PSD-FL-190/AC53-214903, AO53-261950 and Title V Application

Attached are applications for transfer of the above-referenced permits for the Tiger Bay Cogeneration Facility, 3912 State Road 630 West, Fort Meade, FL 33841. Florida Power Corporation (FPC) has recently assumed ownership of this facility and requests to have these permits transferred to FPC's responsibility.

Also enclosed is a check in the amount of \$50.00 for the transfer fee for the construction permit, as discussed with Ms. Jennifer Tillman. Please provide approval in writing to me at the address listed below.

Please contact Ms. Jennifer Tillman at (813) 866-5022 if you have any questions regarding this submittal.

Sincerely,

AO 1050223-004-AO
1050223-005-AC

A handwritten signature in black ink, appearing to read "W. Pardue", enclosed within a hand-drawn oval.

W. Jeffrey Pardue, C.E.P.
Director

Attachments

cc: Mr. Scott Sheplak, FDEP-Tallahassee



P. O. BOX 14042 **BEST AVAILABLE COPY**
 ST. PETERSBURG, FL 33733-4042 **REMITTANCE ADVICE**
 (813) 866-5257

89

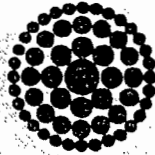
CHECK DATE 06/12/97 VENDOR FLA DEPT OF ENVIRONMENTAL VENDOR NO. 278473 CHECK NO. 1897182

INVOICE NO.	DATE	OUR ORDER NO.	VOUCHER	GROSS AMOUNT	DISCOUNT	NET AMOUNT
CK127552	06/09/97		9706196650	50.00	.00 TOTAL	50.00 50.00

1050273-005-AE

THE ATTACHED REMITTANCE IS IN FULL SETTLEMENT OF ACCOUNT AS STATED. IF NOT CORRECT PLEASE RETURN TO ABOVE ADDRESS.

Accounts Payable Department C2N
 P.O. Box 14042
 St. Petersburg, FL 33733-4042



Florida Power
CORPORATION

63-115
631

DATE 06/12/97 CHECK NO. 1897182

PAY: \$50*DOLLARS AND 00 CENTS

\$*****50.00

SunTrust / Mid-Florida

TO
THE
ORDER
OF

FLA DEPT OF ENVIRONMENTAL
 PROTECTION
 2600 BLAIR STONE RD
 TALLAHASSEE FL 32399-2400

Void after 60 days

J. V. Anallura
Treasurer





STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

APPLICATION FOR TRANSFER OF PERMIT

Permit No. PSD-FL-190 / AC53-214903 Date Issued 5/17/93 Date Expires 1/1/96 - Title V App. Submitted 6/13/96

NOTIFICATION OF SALE OR LEGAL TRANSFER

Source Name: Tiger Bay Cogeneration Facility County: Polk
Source Location: 3219 State Road 630 City: Fort Meade, 33841
Permittee Name: Tiger Bay Limited Partnership / Jeanne Benedetti Title: V.P., Central FL DGE, Inc. A General Partner
Mailing Address: 2500 CityWest Blvd., Suite 150
Houston, TX 77042

The undersigned hereby notifies the department of the sale or legal transfer of this pollution source. He further agrees to assign his rights as permittee to the applicant in the event the department agrees to the transfer of permit.

Sworn to and subscribed before me at Pinellas
County Florida
this 9th day of July 1997

[Signature]
Signature of Permittee

V.P., Central Florida DGE, Inc. A General Partner

Date: 7-15-97 Title

LINDA SCHULTZ
Notary Public
My Commission Expires 5/17/98
Bonded By Service Ins
No. CC473016



Personally Known Other I. D.

REQUEST FOR TRANSFER OF PERMIT

Source Name: Tiger Bay Cogeneration Facility
Applicant Name: Florida Power Corporation / W. Jeffrey Pardue, CEP Title: Director, Environmental Services
Mailing Address: 3201 34th Street South, MAC H2G
St. Petersburg, FL 33711 Telephone: (813) 866-4387

Project Engineer: Name: Robert W. Anderson
Mailing Address: 3201 34th Street South, MAC GV44
St. Petersburg, FL 33711 Telephone: (352) 337-6901

The undersigned hereby notifies the department of his having acquired title to this pollution source. He further states that he has examined the application and documents submitted by the current permittee the basis on which Permit No. PSD-FL-190 / AC53-214903 was issued by the department, and states that they accurately and completely describe the permitted activity or project. He further states that he is familiar with the permit, agrees to comply with its terms and conditions, and agrees to assume the rights and liabilities contained therein. He also agrees to promptly notify the department of any future change in ownership of, or responsibility for, the permitted activity or project.

Sworn to and subscribed before me at Pinellas
County, Florida
this 12th day of August 19 97

[Signature]
Signature of Applicant*

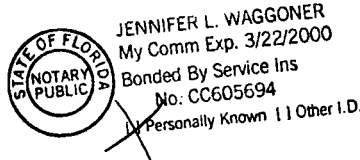
Director, Environmental Services

Title

Date: 8/12/97

Jennifer L. Waggoner
Notary Public
My Commission Expires: 03-22-2000

* Attach letter of authorization if other than owner or corporate officer.





STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

APPLICATION FOR TRANSFER OF PERMIT

Permit No. AO53-261950 Date Issued 1/27/95 Date Expires 1/31/96 - Title V App. Submitted 6/13/96

NOTIFICATION OF SALE OR LEGAL TRANSFER

Source Name: Tiger Bay Cogeneration Facility County: Polk
Source Location: 3219 State Road 630 City: Fort Meade, 33841
Permittee Name: Tiger Bay Limited Partnership / Jeanne Benedetti Title: V.P., Central FL DGE, Inc. A General Partner
Mailing Address: 2500 CityWest Blvd., Suite 150
Houston, TX 77042

The undersigned hereby notifies the department of the sale or legal transfer of this pollution source. He further agrees to assign his rights as permittee to the applicant in the event the department agrees to the transfer of permit.

Sworn to and subscribed before me at Pinellas
County, Florida
this 12th day of July 19 97
LINDA SCHULTZ
My Comm. Exp. 5/17/98
Notary Public
Bonded By Service Ins
No. CC473016
 Personally Known Other I.D.

[Signature]
Signature of Permittee
V.P., Central Florida DGE, Inc. A General Partner
Title
Date: 7-15-97

REQUEST FOR TRANSFER OF PERMIT

Source Name: Tiger Bay Cogeneration Facility
Applicant Name: Florida Power Corporation / W. Jeffrey Pardue, CEP Title: Director, Environmental Services
Mailing Address: 3201 34th Street South, MAC H2G
St. Petersburg, FL 33711 Telephone: (813) 866-4387

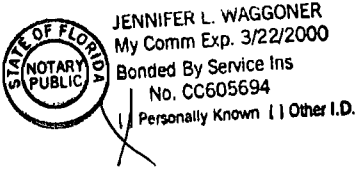
Project Engineer: Name: Robert W. Anderson
Mailing Address: 3201 34th Street South, MAC GV44
St. Petersburg, FL 33711 Telephone: (352) 337-6901

The undersigned hereby notifies the department of his having acquired title to this pollution source. He further states that he has examined the application and documents submitted by the current permittee the basis on which Permit No. AO53-261950 was issued by the department, and states that they accurately and completely describe the permitted activity or project. He further states that he is familiar with the permit, agrees to comply with its terms and conditions, and agrees to assume the rights and liabilities contained therein. He also agrees to promptly notify the department of any future change in ownership of, or responsibility for, the permitted activity or project.

Sworn to and subscribed before me at Pinellas
County, Florida
this 12th day of August 19 97
Jennifer L. Waggoner
Notary Public
My Commission Expires: 03-22-2000

[Signature]
Signature of Applicant*
Director, Environmental Services
Title
Date: 8/12/97

* Attach letter of authorization if other than owner or corporate officer.



Mr. Al Linero
September 11, 1997
Page Two

Thank you for your consideration of this request. Please contact Ms. Jennifer Tillman at (813) 866-5022 or Mr. Mike Kennedy at (813) 866-4344 if you have any questions.

Sincerely,



W. Jeffrey Pardue, C.E.P.
Director

cc: Mr. Jerry Kissel, DEP - Tampa

cc: Matty Costello, BARR



ACCOUNTS PAYABLE DEPT. C2N
 P. O. BOX 14042
 ST. PETERSBURG, FL 33733-4042 REMITTANCE ADVICE
 (813) 886-5257

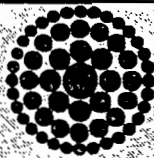
89

CHECK DATE 09/05/97 VENDOR FLA DEPT OF ENVIRONMENTAL VENDOR NO. 278473 CHECK NO. 1916063

INVOICE NO.	DATE	OUR ORDER NO.	VOUCHER	GROSS AMOUNT	DISCOUNT	NET AMOUNT
CK128051	08/28/97		9709129535	250.00	.00 TOTAL	250.00 250.00

THE ATTACHED REMITTANCE IS IN FULL SETTLEMENT OF ACCOUNT AS STATED. IF NOT CORRECT PLEASE RETURN TO ABOVE ADDRESS.

Accounts Payable Department C2N
 P.O. Box 14042
 St. Petersburg, FL 33733-4042



Florida Power
 CORPORATION

63-115
 631

DATE 09/05/97 CHECK NO. 1916063

PAY: \$250*DOLLARS AND 00 CENTS

\$*****250.00

SunTrust / Mid-Florida

TO
 THE
 ORDER
 OF

FLA DEPT OF ENVIRONMENTAL
 PROTECTION
 2600 BLAIR STONE RD
 TALLAHASSEE FL 32399-2400

Void after 60 days

J. V. Smallwood
 Treasurer



David L. Miller
Vice President
Corporate Services

March 7, 1997

TO WHOM IT MAY CONCERN:

Subject: Letter of Authorization

Please be advised that W. Jeffrey Pardue, Director, Environmental Services Department, Sharon K. Momberg, Manager of Waste Management Programs, Kent D. Hedrick, Manager of Water Programs, J. Michael Kennedy, Manager of Air Programs and Karen A. Johnston, Environmental Project Manager, are authorized to represent Florida Power Corporation in matters relating to necessary permits and reporting documentation required from regulatory authorities in the areas of air, water, power plant site certifications and transmission line certifications, or hazardous and solid materials issues.

Sincerely,

A handwritten signature in black ink, appearing to read "D. L. Miller", with a large, stylized flourish extending from the end of the signature.

D. L. Miller

DLM:mlp

ASSIGNMENT AND ASSUMPTION

This ASSIGNMENT AND ASSUMPTION dated as of the 15 day of July, 1997, among TIGER BAY LIMITED PARTNERSHIP ("Assignor"), FPC ACQUISITION L.L.C. ("Assignee") and FLORIDA POWER CORPORATION ("Guarantor").

RECITALS:

WHEREAS, Assignor, Assignee and Guarantor are parties to the Purchase Agreement ("Purchase Agreement") dated as of January 20, 1997; and

WHEREAS, the execution of this Assignment and Assumption is a condition to the closing under the Purchase Agreement (the "Closing").

NOW, THEREFORE, in consideration of the mutual agreements contained herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties do hereby agree as follows:

1. Assignment. Assignor hereby transfers and assigns to Assignee all of Assignor's right, title and interest in and to the following:

(a) The contracts listed on Schedule 1 hereto (the "Contracts"); and

(b) The governmental authorizations and permits listed on Schedule 2 hereto, to the extent assignable (the "Permits").

2. Assumption of Liabilities: Indemnification. In connection with, and as partial consideration for, the transfer of the Contracts and Permits, Assignee hereby (i) assumes and agrees to pay, perform, discharge and satisfy when due, any and all obligations and liabilities of Assignor under or arising out of, related to or in connection with the Contracts and the Permits, whether now existing or hereafter arising (specifically including, without limitation, and notwithstanding any other consents, releases or other agreements or instruments related hereto, the continuing obligations of Assignor as the assigning party under Section 19.03 of the Steam Sale Agreement listed as item 14 on Schedule 1 hereto), and concurs with the protections and limitations afforded in Article 16 of Purchase Order No.12530001 and Purchase Order No 12530013, listed as items 14 and 15, respectively, on Schedule 1 hereto (ii) agrees to indemnify, defend and hold harmless Assignor, its partners, officers, employees, directors and agents (the "Indemnified Parties") from and against any and all loss, cost, damage, liability, claim or expense (including, without limitation, reasonable attorneys' fees and expenses) suffered or incurred by the Indemnified Parties (A) arising out of, related to, or in connection with the Contracts and the Permits after the date hereof and (B) arising out of, related to, or in connection with any breach by Assignee of the representation and warranty contained in Section 4.02(f) of the Purchase Agreement, whether now existing or hereafter arising.

3. Survival of Covenants. The covenants made by Assignor in Sections 2.03, 5.01(f) and 5.01(i), by Assignee in Sections 2.03, 5.02(d), 5.02(f) and 8.01(d)(i), and by Guarantor in Sections 5.02(f), 5.03 and 8.01(d)(i) of the Purchase Agreement shall survive the Closing.

4. Further Assurances. At the request of any party hereto and without any additional consideration, a party shall execute and deliver such further agreements, documents or instruments, and perform such further acts, as may be reasonably requested of it in order to give effect to the provisions of this Assignment and Assumption.


5. Disclaimer of Warranties. **THIS AGREEMENT IS MADE WITHOUT RECOURSE AND ON AN "AS IS, WHERE IS" BASIS AND ASSIGNOR EXPRESSLY DISCLAIMS ALL WARRANTIES AND REPRESENTATIONS OF ANY KIND WHATSOEVER WHETHER EXPRESS OR IMPLIED.**

6. Applicable Law. This Agreement and the rights and obligations of the parties hereunder shall be governed by and construed in accordance with the laws of the State of Florida, without giving effect to the conflict of law principles thereof.


IN WITNESS WHEREOF, the parties hereto have duly executed this Agreement as of the day and year first above written.

TIGER BAY LIMITED PARTNERSHIP

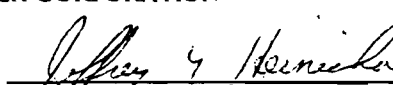
By: Central Florida DGE, Inc.,
Its general partner

By: 
Name: Jeanne Benedetti
Title: Vice President

FPC ACQUISITION L.L.C.

By: 
Name: Jeffrey G. Henrich
Title: Sr. Vice President

FLORIDA POWER CORPORATION

By: 
Name: Jeffrey G. Henrich
Title: Sr. Vice President

SCHEDULE 1

1. Contract for the Purchase of Firm Energy and Capacity from a Qualifying Facility (Unit 1) dated November 30, 1988 between General Peat Resources L.P., whose interest was assigned to Assignor, and Florida Power Corporation, as amended, clarified and supplemented through the date hereof.
2. Contract for the Purchase of Firm Energy and Capacity from a Qualifying Facility (Unit 2) dated November 30, 1988 between General Peat Resources L.P., whose interest was assigned to Assignor, and Florida Power Corporation, as amended, clarified and supplemented through the date hereof.
3. Contract for the Purchase of Firm Energy and Capacity from a Qualifying Facility (Unit 3) dated November 30, 1988 between General Peat Resources L.P., whose interest was assigned to Assignor, and Florida Power Corporation, as amended, clarified and supplemented through the date hereof.
4. Negotiated Contract for the Purchase of Firm Capacity and Energy from a Qualifying Facility dated as of March 28, 1991 between EcoPeat Avon Park, whose interest was assigned to Assignor, and Florida Power Corporation, as amended, clarified and supplemented through the date hereof.
5. Standard Offer Contract for Purchase of Firm Energy and Capacity from a Qualifying Facility dated July 1989 between Timber Energy Resources Inc., whose interest was assigned to Assignor, and Florida Power Corporation, as amended, clarified and supplemented through the date hereof.
6. Any interconnection agreements entered into between Assignor and Florida Power Corporation with respect to any of the foregoing, as amended through the date hereof.
7. Sections 3 and 4 of the Lease Termination Agreement dated February 22, 1993 among Florida Power Corporation, Assignor and EcoPeat Avon Park, as amended through the date hereof.
8. Operation and Maintenance Agreement dated as of April 25, 1995 between Florida Power Corporation and Assignor, as amended through the date hereof.
9. Operation and Maintenance Agreement dated as of July 15, 1993 between Assignor and Destec Operating Company, as amended through the date hereof.
10. Gas Sales and Purchase Contract dated September 22, 1993 between Assignor and Vastar Gas Marketing, Inc., as amended through the date hereof.

11. Firm Transportation Service Agreement (Rate Schedule FTS-1) dated December 30, 1993 between Assignor and Florida Gas Transmission Company, as amended through the date hereof.
12. Firm Transportation Service Agreement (Rate Schedule FTS-2) dated December 30, 1993 between Assignor and Florida Gas Transmission Company, as amended through the date hereof.
13. Steam Sale Agreement dated as of June 15, 1993 between Assignor and U. S. Agri-Chemicals Corporation, as amended through the date hereof.
14. Purchase Order No. 12530001, issued by Destec Engineering, Inc. to General Electric Company, Inc., dated March 10, 1993, and Change Orders 1 through 8 thereto.
15. Purchase Order No. 12530013, issued by Destec Engineering, Inc. to General Electric Company, Inc., dated March 17, 1993, and Change Orders 1 through 7 thereto.
16. Additional Inventory Contracts (as defined in the Purchase Agreement).

SCHEDULE 2

PERMITS

<u>Permits</u>	<u>Date of Issuance</u>
1. USEPA - Storm Water NOI, Construction (No. FLR00B155)	09/09/93
2. DOE - Fuel Use Act (Cert. No. 123)	08/16/93
3. FAA - Stack Notice (Study No. 92-ASO-2363-OE)	02/25/93
4. FEMA - Polston Engineering	12/03/92
5. USACOE - Wetlands Delineation Determination	03/31/93
6. FDER/PSD Permit (AC53-21-4903/PSD-FL-190) - Construction	05/17/93
Amendment Number 1	04/23/96
Amendment Number 2	01/08/97
7. FDER Industrial Waste Water and Storm Water Permit (IC53-221795 and RC53-221796) - Construction	05/04/93
8. FDER Air Permit for ZLD (AC53-230744) - Construction	06/29/93
9. FDER - Wetlands Exemption, Interoffice Memorandum	05/12/93
10. Florida - Notice of Commencement	09/03/93
11. FDEP - Storage Tank Registration (I.D. - 53/9300713) (Renewed annually)	01/07/97
12. Florida - Division of Historical Resources	01/04/93
13. Florida - Division of Historical Resources	02/01/93
14. Florida - Division of Historical Resources (For FPC Substation)	06/15/93
15. SWFWMD - Individual Water Use Permit (2010840.00)	02/23/93
16. Polk County - Commercial Site Plan Approval (133.92)	11/23/92
17. Polk County - Non Certified Electric Power Generating Site Approval (SA-92-01) and Polk County - Conditional Use Permit (CUP-92-17)	11/17/92

18.	Polk County - Construction Permit (93080960)	08/13/93
19.	Polk County/HRS - Septic Tank Permit (57037)	11/06/92
20.	Polk County - Solid Waste Disposal	06/25/93
21.	Polk County - Certificate of Concurrency Determination	11/23/93
22.	Polk County - Temporary Sign Permit (Construction)	10/05/93
23.	Polk County - Driveway Approval (1521.92)	11/23/92
24.	USEPA - NPDES Notice of Termination (Construction)	03/28/95
25.	SWFWMD - Well Construction Permit	03/31/94
26.	Polk County HRS - Drinking Water Well System - Construction Permit	04/08/94
27.	USEPA - NPDES General Permit for Storm Water (Operational) Discharges (Notice of Intent)	02/15/95
28.	USEPA - Update SPCC Plan for Oil Containment	02/22/95
29.	FDEP - GT/HRSG Initial Compliance Form	02/13/95
30.	FDEP - GT/HRSG Certification (Continuous Emissions Monitor Test)	10/19/94
31.	FDEP - GT/HRSG Custom Fuel Plan	12/02/94
32.	FDEP - Initial GT/HRSG, ZLD Compliance Source Test	10/19/94
33.	FDEP - ZLD Operating Permit (A053-261950)	01/25/95
34.	FDEP - Wastewater to USAC (or "no action" letter)	04/08/94
35.	FDEP - Best Management Practices Plan for Waste Water Permit	02/22/95
36.	FDEP - Industrial Waste and Storm Water Operating Permit "No Action Letter" - FDEP Storm Water Permit Exemption Letter	12/27/95 03/17/97
37.	FDEP - EPA Hazardous Waste Generator	07/20/94
38.	Polk County - Certificate of Occupancy	10/17/95

- | | | |
|-----|---|----------|
| 39. | Polk County - Waste Water to USAC (or "no action" letter) | 09/20/93 |
| 40. | Polk County - Permanent Sign Permit | 12/02/94 |
| 41. | USEPA - Update Storm Water Prevention Plan | 12/29/94 |

PART B - DEFERRED APPROVALS/STUDIES/LETTERS

- | | | |
|-----|---------------------------------|--|
| 42. | FDEP - Title V Operating Permit | Application Submitted 6/13/96
Amended 5/27/97 |
|-----|---------------------------------|--|

FINAL DETERMINATION

DESTEC / Tiger Bay Cogen

Amendment of Permit No. 1050223-003-AC
Tiger Bay Cogen Combined Cycle Unit

An Intent to Issue an air construction permit amendment for DESTEC / Tiger Bay Limited Partnership, Tiger Bay Cogen Combined Cycle Unit located five miles west of Ft. Meade, Polk County was distributed on November 21, 1996. The Notice of Intent was published in the The Ledger of Lakeland, Polk County on December 2, 1996. Comments were not submitted in response to the public notice. DESTEC recommended a clarification in Specific Condition No. 15(a) as to the final NO_x limits while firing distillate fuel oil. It is consistent with limit of 42 ppm given elsewhere in the permit.

The final action of the Department will be to issue the permit amendment as proposed, except with the clarification cited by DESTEC.

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF FINAL PERMIT AMENDMENT

In the Matter of an
Application for Permit Amendment

Mr. Jeffrey M. Keenan
DESTEC Energy, Inc.
Post Office Box 4411
Houston, Texas 77210-4411

DEP File No. 1050223-003-AC
PSD-FL-190

Enclosed is a letter that amends Permit Number PSD-FL-190. This letter amends Specific Condition No. 15(a) to extend the 15 ppm NOx compliance date from December 31, 1997 to December 31, 1998. This permit amendment is issued pursuant to Section 403, Florida Statutes.

Any party to this order (permit) has the right to seek judicial review of the permit 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 Legal Office; 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 14 (fourteen) days from the date this Notice is filed with the Clerk of the Department.

Executed in Tallahassee, Florida.



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

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF FINAL PERMIT AMENDMENT (including the FINAL permit amendment) was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on 1-8-97 to the person(s) listed:

Mr. Jeffrey M. Keenan, DESTEC *
Mr. Jeffrey J. Fassett, DESTEC *
Mr. Brian Beals, EPA
Mr. John Bunyak, NPS
Mr. Bill Thomas, SWD
Mr. Roy Harwood, Polk County

Clerk Stamp

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



(Clerk) 1-8-97
(Date)



Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

January 8, 1997

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Jeffrey J. Fassett
Senior Plant Engineer
DESTEC / Tiger Bay Limited Partnership
3219 State Road 630 West
Fort Meade, Florida 33841

Re: FINAL Permit Amendment No. 1050223-003-AC (PSD-FL-190)
Tiger Bay Cogen, Combined Cycle Unit

Dear Mr. Fassett:

The Department has reviewed DESTEC / Tiger Bay's October 23 letter requesting an amendment to its permit to extend the compliance date for achievement of the 15 parts per million nitrogen oxides (15 ppm NO_x) emission limit. This request is acceptable and the permit is hereby amended as follows:

Specific Condition 15(a)

FROM: For this turbine, if the 15 (gas)/42 (oil) ppmvd, corrected to 15% O₂ emission rates cannot be met by 12/31/97, SCR or other control technology will be installed. Hence the permittee shall install a duct module suitable for future installation of SCR equipment.

TO: The NO_x maximum emission limit of 97.2 pounds per hour (equivalent to 15 ppm @ 15% O₂) firing gas/326 pounds per hour (equivalent to 42 ppm @ 15% O₂) firing distillate fuel oil will be achieved not later than 12/31/98 using appropriate combustion technology improvements or SCR.

Table 1, Footnote B

FROM: The NO_x maximum limit will be lowered to 97.2 (lbs/hr) equivalent to 15 ppmvd @ 15% O₂ not later than 12/31/97 using appropriate combustion technology improvements or SCR.

TO: The NO_x maximum emission limit of 97.2 pounds per hour (equivalent to 15 ppm @ 15% O₂) will be achieved not later than 12/31/98 using appropriate combustion technology improvements or SCR.

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

Sincerely,

Howard L. Rhodes, Director
Division of Air Resources Management

HLR/aal/hh

Enclosures

Florida Department of
Environmental Protection

Memorandum

AL

TO: Howard L. Rhodes

THRU: Clair Fancy *CF*
Al Linero *al linero* 1/8

FROM: Martin Costello *MC*

DATE: January 8, 1997

SUBJECT: DESTEC/Tiger Bay Cogen Amendment No. 1050223-003-AC, PSD-FL-190

Attached for approval and signature is a letter that will amend construction permit number 1050223-003-AC / PSD-FL-190 to extend the compliance date for achievement of the 15 ppm NO_x emission limit found in Specific Condition No. 15(a). We are extending the compliance date from December 31, 1997 to December 31, 1998.

I recommend your approval and signature.

BILL OF SALE

TIGER BAY LIMITED PARTNERSHIP ("Seller"), for good and valuable consideration paid to Seller by FPC ACQUISITION L.L.C. ("Buyer"), the receipt and sufficiency of which are hereby acknowledged, has ASSIGNED, SOLD, CONVEYED and DELIVERED, and does hereby ASSIGN, SELL, CONVEY and DELIVER unto Buyer, its legal representatives, heirs, successors and assigns, all of Seller's right, title and interest, if any, in and to the following:

All of the improvements, fixtures, equipment, machinery and other personal property (collectively, "Personal Property") placed or installed on the real property ("Real Property") situated in Polk County, Florida, as more particularly described on Exhibit "A" which is attached hereto and is fully incorporated by reference herein.

This Bill of Sale is made and accepted subject to all liens, easements, restrictions, covenants and other matters affecting the Real Property.

BUYER TAKES THE PERSONAL PROPERTY "AS IS" AND WITH "ALL FAULTS". SELLER HAS NOT MADE AND DOES NOT MAKE ANY REPRESENTATIONS AS TO THE PHYSICAL CONDITION, OPERATION OR ANY OTHER MATTER AFFECTING OR RELATED TO THE PERSONAL PROPERTY AND THIS BILL OF SALE, AND BUYER HEREBY EXPRESSLY ACKNOWLEDGES THAT NO SUCH REPRESENTATIONS HAVE BEEN MADE. SELLER EXPRESSLY DISCLAIMS AND BUYER ACKNOWLEDGES AND ACCEPTS THAT SELLER HAS DISCLAIMED TO THE MAXIMUM EXTENT PERMITTED BY LAW, ANY AND ALL REPRESENTATIONS, WARRANTIES OR GUARANTIES OF ANY KIND, ORAL OR WRITTEN, EXPRESS OR IMPLIED, CONCERNING THE PROPERTY, INCLUDING, WITHOUT LIMITATION, (i) THE VALUE, CONDITION, MERCHANTABILITY, MARKETABILITY, PROFITABILITY, SUITABILITY OR FITNESS FOR A PARTICULAR USE OR PURPOSE OF THE PROPERTY, (ii) THE MANNER OR QUALITY OF THE CONSTRUCTION OF MATERIALS, IF ANY, INCORPORATED INTO ANY OF THE PROPERTY, AND (iii) THE MANNER, QUALITY, STATE OF REPAIR OR LACK OF REPAIR OF THE PROPERTY.

In connection with, and as partial consideration for, the assignment, sale, conveyance and delivery by Seller to Buyer of all of Seller's right, title and interest, if any, in and to the Personal Property, Buyer agrees to indemnify, defend and hold harmless Seller, its partners, officers, employees, directors and agents (the "Indemnified Parties") from and against any and all loss, cost, damage, liability, claim or expense (including, without limitation, reasonable attorneys' fees and expenses) suffered or incurred by the Indemnified Parties arising out of, related to, or in connection with the Personal Property and the Real Property after the date hereof.

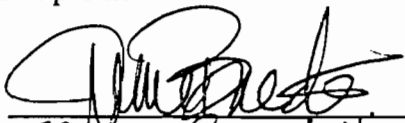
This Bill of Sale shall be construed and interpreted in accordance with the laws of the State of Florida.

EFFECTIVE as of the 15 day of July, 1997.

SELLER:

TIGER BAY LIMITED PARTNERSHIP

By: Central Florida DGE, Inc.,
its general partner

By: 
Name: Jeanne Benedetti
Title: Vice President

BUYER:

FPC ACQUISITION L.L.C.

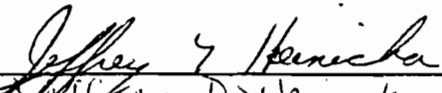
By: 
Name: Jeffrey R. Henicka
Title: Sr. Vice President

EXHIBIT "A"

PLANT SITE DESCRIPTION

A PARCEL OF LAND LYING AND BEING IN SECTION 31, TOWNSHIP 31 SOUTH, RANGE 25 EAST, IN POLK COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCE ON THE WEST BOUNDARY LINE OF SECTION 31, TOWNSHIP 31 SOUTH, RANGE 25 EAST, AT A POINT 5.96 FEET SOUTH OF THE NORTHWEST CORNER OF SAID SECTION 31 (SOUTHWEST CORNER OF SECTION 30, TOWNSHIP 31 SOUTH, RANGE 25 EAST), DESIGNATED AS STATION 592+38.20, BEING A POINT ON THE SURVEY LINE OF THE SURVEY FOR STATE ROAD S-630 (NOW COUNTY ROAD 630); RUN THENCE ALONG SAID SURVEY LINE NORTH 89°57'23" EAST A DISTANCE OF 565.69 FEET; THENCE CONTINUE ALONG SAID SURVEY LINE SOUTH 89°48'22" EAST A DISTANCE OF 2296.11 FEET; RUN THENCE SOUTH 00°11'38" WEST A DISTANCE OF 40.00 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SR S-630 (NOW CR 630) AND THE POINT OF BEGINNING; RUN THENCE SOUTH 00°11'38" WEST ALONG THE SOUTHERLY RIGHT-OF-WAY OF SAID SR S-630 A DISTANCE OF 10.00 FEET; RUN THENCE SOUTH 89°48'22" EAST ALONG THE SOUTHERLY RIGHT-OF-WAY OF SAID SR S-630 A DISTANCE OF 149.44 FEET; RUN THENCE SOUTH 24°54'47" EAST A DISTANCE OF 43.91 FEET; RUN THENCE SOUTH 21°47'04" EAST A DISTANCE OF 50.00 FEET; RUN THENCE SOUTH 20°04'17" EAST A DISTANCE OF 50.00 FEET; RUN THENCE SOUTH 17°32'15" EAST A DISTANCE OF 50.00 FEET; RUN THENCE SOUTH 14°05'12" EAST A DISTANCE OF 50.00 FEET; RUN THENCE SOUTH 12°09'16" EAST A DISTANCE OF 50.00 FEET; RUN THENCE SOUTH 10°07'22" EAST A DISTANCE OF 50.00 FEET; RUN THENCE SOUTH 05°16'27" EAST A DISTANCE OF 50.00 FEET; RUN THENCE SOUTH 04°01'56" EAST A DISTANCE OF 50.00 FEET; RUN THENCE SOUTH 00°14'38" EAST A DISTANCE OF 483.22 FEET; RUN THENCE SOUTH 89°48'22" EAST A DISTANCE OF 451.59 FEET; RUN THENCE SOUTH 00°00'27" EAST A DISTANCE OF 143.15 FEET; RUN THENCE SOUTH 44°39'20" EAST A DISTANCE OF 53.75 FEET; RUN THENCE SOUTH 89°36'34" EAST A DISTANCE OF 98.18 FEET; RUN THENCE SOUTH 00°14'38" EAST, ALONG A LINE FIVE FEET EASTERLY OF THE CENTERLINE OF A PIPELINE EASEMENT AS DESCRIBED IN OR BOOK 1609, PAGE 79 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, A DISTANCE OF 737.49 FEET,

TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF SAID SR S-630, RUN THENCE SOUTH 89°48'22" EAST ALONG THE SOUTHERLY RIGHT-OF-WAY OF SAID SR S-630 A DISTANCE OF 56.24 FEET TO THE POINT OF BEGINNING.
CONTAINING 295,380.39 SQUARE FEET OR 6.77 ACRES MORE OR LESS.

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.

3. Article Addressed to:
 Mr. Jeffrey Keenan
 DESTEC Energy, Inc
 3319 State Rd 630, West
 Ft. Meade, FL 33841

4. Service Type
 Registered Certified
 Express Mail Insured
 Return Receipt for Merchandise COD

5. Received By: (Print Name)
 33841

6. Signature: (Addressee or Agent)
 X *Jeff Keenan*

7. Date of Delivery
 1-10-97

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994 Domestic Return Receipt

Thank you for using Return Receipt Service.

Thank you for using Return Receipt Service.

4a. Article Number
 P 265 659 141

4b. Service Type
 Registered Certified
 Express Mail Insured
 Return Receipt for Merchandise COD

5. Received By: (Print Name)
 JAN 14 1997

6. Signature: (Addressee or Agent)
 X

7. Date of Delivery
 117210-1411

8. Addressee's Address (Only if requested and fee is paid)
 117210-1411

3. Article Addressed to:
 Jeffrey Keenan
 DESTEC Energy
 P O Box 1141
 Houston, TX

4. Article Addressed to:
 Jeffrey Keenan
 DESTEC Energy
 P O Box 1141
 Houston, TX

PS Form 3811, December 1994 Domestic Return Receipt

Is your RETURN ADDRESS completed on the reverse side?

P 265 659 142

P 265 659 141

US Postal Service
Receipt for Certified Mail™

No Insurance Coverage Provided.
 Do not use for International Mail (See reverse)

Sent to
 Jeff. Fassett

Street & Number
 DESTEC

Post Office, State, & ZIP Code
 Ft. Meade, 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
 1-8-96

PS Form 3800, April 1995
 PSD-FI-190

US Postal Service
Receipt for Certified Mail

No Insurance Coverage Provided.
 Do not use for International Mail (See reverse)

Sent to
 G. Keenan

Street & Number
 DESTEC

Post Office, State, & ZIP Code
 Houston, TX

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
 1-8-97

PS Form 3800, April 1995
 PSD-FI-190

January 2, 1997

RECEIVED

JAN 03 1997

BUREAU OF
AIR REGULATION

Mr. A. A. Linero
Florida Department of Environmental Protection
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, FL 32399-2400

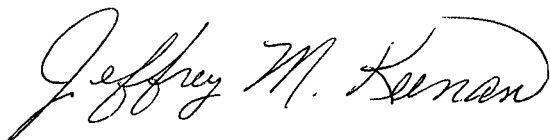
RE: *Tiger Bay Limited Partnership*
Request for Extension to Specific Condition No. 15; Air Permit No. AC53-214903,
(PSD-FL-190)

Dear Mr. Linero:

Per your request I have provided for you a copy of the Affidavit of Publication issued by the The Ledger newspaper. The affidavit is demonstration that Draft Permit Amendment No. 1050223-003-AC, (PSD-FL-190) has been sent out to Public Notice.

If you have any questions or comments please do not hesitate to call me at (713) 735-4086.

Yours truly,



Jeffrey M. Keenan

Enclosure

AFFIDAVIT OF PUBLICATION

THE LEDGER

Lakeland, Polk County, Florida

Case No

STATE OF FLORIDA)
COUNTY OF POLK)

Before the undersigned authority personally appeared Nelson Kirkland, who on oath says that he is Classified Advertising Manager of The Ledger, a daily newspaper published at Lakeland in Polk County, Florida; that the attached copy of advertisement, being a

Public Notice Of Intent

in the matter of

Permit Amendment No

in the

Court, was published in said newspaper in the issues of

December 2;

1996

Affiant further says that said The Ledger is a newspaper published at Lakeland, in said Polk County, Florida, and that the said newspaper has heretofore been continuously published in said Polk County, Florida, daily, and has been entered as second class matter at the post office in Lakeland, in said Polk County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

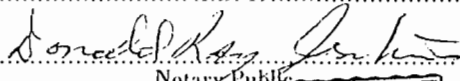
Signed 
Nelson Kirkland
Classified Advertising Manager
By Nelson Kirkland who is
personally known to me

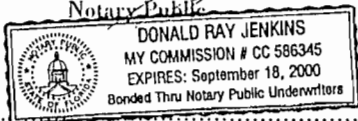
2nd

Sworn to and subscribed before me this

day of December A.D. 19 96

(Seal)


Notary Public



My Commission Expires

Order#602878

L

R768

PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT AMENDMENT STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

DRAFT Permit Amendment No.:
1050223-003-AC, (PSD-FL-190)
Tiger Bay Cogen Combined Cycle Unit
Polk County

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit amendment to DESIEC/Tiger Bay Limited Partnership, for the Tiger Bay Cogen Combined Cycle Unit located five miles west of Ft. Meade, Polk County. A Best Available Control Technology (BACT) determination was not required as a result of this amendment for any pollutants pursuant to Rule 62.212-400, F.A.C. and 40 CFR 52.21. Prior notice of Significant Deterioration (SD), the amendment will not cause a violation of any state or federal ambient air quality standards or increments. The applicant's name and address are: DESIEC/Tiger Bay Limited Partnership, 3219 State Road 630 West, Fort Meade, Florida 33841.

At present, the unit is in compliance with its present nitrogen oxide (NOx) limit of 25 parts per million (ppm). Specific Condition No. 15 of the above referenced construction permit presently requires that the unit achieve a nitrogen oxide (NOx) emission limit of 15 parts per million (ppm) by December 31, 1997. The amendment will extend the compliance date of Specific Condition No. 15 from December 31, 1997 to December 31, 1998. Originally DESIEC and the manufacturer, General Electric, expected to achieve the limit through technology known as Dry Low No. Combustors. This technology has been associated with reliability problems when attempting to reach the lower limit. Instead, the limit will be achieved through technology known as Selective Catalytic Reduction (SCR). The additional time will allow for design engineering, procurement, installation and testing of the new equipment.

The Department will issue the FINAL Permit Amendment unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed DRAFT Permit Amendment Issuance action for a period not to exceed 14 (fourteen) days from the date of publication of this Notice. Written comments should be provided to the Department's Bureau of Air Regulation, 2600 Big Stone Road, Mail Station #5605, Tallahassee, Florida 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this DRAFT Permit Amendment, the Department shall issue a Revised DRAFT Permit Amendment and require, if applicable, another Public Notice.

The Department will issue FINAL Permit Amendment unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57 F.S. or a party requests mediation as an alternative remedy under Section 120.573 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. The procedures for petitioning for a hearing are set forth below, followed by the procedures for requesting mediation.

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 F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, telephone: 904/488-9370, fax: 904/487-4938. Petitions must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of notice of intent, whichever occurs first. 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 F.S., 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 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 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 Department's 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 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.

A person whose substantial interests are affected by the Department's proposed 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, 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 notice of intent 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 F.S., the timely agreement of all parties to mediate will toll the time limitations imposed by Sections 120.569 and 120.57 F.S. 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 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 F.S. 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.

A complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

Department of Environmental Protection
Bureau of Air Regulation
111 S. Magnolia Drive, Suite 4
Tallahassee, Florida, 32301
Telephone: 904/488-1344
Fax: 904/922-6979

Department of Environmental Protection
Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619-8218
Telephone: (904) 744-6100
Fax: (904) 744-6084

The complete project file includes the Draft Permit Amendment, the application, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Administrator, New Resource Review Section of 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 904/488-1344, for additional information.

R-768 -12-2; 1996



To: DESTEC Tiger Bay
active file.

Dec 2 - published notice.

Destec Energy, Inc.
2500 CityWest Blvd., Suite 150
Houston, TX 77042
Tel: (713) 735-4568
Fax: (713) 735-4571

FACSIMILE TRANSMITTAL

DATE: December 7, 1996

NUMBER OF PAGES: 3
(including cover)

SENT BY: Jeffrey Keenan

PLEASE DELIVER THE FOLLOWING PAGES TO:

<u>Person</u>	<u>Company</u>	<u>Fax No.</u>
Mr. A. A. Linero	Florida DEP.	(904) 922-6979

FILE NO. :

If transmission is incomplete, please call (713) 735-4442

MESSAGE

RE: Draft Permit Amendment No. 105023-003-AC (PSD-FL-190)
Tiger Bay Cogen, Combined Cycle Unit

Dear Mr. Linero:

Yesterday (Dec. 6, 1996) I sent a fax letter to you regarding Tiger Bay's request for extension to Specific Condition No. 15 of the above mentioned air permit.

Tiger Bay's proposed language did not include the ppm conversion @ 15% O₂ for distillate fuel oil. Therefore I have attached a revised fax letter with the proper proposed language. The attached fax letter supercedes the fax letter dated Dec. 6, 1996. I am sorry for the inconvenience this may have created for you.

If you have any questions please do not hesitate to contact me at (713) 735-4086.

Yours Truly,

Jeffrey M. Keenan
Staff Environmental Engineer

Attachment

CONFIDENTIAL NOTICE

The information contained in this facsimile message is legally privileged and confidential information intended for the use of the addressee named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, copying of this telecopy is strictly prohibited. If you have received this telecopy in error, please immediately notify us by telephone and return the original message at the address above via regular mail. We will reimburse any costs you incur in notifying us and returning the message to us.



Destec Energy, Inc.
 2500 CityWest Blvd., Suite 160
 Houston, TX 77042
 Tel : (713) 735-4568
 Fax : (713) 735-4571

FACSIMILE TRANSMITTAL

DATE: December 7, 1996

NUMBER OF PAGES: 2
 (including cover)

SENT BY: Jeffrey Keenan

PLEASE DELIVER THE FOLLOWING PAGES TO:

<u>Person</u>	<u>Company</u>	<u>Fax. No.</u>
Mr. A. A. Linero	Florida DEP	(904) 922-6979

FILE NO. :

If transmission is incomplete, please call (713) 735-4442

MESSAGE

THIS FAX LETTER SUPERCEDES FAX LETTER DATED DECEMBER 6, 1996

RE: Draft Permit Amendment No. 105023-003-AC (PSD-FL-190)
 Tiger Bay Cogen, Combined Cycle Unit

Dear Mr. Linero:

Thank you for your timely review of Tiger Bay's request for extension to Specific Condition No. 15 of our air permit. The draft language from the FDEP states:

Specific Condition 15(a)

FROM: For this turbine, if the 15 (gas)/42 (oil) ppmvd, corrected to 15% O₂ emission rates cannot be met by 12/31/97, SCR or other control technology will be installed. Hence the permittee shall install a duct module suitable for future installation of SCR equipment.

TO: The NO_x maximum emission limit of 97.2 pounds per hour (equivalent to 15 ppm @ 15% O₂) will be achieved not later than 12/31/98 using appropriate combustion technology improvements or SCR.

CONFIDENTIAL NOTICE

The information contained in this facsimile message is legally privileged and confidential information intended for the use of the addressee named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, copying of this telecopy is strictly prohibited. If you have received this telecopy in error, please immediately notify us by telephone and return the original message at the address above via regular mail. We will reimburse any costs you incur in notifying us and returning the message to us.

After I reviewed the language it occurred to me that the mention of gas and oil had been omitted. While Tiger Bay will reduce NO_x emissions to 97.2 pounds per hour firing natural gas, Tiger Bay will be unable to achieve the same while firing oil. Therefore Tiger Bay respectfully requests that the language be revised to read as follows:

TO: The NO_x maximum emission limit of 97.2 pounds per hour (equivalent to 15 ppm @ 15% O₂) firing gas/326 pounds per hour (equivalent to 42 ppm @ 15% O₂) firing distillate fuel oil will be achieved not later than 12/31/98 using appropriate combustion technology or SCR.

If you have any questions please do not hesitate to contact me at (713) 735-4086. I appreciate all that you have done for Tiger Bay and I look forward to hearing from you.

Very Truly Yours,

Jeffrey M. Keenan
Staff Environmental Engineer

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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, 1996

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Jeffrey M. Keenan
Staff Environmental Engineer
DESTEC Energy, Inc. -
Post Office Box 4411
Houston, Texas 77210-4411

Re: DRAFT Permit Amendment No. 1050223-003-AC (PSD-FL-190)
Tiger Bay Cogen, Combined Cycle Unit

Dear Mr. Keenan:

Enclosed is one copy of the Draft Air Construction Permit Amendment for the Combined Cycle Unit located five miles west of Ft. Meade, Polk County. The Department's Intent to Issue Air Construction Permit Amendment and the "PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT AMENDMENT" are also included.

The "PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT AMENDMENT" must be published within 30 (thirty) days of receipt of this letter. Proof of publication, i.e., newspaper affidavit, must be provided to the Department's Bureau of Air Regulation office within 7 (seven) days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit.

Please submit any written comments you wish to have considered concerning the Department's proposed action to A. A. Linero, P.E., Administrator, New Source Review Section at the above letterhead address. If you have any other questions, please contact Mr. Martin Costello or Mr. Linero at 904/488-1344.

Sincerely,

for  ^{RC-}
11/21

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

CHF/mc/hh

Enclosures

In the Matter of an
Application for Permit Amendment by:

DESTEC / Tiger Bay Limited Partnership
3219 State Road 630 West
Ft. Meade, Florida 33841 /

DRAFT Permit Amendment No.: 1050223-003-AC
PSD-FL-190
Tiger Bay Cogen Combined Cycle Unit
Polk County

INTENT TO ISSUE AIR CONSTRUCTION PERMIT AMENDMENT

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit amendment (copy of DRAFT Permit Amendment attached) for the proposed project, detailed in the application specified above, for the reasons stated below.

The applicant, DESTEC / Tiger Bay Limited Partnership, applied on October 23, 1996, to the Department for an air construction permit amendment for its Tiger Bay Cogen Combined Cycle Unit located five miles west of Ft. Meade, Polk County. The requested amendment extends the compliance time by one year for Specific Condition No. 15. The new compliance date will be December 31, 1998.

The Department has permitting jurisdiction under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, and 62-212. The above actions are not exempt from permitting procedures. The Department has determined that an air construction permit amendment is required to continue operations at the described facility.

The Department intends to issue this air construction permit amendment based on the belief that reasonable assurances have been provided to indicate that operation of these emission units will not adversely impact air quality, and the emission units will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C.

Pursuant to Section 403.815, F.S., and Rule 62-103.150, F.A.C., you (the applicant) are required to publish at your own expense the enclosed "PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT AMENDMENT". The notice shall be published one time only within 30 (thirty) days in the legal advertisement section of a newspaper of general circulation in the area affected. For the purpose of these rules, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. Where there is more than one newspaper of general circulation in the county, the newspaper used must be one with significant circulation in the area that may be affected by the permit. If you are uncertain that a newspaper meets these requirements, please contact the Department at the address or telephone number listed below. The applicant shall provide proof of publication to the Department's Bureau of Air Regulation, at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400 (Telephone: 904/488-1344; Fax 904/ 922-6979) within 7 (seven) days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit amendment pursuant to Rule 62-103.150 (6), F.A.C.

The Department will issue the FINAL Permit Amendment, in accordance with the conditions of the enclosed DRAFT permit amendment, unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed DRAFT Permit Amendment issuance action for a period of 14 (fourteen) days from the date of publication of "PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT AMENDMENT." Written comments should be provided to the Department's Bureau of Air Regulation, 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this DRAFT Permit Amendment, the Department shall issue a Revised DRAFT Permit Amendment and require, if applicable, another Public Notice.

The Department will issue the permit amendment with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57 F.S., or a party requests mediation as an alternative remedy under Section 120.573 F.S. 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. The procedures for petitioning for a hearing are set forth below, followed by the procedures for requesting mediation.

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 F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, telephone: 904/488-9730, fax: 904/487-4938. Petitions must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. 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 F.S., 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 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 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 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.

A person whose substantial interests are affected by the Department's proposed 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 notice of intent 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 F.S., the timely agreement of all parties to mediate will toll the time limitations imposed by Sections 120.569 and 120.57 F.S. 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 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 F.S. 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.

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 F.S. 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.

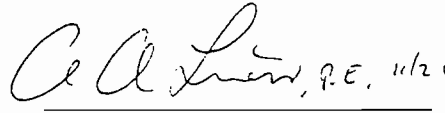
The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. The petition must specify the following information: (a) The name, address, and telephone number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

Executed in Tallahassee, Florida.


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

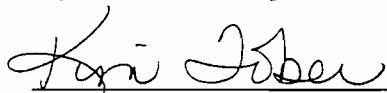
CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this INTENT TO ISSUE AIR CONSTRUCTION PERMIT AMENDMENT (including the PUBLIC NOTICE and the DRAFT permit amendment) was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on 11-21-96 to the person(s) listed:

Mr. Jeffrey M. Keenan, DESTEC *
Mr. Jeffrey J. Fassett, DESTEC *
Mr. Brian Beals, EPA
Mr. John Bunyak, NPS
Mr. Bill Thomas, SWD
Mr. Roy Harwood, Polk County

Clerk Stamp

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


(Clerk) 11-21-96
(Date)

DATE: 12/15/98

PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT AMENDMENT

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

DRAFT Permit Amendment No.: 1050223-003-AC, (PSD-FL-190)
Tiger Bay Cogen Combined Cycle Unit
Polk County

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit amendment to DESTEC / Tiger Bay Limited Partnership, for the Tiger Bay Cogen Combined Cycle Unit located five miles west of Ft. Meade, Polk County. A Best Available Control Technology (BACT) determination was not required as a result of this amendment for any pollutants pursuant to Rule 62-212.400, F.A.C. and 40 CFR 52.21, Prevention of Significant Deterioration (PSD). The amendment will not cause a violation of any state or federal ambient air quality standards or increments. The applicant's name and address are: DESTEC / Tiger Bay Limited Partnership, 3219 State Road 630 West, Fort Meade, Florida 33841.

At present, the unit is in compliance with its present nitrogen oxide (NO_x) limit of 25 parts per million (ppm). Specific Condition No. 15 of the above referenced construction permit presently requires that the unit achieve a nitrogen oxides (NO_x) emission limit of 15 parts per million (ppm) by December 31, 1997. The amendment will extend the compliance date of Specific Condition No. 15 from December 31, 1997 to December 31, 1998. Originally DESTEC and the manufacturer, General Electric, expected to achieve the limit through a technology known as Dry Low NO_x Combustors. This technology has been associated with reliability problems when attempting to reach the lower limit. Instead, the limit will be achieved through technology known as Selective Catalytic Reduction (SCR). The additional time will allow for design engineering, procurement, installation and testing of the new equipment.

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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 F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, telephone: 904/488-9370, fax: 904/487-4938. Petitions must be filed within fourteen days of

publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. 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 F.S., 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 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 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 Department's 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 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.

A person whose substantial interests are affected by the Department's proposed 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, 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 notice of intent 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 F.S., the timely agreement of all parties to mediate will toll the time limitations imposed by Sections 120.569 and 120.57 F.S. 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 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 F.S. 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.

A complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

Department of Environmental Protection
Bureau of Air Regulation
111 S. Magnolia Drive, Suite 4
Tallahassee, Florida, 32301
Telephone: 904/488-1344
Fax: 904/922-6979

Department of Environmental Protection
Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619-8218
Telephone:(904) 744-6100]
Fax: :(904) 744-6084

The complete project file includes the Draft Permit Amendment, the application, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Administrator, New Resource Review Section at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 904/488-1344, for additional information.

DRAFT

December XX, 1996

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Jeffrey J. Fassett
Senior Plant Engineer
DESTEC / Tiger Bay Limited Partnership
3219 State Road 630 West
Fort Meade, Florida 33841

Re: DRAFT Permit Amendment No. 1050223-003-AC (PSD-FL-190)
Tiger Bay Cogen, Combined Cycle Unit

Dear Mr. Fassett:

The Department has reviewed DESTEC / Tiger Bay's October 23 letter requesting an amendment to its permit to extend the compliance date for achievement of the 15 parts per million nitrogen oxides (15 ppm NO_x) emission limit. This request is acceptable and the permit is hereby amended as follows:

Specific Condition 15(a)

FROM: For this turbine, if the 15 (gas)/42 (oil) ppmvd, corrected to 15% O₂ emission rates cannot be met by 12/31/97, SCR or other control technology will be installed. Hence the permittee shall install a duct module suitable for future installation of SCR equipment.

TO: The NO_x maximum emission limit of 97.2 pounds per hour (equivalent to 15 ppm @ 15% O₂) will be achieved not later than 12/31/98 using appropriate combustion technology improvements or SCR.

Table 1, Footnote B

FROM: The NO_x maximum limit will be lowered to 97.2 (lbs/hr) equivalent to 15 ppmvd @ 15% O₂ not later than 12/31/97 using appropriate combustion technology improvements or SCR.

TO: The NO_x maximum emission limit of 97.2 pounds per hour (equivalent to 15 ppm @ 15% O₂) will be achieved not later than 12/31/98 using appropriate combustion technology improvements or SCR.

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

Sincerely,

Howard L. Rhodes, Director
Division of Air Resources Management

HLR/aal/hh

Enclosures

Memorandum

Florida Department of Environmental Protection

TO: Clair Fancy

FROM: Al Linero *Al Linero* 11/21

DATE: November 21, 1996

SUBJECT: DESTEC/Tiger Bay
Deferral of applicability date for 15 ppm NOx

Attached is a draft permit amendment deferring by one year the applicability date of the ratchet-down provision for NOx emissions at the DESTEC/Tiger Bay facility.

DESTEC provided substantial information and photographs detailing its problems (flashback) with the GE Dry LowNOx technology at Low NOx conditions. DESTEC is evaluating various corrective or alternative options. DESTEC will try to resolve the problems with GE but is implementing a design and procurement effort for installation of Selective Catalytic Reduction technology which will insure that the final limit of 15 ppm is met by December 31, 1998 instead of December 31, 1997.

Auburndale Power Partners is experiencing similar problems employing its steam injection technology and Kissimmee will meet its goals later than expected. We are discussing their plans with them as well.

I believe there is good justification for the delay and reasonable assurance has been provided that the limit will actually be met as detailed by DESTEC. I recommend issuance of the attached Intent.

AAL/aal/l

Attachments

Memorandum

Florida Department of Environmental Protection

TO: Clair Fancy

FROM: Al Linero *A. A. Linero 11/21*

DATE: November 21, 1996

SUBJECT: DESTEC/Tiger Bay
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Attached is a draft permit amendment deferring by one year the applicability date of the ratchet-down provision for NOx emissions at the DESTEC/Tiger Bay facility.

DESTEC provided substantial information and photographs detailing its problems (flashback) with the GE Dry LowNOx technology at Low NOx conditions. DESTEC is evaluating various corrective or alternative options. DESTEC will try to resolve the problems with GE but is implementing a design and procurement effort for installation of Selective Catalytic Reduction technology which will insure that the final limit of 15 ppm is met by December 31, 1998 instead of December 31, 1997.

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I believe there is good justification for the delay and reasonable assurance has been provided that the limit will actually be met as detailed by DESTEC. I recommend issuance of the attached Intent.

AAL/aal/l

Attachments

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3 and 4a & b.
- 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.

3. Article Addressed to:
Jeffrey Garrett, SPE
Postel Tiger Bay, LP
3219 State Rd 630 W
Ft Meade, FL 33841

4a. Article Number: P 339 251 184

4b. Service Type:
 Registered
 Certified
 Express Mail
 COD
 Return Receipt for Merchandise

5. Signature (Addressee):
John Cavanaugh

6. Signature (Sender):
Jeffrey Garrett

7. Date of Delivery: 11-25-96

8. Addressee's Address (Only if requested and fee is paid):

1. Also wish to receive the following services (for an extra fee):
 Addressee's Address
 Restricted Delivery
 Consult postmaster for fee

2. Restricted Delivery
 Consult postmaster for fee

PS Form 3800, April 1995

P 339 251 184

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

Sent to: Jeffrey Garrett
 Street Number: Postel Tiger Bay
 Post Office, State, & ZIP Code: Ft Meade 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: 11-21-96
 PSD-FI-190

PS Form 3800, April 1995

Thank you for using Return Receipt Service

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3 and 4a & b.
- 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.

3. Article Addressed to:
Jeffrey M. Keenan
Postec Energy, Inc
P.O. Box 444
Houston, TX 7710-0121

4a. Article Number: P339 251 183

4b. Service Type:
 Registered
 Certified
 Express Mail
 COD
 Return Receipt for Merchandise

5. Signature (Addressee):
Jeffrey M. Keenan

6. Signature (Sender):
Jeffrey M. Keenan

7. Date: NOV 25 1996

8. Addressee's Address (Only if requested and fee is paid):

1. Also wish to receive the following services (for an extra fee):
 Addressee's Address
 Restricted Delivery
 Consult postmaster for fee

2. Restricted Delivery
 Consult postmaster for fee

PS Form 3800, April 1995

P 339 251 183

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

Sent to: Jeffrey Keenan
 Street Number: Postec
 Post Office, State, & ZIP Code: Houston, TX

Postage: \$
 Certified Fee: Tiger Bay
 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: 11-21-96
 1050223-003-AC
 PSD-FI-190

PS Form 3800, April 1995

Florida Department of Environmental Protection

Air Permit No: AC53-214903/PSD-FL-190

Request for Extension to Specific Condition No.15

Tiger Bay Cogen
2500 City West Blvd.
Houston, TX 77042

Table of Contents

Supplemental Information	Tab 1
Tiger Bay Ltd. Partnership - Engineering, Procurement, and Construction Schedule for SCR installation	Tab 2
Photographs	Tab 3
Air Permit No. AC53-214903/PSD-FL-190	Tab 4

SUPPLEMENTAL INFORMATION
FOR
REQUEST FOR EXTENSION TO SPECIFIC CONDITION NO. 15
AIR PERMIT NO. AC53-214903/PSD-FL-190
AIRS ID# 1050223-001-AC
TIGER BAY COGEN

RECEIVED

OCT 24 1996

BUREAU OF
AIR REGULATION

I. Introduction:

Tiger Bay Cogen ("Tiger Bay") is requesting an extension to Specific Condition No. 15, Air Permit No. AC53-214903/PSD-FL-190 (Tab 4). Tiger Bay operates a cogeneration facility located at 3219 State Road 630 West, Fort Meade, Florida. The cogeneration facility employs one General Electric (GE) MS7001FA combustion turbine (CT). The CT has DLN-II dry low NO_x combustors, which have a guaranteed NO_x emission limit of 25 ppmvd @ 15% O₂. Specific Condition No. 15 of the Air Permit requires Tiger Bay to reduce the CT NO_x emissions to 15 ppmvd @ 15% O₂ by December 31, 1997.

The facility has experienced numerous unscheduled shut downs resulting from technical difficulties created by the GE DLN-II dry low NO_x combustors. To date there have been three combustion system flashbacks in the gas turbine at the Tiger Bay facility. A flashback is an event in which the flame velocity exceeds the fuel velocity. Flashbacks have resulted in damage to the fuel nozzles that are located in the combustor cans. The combustor cans are located in the combustor section of the gas turbine. Although not a threat to NO_x limits in the air permit, when a flashback occurs the plant recognizes a very small increase in NO_x emissions (approximately .25 to .5 ppm). While members of GE have investigated the problem, Tiger Bay continues to experience unscheduled shut downs. Photographs of the damaged fuel nozzles are shown in Tab 3 of this application.

As the problems with the fuel nozzles and combustors persist, Tiger Bay has been compelled to solve the combustor problems first in order to properly design a complete, reliable, and dependable solution to the pending compliance order.

II. Description of Modification of Compliance:

Enclosed hereto is a report prepared by the independent engineering firm of by Sargent and Lundy, L.L.C. ("Sargent and Lundy") entitled "NO_x reduction Study", dated August 1996. The study examines five strategies to meet the 15 ppmvd NO_x limitation. The report contains sensitive and confidential information, therefore Tiger Bay respectfully requests that the Florida Department of Environmental Protection ("FDEP") consider the document as such.

Based on the findings and recommendations of the independent engineer, Tiger Bay is proposing to meet the 15 ppmvd NO_x limit by retrofitting the Heat Recovery Steam Generator ("HRSG") with a Selective Catalytic Reduction ("SCR") system utilizing aqueous ammonia as the reactant. Tiger Bay respectfully requests that Condition No. 15

be amended to provide one additional year to allow Tiger Bay to engineer, procure, and install a SCR system to comply with the 15 ppmvd NO_x requirement by December 31, 1998.

In the "Supplemental Information" document you will find a "GANTT" type schedule that charts activities relative to the proposed compliance target date of December 31, 1998. The schedule identifies task activities and durations, and completion dates of the installation of the SCR system. The installation is currently scheduled for March and April, 1998. A plant outage during this period will correspond with the scheduled maintenance outages of the Power Purchase Agreement executed by and between Tiger Bay Limited Partnership and Florida Power Corp.

III. Proposed Modification:

Tiger Bay proposes the following changes to Specific Condition No. 15:

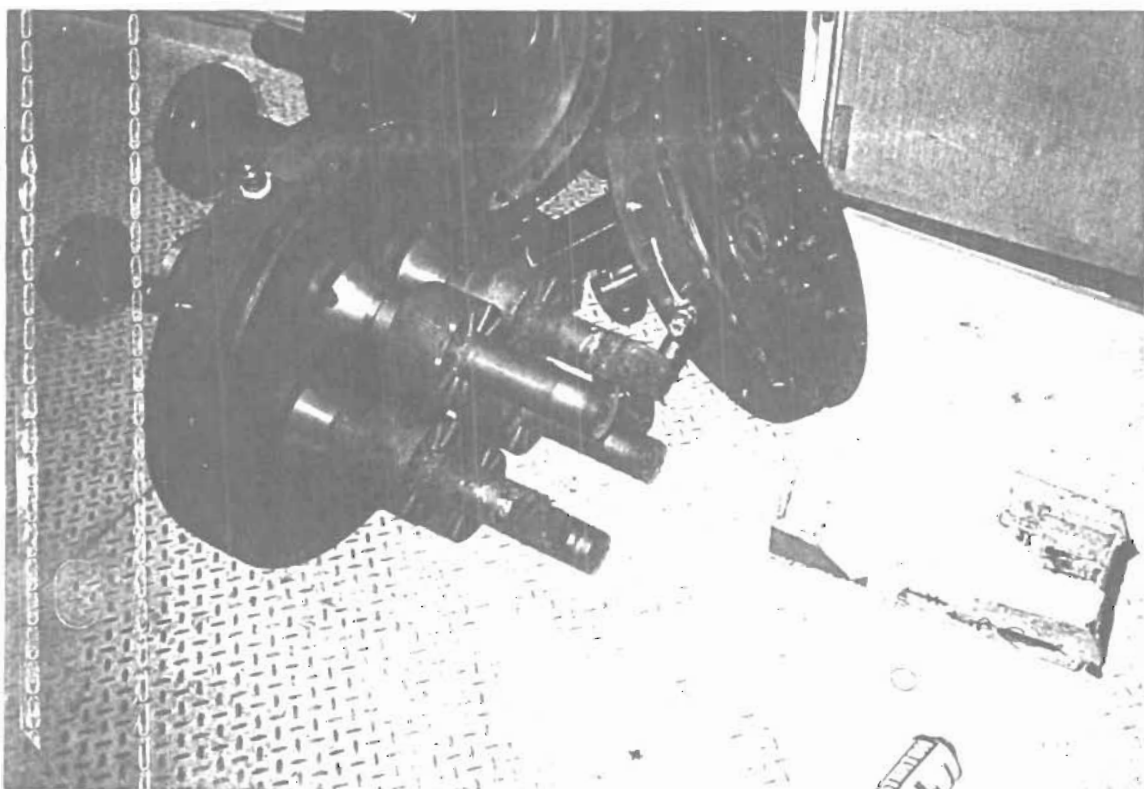
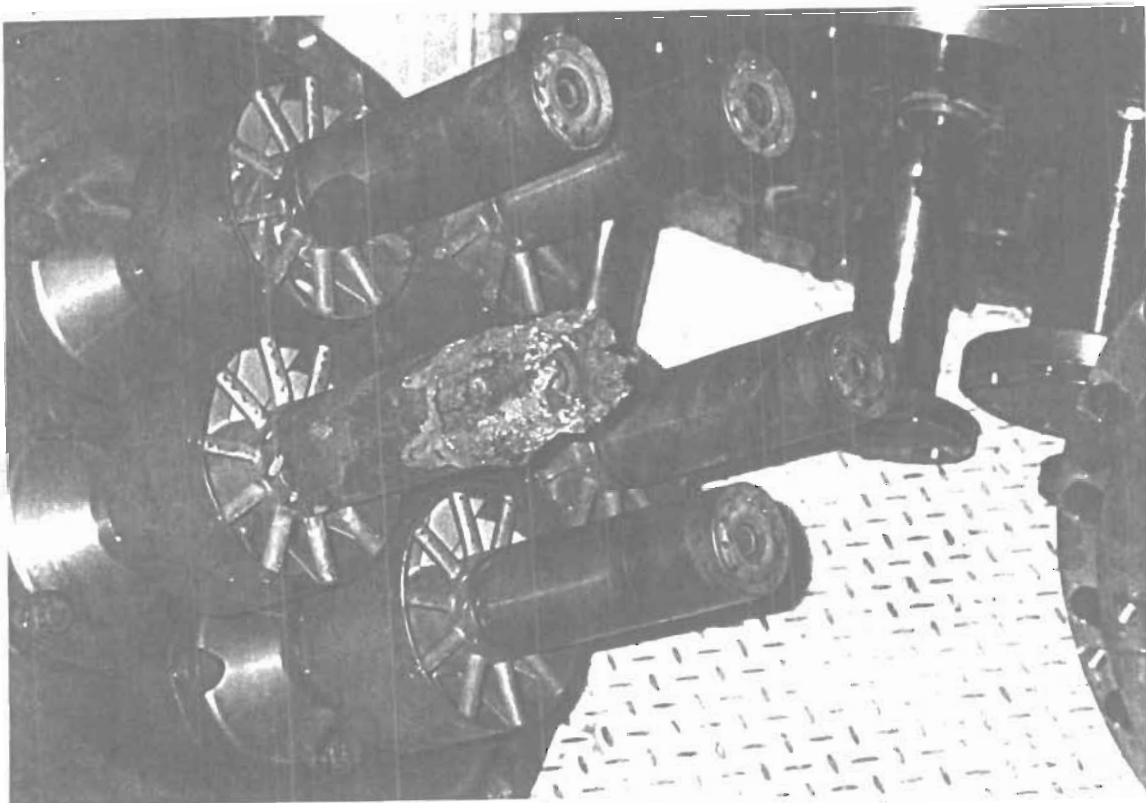
Proposed Wording

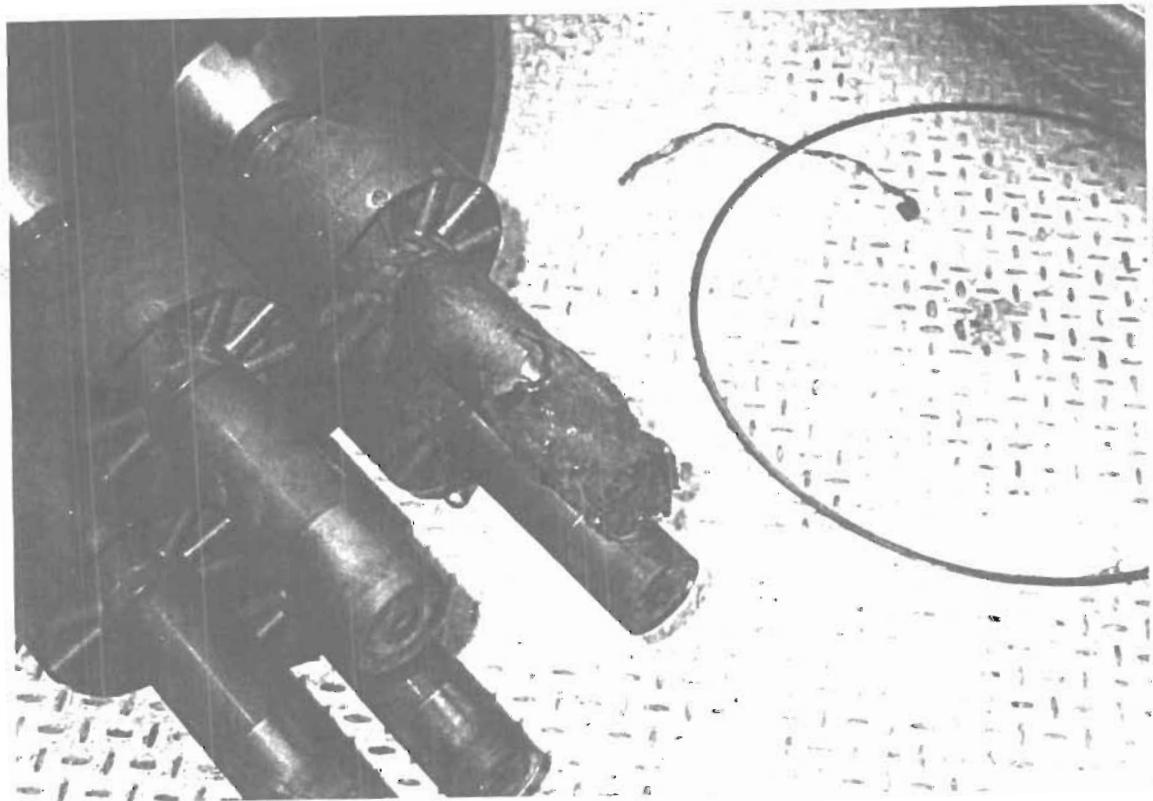
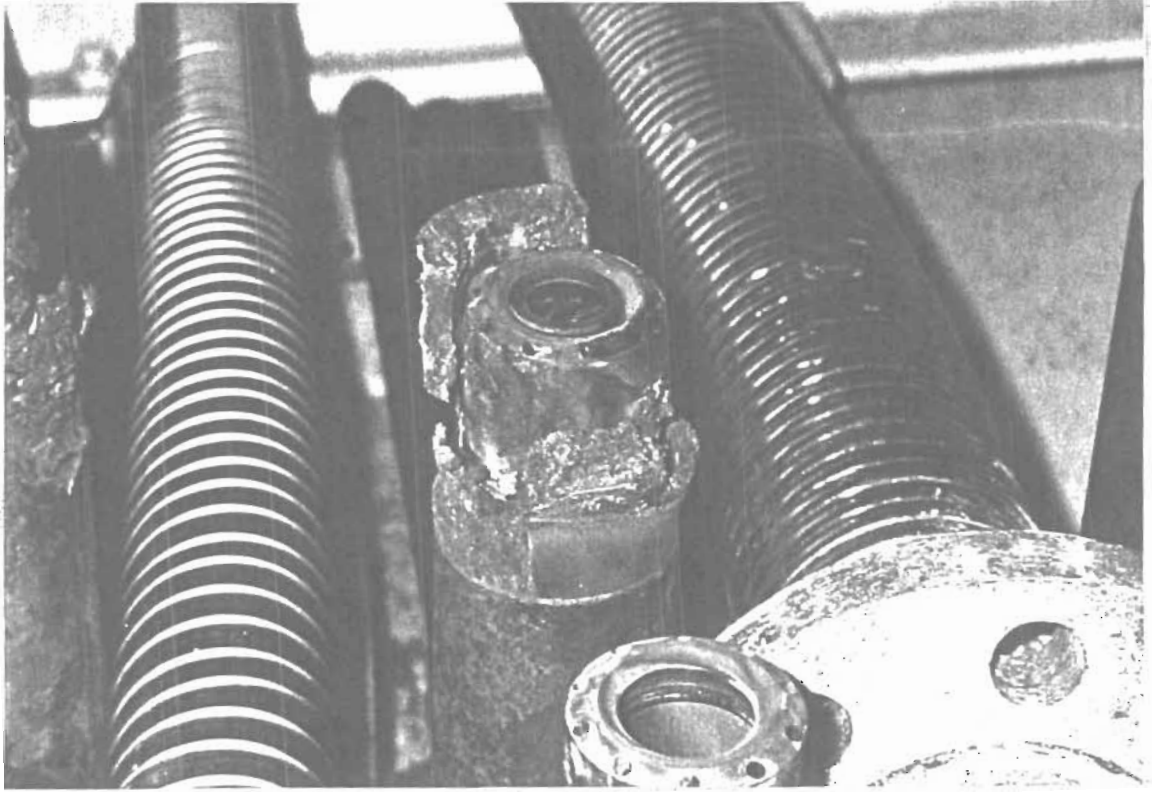
15. "The permittee shall comply with the following by ~~12/31/97~~ 12/31/98:
 - a) For this turbine, if the 15 (gas) / 42 (oil) ppmvd, corrected to 15% O₂ emission rates cannot be met by ~~12/31/97~~, 12/31/98, SCR or other control technology will be installed. Hence, the permittee shall install a duct module suitable for future installation of SCR equipment".

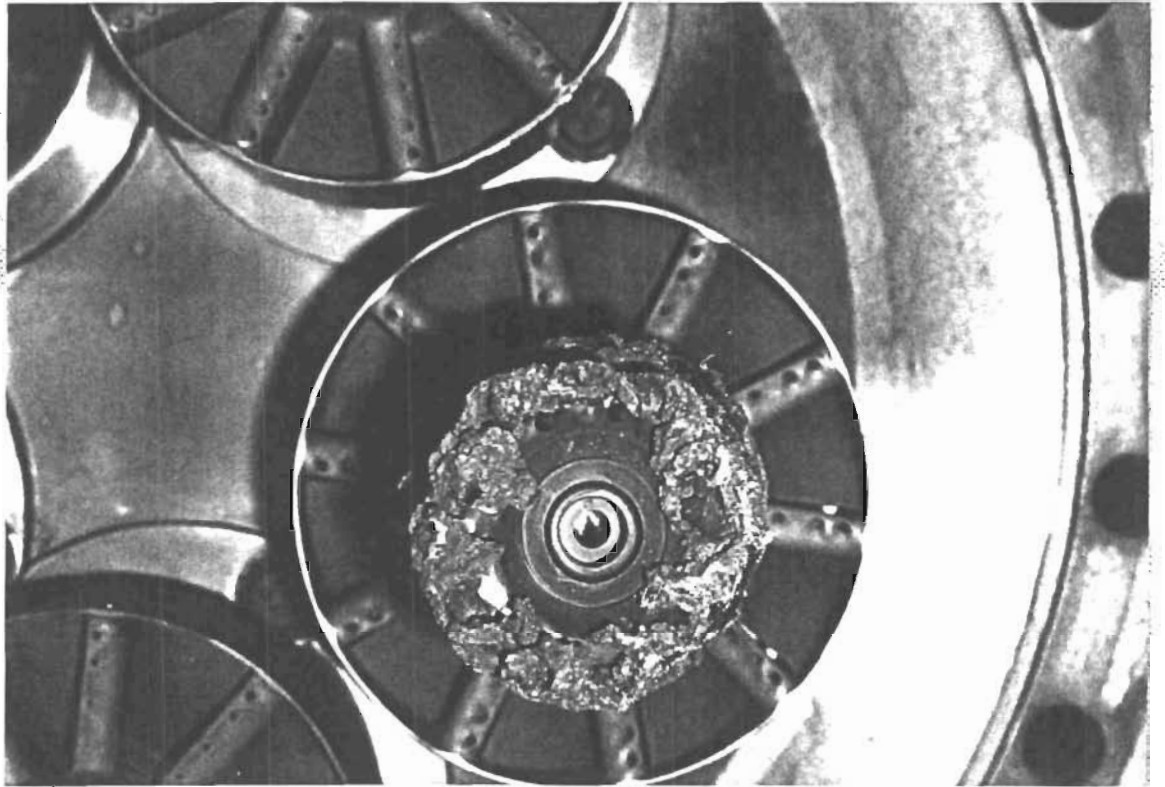
NO_x emissions will continue to be monitored using the Continuous Emission Monitoring System (CEMS) that is currently installed and in use at the plant. The CEMS currently meets the requirements of 40 CFR Part 60, Subpart GG and applicable FDEP rules and regulations.

PHOTOGRAPHS

**Burned Fuel Nozzles Taken From the General Electric Model
MS7001FA (7FA) Combustion Turbine**









Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

April 23, 1996

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Mr. Jeffrey J. Fassett
Senior Plant Engineer
Tiger Bay Cogen
3219 State Road, 630 West
Fort Meade, Florida 33841

Dear Mr. Fassett:

Re: Amendment of Permits AC53-214903, PSD-FL-190. AIRS ID# 1050223-001-AC
Tiger Bay Cogen, Combined Cycle Unit

The Department has reviewed your letters dated January 18 and January 24 requesting an increase in the allowable heat input rate to produce 184 MW of electrical power from the combustion turbine. The Department has also received your letter dated February 9 requesting the deletion of the requirement to adjust source test results to ISO conditions for the purpose of BACT compliance. The above referenced permit is hereby amended as follows:

From:

Specific Condition:

5. The permitted materials and utilization rates for the combined cycle gas turbine system shall be as stated in the application. The operation parameters include, but are not limited to:

184 MW Combustion Turbine

- a) The maximum heat input of 1849.9 MMBtu/hr (LHV) at 27°F and at base load for distillate fuel oil.
- b) The maximum heat input of 1614.8 MMBtu/hr (LHV) at 27°F and at base load for natural gas.

Duct Burner

- c) The maximum heat input of 100 MMBtu/hr (HHV) of natural gas.

13. During performance tests, to determine compliance with the NO_x standard, measured NO_x emissions at 15 percent oxygen will be adjusted to ISO ambient atmospheric conditions by the following correction factor:

$$\text{NO}_x = (\text{NO}_{x \text{ obs}})(P_{\text{ref}}/P_{\text{obs}})^{0.5} e^{19(11\text{obs} - 0.00633)} (288^\circ\text{K}/T_{\text{AMB}})^{1.53}$$

where:

NO_x = Emissions of NO_x at 15 percent oxygen and ISO standard ambient conditions.

$NO_{x\text{ obs}}$ = Measured NO_x emission at 15 percent oxygen, ppmv.
 P_{ref} = reference combustor inlet absolute pressure at 101.3 kilopascals (1 atmosphere) ambient pressure.
 P_{obs} = Measured combustor inlet absolute pressure at test ambient pressure.
 H_{obs} = Specific humidity of ambient air at test.
 e = Transcendental constant (2.718).
 T_{AMB} = Temperature of ambient air at test.

To:

Specific Condition:

5. The permitted materials and utilization rates for the combined cycle gas turbine system shall be as stated in the application. The operation parameters include, but are not limited to:

184 MW Combustion Turbine

- a) The maximum heat input of 1849.9 MMBtu/hr (LHV) at 27°F and at base load for distillate fuel oil.
- b) The maximum heat input of 1710 MMBtu/hr and at base load for natural gas.

Duct Burner

- c) The maximum heat input of 100 MMBtu/hr (HHV) of natural gas.

13. This condition is deleted. Tests conducted to establish compliance with NO_x limits which are more stringent than the NSPS standard shall not require an ISO correction (Guidance on Rate of Operation During Compliance Testing for Combustion Turbines dated November 22, 1995).

A copy of this amendment letter shall be attached to and shall become a part of Air Construction Permit AC53-214903.

Sincerely,



Howard L. Rhodes, Director
Division of Air Resources
Management

HLR/al/w

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this PERMIT AMENDMENT and all copies were mailed by certified mail before the close of business on 4/29/96 to the listed persons:

Clerk Stamp

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to §120.52(11), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Charlotte J. Hayes 4/29/96
Clerk Date

Copies to be furnished to:

T. Ellison, SWD
J. Harper, EPA
J. Bunyak, NPS
J. Benedetti, DESTEC

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION
NOTICE OF PERMIT

In the matter of an
Application for Permits by:

Mr. Robert I. Taylor, Project Manager
Central Florida Power, L.P.
2500 City West Blvd., Suite 150
Houston, Texas 77042

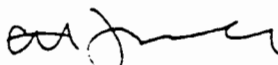
DER File No. AC53-214903
PSD-FL-190
Polk County

Enclosed is Permit Number AC 53-214903 for Central Florida Power, L.P. to construct a 258 MW cogeneration facility in Ft. Meade, Polk County, Florida. This permit is issued pursuant to Section(s) 403, Florida Statutes.

Any party to this Order (permit) has the right to seek judicial review of the permit 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, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; 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 this Notice is filed with the Clerk of the Department.

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION

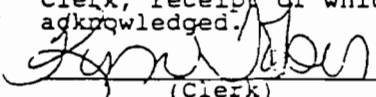

C. H. Fancy, P.E., Chief
Bureau of Air Regulation
2600 Blair Stone Road
Tallahassee, FL 32399-2400
904-488-1344

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF PERMIT and all copies were mailed before the close of business on 5-17-93 to the listed persons.

Clerk Stamp

FILING AND ACKNOWLEDGMENT FILED,
on this date, pursuant to
§120.52(11), Florida Statutes,
with the designated Department
Clerk, receipt of which is hereby
acknowledged.


(Clerk)

5-17-93
(Date)

Copies furnished to:

B. Thomas, SW District
K. Kosky, P.E., KBN
J. Harper, EPA
J. Bunyak, NPS
L. Novak, Polk County

Final Determination

Central Florida Power, Limited Partnership
Ft. Meade, Polk County, Florida

258 MW Cogeneration Facility

Permit Number: AC53-214903
PSD-FL-190

Department of Environmental Regulation
Division of Air Resources Management
Bureau of Air Regulation

May 6, 1993

Final Determination

The Technical Evaluation and Preliminary Determination for the permit to construct a 258 cogeneration facility at Central Florida Power, Limited Partnership (CFPLP), in Ft. Meade, Polk County, Florida, was distributed on January 15, 1993. The Notice of Intent to Issue was published in The Polk County Democrat on February 4, 1993. Copies of the evaluation were available for public inspection at the Department's offices in Tampa and Tallahassee.

CFPLP's application for a permit to construct a 258 MW cogeneration facility has been reviewed by the Bureau of Air Regulation in Tallahassee. No adverse comments were submitted by the U.S. Environmental Protection Agency (EPA) in their letter dated February 16, 1993, or by the U.S. Department of the Interior (Fish and Wildlife Services) in their letter of February 5, 1993.

Comments regarding the Technical Evaluation and Preliminary Determination (Synopsis of Application) and Permit Specific Conditions were submitted by Kennard F. Kosky, P.E., President of KBN Engineering and Applied Sciences, Inc. The Bureau has considered Mr. Kosky's comments and agreed to the changes proposed in the wording and adjustment of numerical limits to reflect manufacturer's specifications since these changes will not affect the potential emissions considered during the evaluation of this project. The amendments to the Specific Conditions of the permit are as follows:

RESPONSE TO COMMENTS NOS. 1, 2, 3, 4, AND 5

These changes will be incorporated in Table 1.

RESPONSE TO COMMENTS NOS. 5 AND 6

The table on page 9 of the BACT determination and Table 1 of the permit (Specific Condition No. 1) will be amended to reflect these comments.

BACT DETERMINATION BY DER (PAGE 8)

This paragraph will be added to the NO_x control section: For this turbine, an even lower NO_x emission level than 15 (gas)/42 (oil) ppmvd, corrected to 15% O₂, may become a condition of this permit pursuant to F.A.C. Rule 17-4.080, Modification of Permit Conditions.

RESPONSE TO ITEM NO. 2 ON KBN'S LETTER OF JANUARY 30, 1993

Information given to DER and to the U.S. Department of Interior (Fish and Wildlife Services) indicates that General Electric's goal is to attempt a NO_x level of 9 ppmvd when firing natural gas.

IN RESPONSE TO THE U.S. DEPARTMENT OF INTERIOR, SPECIFIC CONDITION NO. 15 WILL BE CHANGED AS FOLLOWS:

FROM: The permittee shall leave sufficient space in the heat recovery steam generator suitable for future installation of SCR equipment should the facility be unable to meet the NO_x standards, if required.

TO: The permittee shall comply with the following by 12/31/97:

- a) For this turbine, if the 15 (gas)/42 (oil) ppmv emission rates cannot be met by 12/31/97, SCR or other control technology will be installed. Hence, the permittee shall install a duct module suitable for future installation of SCR equipment.

IN RESPONSE TO THE MARCH 11, 1993, LETTER FROM KENNARD F. KOSKY, KBN

The Department has determined the following:

Mandating SCR: The Department is giving the permittee the flexibility to incorporate any design feature to meet the 15 (gas) ppmvd at 15% O₂ NO_x emission limit. SCR or other control technology shall be installed if the 15 (gas) ppmvd cannot be met by 12/31/97.

Lowering the permit/BACT limit for NO_x: The Department may revise the permitted emission level for NO_x. For this turbine, an even lower NO_x emission level than 15 (gas)/42 (oil) ppmvd, corrected to 15% O₂, may become a condition of this permit, pursuant to F.A.C. Rule 17-4.080, Modification of Permit Conditions.

SPECIFIC CONDITION NO. 14 WILL BE MODIFIED AS FOLLOWS. THE PARAGRAPH IN BOLD WAS INADVERTENTLY OMITTED IN THE DRAFT PERMIT

Specific Condition No. 14: Test results will be the average of 3 valid runs. The Southwest District office will be notified at least 30 days in writing in advance of the compliance test(s). The sources, combustion turbine and duct burner, shall operate between 95% to 100% of the maximum capacity for the ambient conditions experienced during compliance test(s). **The turbine manufacturer's capacity vs temperature (ambient) curve shall be included with the compliance test results.** Compliance test results shall be submitted to the Southwest District office no later than 45 days after completion.

The final action of the Department will be to issue construction permit AC53-214903 (PSD-FL-190) with the changes noted above.



Florida Department of Environmental Regulation

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

Lawton Chiles, Governor

Virginia B. Wetherell, Secretary

PERMITTEE:

Central Florida Power, L.P.
2500 City West Blvd., Ste. 150
Houston, Texas 77042

Permit Number: AC53-214903
PSD-FL-190

Expiration Date: January 1, 1996

County: Polk

Latitude/Longitude: 27°44'46.7"N
81°51'0.3"W

Project: A 258 MW Cogeneration
Facility

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Chapters 17-210, 212, 275, 296, 297 and 17-4. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawings, plans, and other documents attached hereto or on file with the Department and made a part hereof and specifically described as follows:

Central Florida Power, Limited Partnership, proposes to operate a 258 MW cogeneration facility consisting of one combustion turbine generator, one steam turbine generator, one duct burner-fired heat recovery steam generator and ancillary equipment. This facility is located near Ft. Meade, Polk County, Florida. The UTM coordinates are Zone 17, 416.22 km East and 3069.22 km North.

The sources shall be constructed in accordance with the permit application, plans, documents, amendments and drawings, except as otherwise noted in the General and Specific Conditions.

Attachments are listed below:

1. Central Florida Power, Limited Partnership's (CFPLP) application received on June 15, 1992.
2. Department's letters dated July 14 and October 9, 1992.
3. CFPLP's letters received on August 26, October 9, and October 23, 1992.

PERMITTEE:
Central Florida Power, L.P.

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PSD-FL-190
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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 403.161, 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), Florida Statutes, 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.

BEST AVAILABLE COPY

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GENERAL CONDITIONS:

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:

- 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, Florida Statutes. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

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GENERAL CONDITIONS:

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 17-4.120 and 17-30.300, 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.

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

13. This permit also constitutes:

- (x) Determination of Best Available Control Technology (BACT)
- (x) Determination of Prevention of Significant Deterioration (PSD)
- (x) 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;

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- 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.

SPECIFIC CONDITIONS:

Emission Limits

1. The maximum allowable emissions from this source shall not exceed the emission rates listed in Table 1.
2. Visible emissions for full load operation shall not exceed 10% opacity when firing natural gas and 20% opacity when firing distillate fuel oil.

Operating Rates

3. This source is allowed to operate continuously (8,760 hours per year).
4. This source is allowed to use natural gas as the primary fuel for 8,760 hours per year and low sulfur distillate fuel oil (0.05% S) as the secondary fuel up to 3,742,327 gallons per calendar year.
5. The permitted materials and utilization rates for the combined cycle gas turbine system shall be as stated in the application. The operating parameters include, but are not limited to:

184 MW Combustion Turbine

- a) The maximum heat input of 1,849.9 MMBtu/hr (LHV) at 27°F and at base load for distillate fuel oil.
- b) The maximum heat input of 1,614.8 MMBtu/hr (LHV) at 27°F and at base load for natural gas.

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SPECIFIC CONDITIONS:

Duct Burner

- c) The maximum heat input of 100 MMBtu/hr (HHV) of natural gas.
6. Any change in the method of operation, equipment or operating hours pursuant to Rule 17-212.200, F.A.C., Definitions-Modifications, shall be submitted to DER's Bureau of Air Regulation and Southwest District offices.
7. Any other operating parameters established during compliance testing and/or inspection that will ensure the proper operation of this facility shall be included in the operating permit.

Compliance Determination

8. Compliance with the NO_x, SO₂, CO, PM, PM₁₀, and VOC standards shall be determined (while operating at 95-100% of the permitted maximum heat rate input corresponding to the particular ambient conditions) within 180 days of initial operation of the maximum capability of the unit and annually thereafter, by the following reference methods as described in 40 CFR 60, Appendix A (July, 1992 version) and adopted by reference in F.A.C. Rule 17-297.

- Method 1 Sample and Velocity Traverses for Stationary Sources
- Method 2 Determination of Stack Gas Velocity and Volumetric Flow Rate
- Method 3 Gas Analysis
- Method 5 Determination of Particulate Emissions from Stationary Sources
- Method 17 Determination of Particulate Emissions from Stationary Sources
- Method 18 Measurement of Gaseous Organic Compound Emissions by Gas Chromatography
- Method 9 Visual Determination of the Opacity of Emissions from Stationary Sources
- Method 8 Determination of Sulfuric Acid Mist and Sulfur Dioxide Emissions from Stationary Sources
- Method 10 Determination of Carbon Monoxide Emission from Stationary Sources
- Method 20 Determination of Nitrogen Oxides, Sulfur Dioxide, and Diluent Emissions from Stationary Gas Turbines
- Method 25A Determination of Total Gaseous Organic Concentrations Using a Flame Ionization Analyzer

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SPECIFIC CONDITIONS:

- Method 201A Determination of PM₁₀ Emissions from Stationary and Sources
- Method 202 Determination of Condensable Particulate Emissions from Stationary Sources

Other DER approved methods may be used for compliance testing after prior Departmental approval.

9. Method 5 or Method 17 or Method 201A and Method 202 must be performed to determine the initial compliance status of particulate matter emissions of the unit. Thereafter, the opacity emissions test, Method 9, may be used unless the applicable opacity is exceeded. Also, the ambient particulate matter entering the gas turbine can be subtracted from the total particulate matter emissions if that quantity can be measured at the inlet of the gas turbine.

10. Compliance with the SO₂ and sulfuric acid mist emission limit can also be determined by calculations based on fuel analysis using ASTM D4294 for the sulfur content of liquid fuels and ASTM D3246-81 for sulfur content of gaseous fuel.

11. Trace elements of Beryllium (Be) shall be tested during initial compliance test using EMTIC Interim Test Method. As an alternative, Method 104 may be used; or Be may be determined from fuel sample analysis using either Method 7090 or 7091, and sample extraction using Method 3040 as described in the EPA solid waste regulations SW 846.

12. Mercury (Hg) shall be tested during initial compliance test using EPA Method 101 (40 CFR 61, Appendix B) or fuel sampling analysis using methods acceptable to the Department.

~~13. During performance tests, to determine compliance with the NO_x standard, measured NO_x emissions at 15 percent oxygen will be adjusted to ISO ambient atmospheric conditions by the following correction factor:~~

~~$$\text{NO}_x = (\text{NO}_x \text{ obs}) \frac{(\text{Pref})^{0.5}}{\text{Pobs}} e^{19} (\text{Hobs} - 0.00633) \frac{(288^\circ\text{K})}{\text{TAMB}} 1.53$$~~

where:

Omitted... see Amendment

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SPECIFIC CONDITIONS:

~~NO_x = Emissions of NO_x at 15 percent oxygen and ISO standard ambient conditions.~~

~~NO_x obs = Measured NO_x emission at 15 percent oxygen, ppmv.~~

~~Pref = Reference combustor inlet absolute pressure at 101.3 kilopascals (1 atmosphere) ambient pressure.~~

~~Pobs = Measured combustor inlet absolute pressure at test ambient pressure.~~

~~Hobs = Specific humidity of ambient air at test.~~

~~e = Transcendental constant (2.718).~~

~~TAMB = Temperature of ambient air at test.~~

*omitted... see
Amendment*

14. Test results will be the average of 3 valid runs. The Southwest District office will be notified at least 30 days in writing in advance of the compliance test(s). The sources, combustion turbine and duct burner, shall operate between 95% and 100% of maximum capacity for the ambient conditions experienced during compliance test(s). The turbine manufacturer's capacity vs temperature (ambient) curve shall be included with the compliance test results. Compliance test results shall be submitted to the Southwest District office no later than 45 days after completion.

15. The permittee shall comply with the following by 12/31/97:

- a) For this turbine, if the 15 (gas)/42 (oil) ppmvd, corrected to 15% O₂ emission rates cannot be met by 12/31/97, SCR or other control technology will be installed. Hence, the permittee shall install a duct module suitable for future installation of SCR equipment.

16. The permittee shall install, calibrate, maintain, and operate a continuous emission monitor in the stack to measure and record the nitrogen oxides emissions from this source. The continuous emission monitor must comply with 40 CFR 60, Appendix B, Performance Specification 2 (July 1, 1992).

17. A continuous monitoring system shall be installed to monitor and record the fuel consumption on the CT and duct burner. While water/steam injection is being utilized for NO_x control, the water/steam to fuel ratio at which compliance is achieved shall be incorporated into the permit and shall be continuously monitored. The system shall meet the requirements of 40 CFR Part 60, Subpart GG.

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SPECIFIC CONDITIONS:

18. Sulfur and nitrogen content and lower heating value of the fuel being fired in the combustion turbines shall be determined as specified in 40 CFR 60.334(b). Any request for a future custom monitoring schedule shall be made in writing and directed to the Southwest District office. Any custom schedule approved by DER pursuant to 40 CFR 60.334(b) will be recognized as enforceable provisions of the permit, provided that the holder of this permit demonstrates that the provisions of the schedule will be adequate to assure continuous compliance. The records of distillate fuel oil usage shall be kept by the company for a two-year period for regulatory agency inspection purposes. For sulfur dioxide, periods of excess emissions shall be reported if the fuel being fired in the gas turbine exceeds 0.05 percent sulfur by weight.

Rule Requirements

19. This source shall comply with all applicable provisions of Chapter 403, Florida Statutes, Chapters 17-210, 212, 275, 296, 297 and 17-4, Florida Administrative Code and 40 CFR 60 (July, 1992 version).

20. The sources shall comply with all requirements of 40 CFR 60, Subpart GG and Subpart Dc, and F.A.C. Rule 17-296.800, (2)(a), Standards of Performance for Stationary Gas Turbines and Standards of Performance for Industrial, Commercial, and Institutional Steam Generating Units.

21. Issuance of this permit does not relieve the facility owner or operator from compliance with any applicable federal, state, or local permitting requirements and regulations (F.A.C. Rule 17-210.300(1)).

22. This source shall be in compliance with all applicable provisions of F.A.C. Rules 17-210.650: Circumvention; 17-210.700: Excess Emissions; 17-296.800: Standards of Performance for New Stationary Sources (NSPS); 17-297: Stationary Sources-Emissions Monitoring; and, 17-4.130: Plant Operation-Problems.

23. If construction does not commence within 18 months of issuance of this permit, then the permittee shall obtain from the Department a review and, if necessary, a modification of the control technology and allowable emissions for the unit(s) on which construction has not commenced (40 CFR 52.21(r)(2)).

24. Quarterly excess emission reports, in accordance with the July 1, 1992 version of 40 CFR 60.7 and 60.334 shall be submitted to the Department's Southwest District office.

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SPECIFIC CONDITIONS:

25. Fugitive dust emissions, during the construction period, shall be minimized by covering or watering dust generation areas.

26. Pursuant to F.A.C. Rule 17-210.300(2), Air Operating Permits, the permittee is required to submit annual reports on the actual operating rates and emissions from this facility. These reports shall include, but are not limited to the following: sulfur content and the lower heating value of the fuel being fired, fuel usage, hours of operation, air emissions limits, etc. Annual reports shall be sent to the Department's Southwest District office by March 1 of each calendar year.

27. The permittee, for good cause, may request that this construction permit be extended. Such a request shall be submitted to the Bureau of Air Regulation prior to 60 days before the expiration of the permit (F.A.C. Rule 17-4.090).

28. An application for an operation permit must be submitted to the Southwest District office at least 90 days prior to the expiration date of this construction permit. To properly apply for an operation permit, the applicant shall submit the appropriate application form, fee, certification that construction was completed noting any deviations from the conditions in the construction permit, and compliance test reports as required by this permit (F.A.C. Rules 17-4.055 and 17-4.220).

Issued this 17th day
of May, 1993

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION

Virginia B. Wetherell
Virginia B. Wetherell
Secretary

CENTRAL FLORIDA POWER, L.P. - AC53-214903 (PSD-FL-190)
258 MW COMBINED CYCLE GAS TURBINE

Table 1 - Allowable Emission Rates

Pollutant	Fuel ^A	Allowable Emission ^C		Basis
		Standard/Limitation		
NO _x (CT)	Gas	15 ppmvd @ 15% O ₂ (97.2 lbs/hr; 425.7 TPY) ^B		BACT
	Gas	25 ppmvd @ 15% O ₂ (161.9 lbs/hr; 709.1 TPY)		BACT
	Oil	42 ppmvd @ 15% O ₂ (326 lbs/hr; 48.9 TPY)		BACT
NO _x (DB)	Gas	0.1 lbs/MMBtu (10 lbs/hr, 43.8 TPY)		BACT
CO (CT)	Gas	15 ppmvd (48.8 lbs/hr; 213.7 TPY) ^D		BACT
	Oil	30 ppmvd (98.4 lbs/hr; 14.8 TPY)		BACT
CO (DB)	Gas	10 lbs/hr; 43.8 TPY		BACT
VOC (CT)	Gas	2.8 lbs/hr; 12.3 TPY		BACT
	Oil	7.5 lbs/hr; 1.1 TPY		BACT
VOC (DB)	Gas	2.9 lbs/hr; 12.7 TPY		BACT
PM ₁₀ (CT)	Gas	9 lbs/hr; 39.4 TPY		BACT
	Oil	17 lbs/hr; 2.6 TPY		BACT
PM ₁₀ (DB)	Gas	0.0100 lbs/MMBtu		BACT
SO ₂ (CT)	Gas	4.86 lbs/hr; 21.3 TPY		Appl.
	Oil	99.7 lbs/hr; 15.0 TPY		Appl.
SO ₂ (DB)	Gas	0.3 lbs/hr; 1.32 TPY		Appl.
H ₂ SO ₄ (CT)	Gas	5.95 x 10 ⁻¹ lbs/hr; 2.6 TPY		Appl.
	Oil	1.22 lbs/hr; 0.183 TPY		Appl.
H ₂ SO ₄ (DB)	Gas	3.7 x 10 ⁻² lbs/hr; 1.61 x 10 ⁻¹ TPY		Appl.
Opacity	Gas	10% opacity ^D		BACT
	Oil	20% opacity ^D		BACT
Hg	Oil	3.0 x 10 ⁻⁶ lbs/MMBtu (5.55 x 10 ⁻³ lbs/hr; 8.32 x 10 ⁻⁴ TPY)		Appl.
As	Oil	4.2 x 10 ⁻⁶ lbs/MMBtu (7.77 x 10 ⁻³ lbs/hr; 1.17 x 10 ⁻³ TPY)		BACT
Be	Oil	2.5 x 10 ⁻⁶ lbs/MMBtu (4.62 x 10 ⁻³ lbs/hr; 6.94 x 10 ⁻⁴ TPY)		BACT
Pb	Oil	8.9 x 10 ⁻⁶ lbs/MMBtu (1.65 x 10 ⁻² lbs/hr; 2.47 x 10 ⁻³ TPY)		Appl.

- A) Fuel: Natural Gas: Emissions are based on 8760 hours per year operating time.
Fuel: Distillate Fuel Oil (0.05% S): Emissions are based on fuel usage equivalent to 300 hours per year at maximum capacity (i.e., 3,742,327 gallons per year).
- B) The NO_x maximum limit will be lowered to 97.2 (lbs/hr) equivalent to 15 ppmvd @ 15% O₂ not later than 12/31/97 using appropriate combustion technology improvements or SCR.
- C) Emission rates are based on 27°F at base load.
- D) At full load conditions.

Best Available Control Technology (BACT) Determination
 Central Florida Power, L.P.
 Polk County
 PSD-FL-190

The applicant proposes to construct a cogeneration facility near Ft. Meade, Polk County. This generator system will consist of a 184 MW General Electric PG7221FA combustion turbine generator (CT), equipped with a duct burner-fired heat recovery steam generator (HRSG), which will be used to power a nominal 74 MW steam turbine generator (ST).

The applicant has requested to burn natural gas for 8760 hours per year and distillate fuel oil, with a 0.05 percent sulfur content for a maximum 3,742,327 gallons per year. The applicant has indicated the maximum annual tonnage of regulated air pollutants emitted from the facility at base load, 27°F and type of fuel fired to be as follows:

Pollutant	Emissions (TPY)			Total	PSD Significant Emission Rate (TPY)
	Gas	Duct	Oil		
	PG7221FA (8460 hrs)	Burner (8760 hrs)	PG7221FA (300 hrs)		
NO _x	684.7	43.8	48.9	777.4	40
SO ₂	20.5	1.3	15	36.8	40
PM/PM ₁₀	38.1	4.4	2.6	45.1	25/15
CO	206.5	43.8	14.8	265.1	100
VOC	11.80	12.7	1.1	25.6	40
H ₂ SO ₄	2.5	0.16	1.9	4.5	7
Be	nil	nil	6.94 x 10 ⁻⁴	6.94 x 10 ⁻⁴	0.0004
Hg	nil	nil	8.32 x 10 ⁻⁴	8.32 x 10 ⁻⁴	0.1
Pb	nil	nil	2.47 x 10 ⁻⁴	2.47 x 10 ⁻⁴	0.6
As	nil	nil	1.17 x 10 ⁻³	1.17 x 10 ⁻³	0

Florida Administrative Code (F.A.C.) Rule 17-212.400(2) (f) (3) requires a BACT review for all regulated pollutants emitted in an amount equal to or greater than the significant emission rates listed in the previous table.

Date of Receipt of a BACT Application

June 15, 1992

BACT Determination Requested by the Applicant

<u>Pollutant</u>	<u>Proposed Limits</u>
NO _x	25 ppmvd @ 15% O ₂ (natural gas burning) 42 ppmvd @ 15% O ₂ (for oil firing) Control Technology: Dry Low-NO _x Burners when firing natural gas and steam/water injection when firing distillate oil
SO ₂	0.05% sulfur by weight (fuel oil firing)
CO, VOC	Combustion Control
PM/PM ₁₀	Combustion Control

BACT Determination Procedure

In accordance with Florida Administrative Code Chapter 17-212, this BACT determination is based on the maximum degree of reduction of each pollutant emitted which the Department, on a case by case basis, taking into account energy, environmental and economic impacts, and other costs, determines is achievable through application of production processes and available methods, systems, and techniques. In addition, the regulations state that in making the BACT determination the Department shall give consideration to:

- (a) Any Environmental Protection Agency determination of Best Available Control Technology pursuant to Section 169, and any emission limitation contained in 40 CFR Part 60 (Standards of Performance for New Stationary Sources) or 40 CFR Part 61 (National Emission Standards for Hazardous Air Pollutants).
- (b) All scientific, engineering, and technical material and other information available to the Department.
- (c) The emission limiting standards or BACT determinations of any other state.
- (d) The social and economic impact of the application of such technology.

The EPA currently stresses that BACT should be determined using the "top-down" approach. The first step in this approach is to determine for the emission source in question the most stringent control available for a similar or identical source or source category. If it is shown that this level of control is technically or economically infeasible for the source in question, than the

next most stringent level of control is determined and similarly evaluated. This process continues until the BACT level under consideration cannot be eliminated by any substantial or unique technical, environmental, or economic objections.

The air pollutant emissions from combined cycle power plants can be grouped into categories based upon what control equipment and techniques are available to control emissions from these facilities. Using this approach, the emissions can be classified as follows:

- o Combustion Products (e.g., particulates). Controlled generally by good combustion of clean fuels.
- o Products of Incomplete Combustion (e.g., CO). Control is largely achieved by proper combustion techniques.
- o Acid Gases (e.g., NO_x). Controlled generally by gaseous control devices.

Grouping the pollutants in this manner facilitates the BACT analysis because it enables the equipment available to control the type or group of pollutants emitted and the corresponding energy, economic, and environmental impacts to be examined on a common basis. Although all of the pollutants addressed in the BACT analysis may be subject to a specific emission limiting standard as a result of PSD review, the control of "nonregulated" air pollutants is considered in imposing a more stringent BACT limit on a "regulated" pollutant (i.e., particulates, sulfur dioxide, fluorides, sulfuric acid mist, etc.), if a reduction in "nonregulated" air pollutants can be directly attributed to the control device selected as BACT for the abatement of the "regulated" pollutants.

BACT POLLUTANT ANALYSIS

COMBUSTION PRODUCTS

Particulate Matter (PM/PM₁₀)

The design of this system ensures that particulate emissions will be minimized by combustion control and the use of clean fuels. The particulate emissions from the combustion turbine when burning natural gas and fuel oil will not exceed 9 lbs/hr and 17 lbs/hr, respectively. The Department accepts the applicant's proposed control for particulate matter and heavy metals.

Lead, Mercury, Beryllium, Arsenic (Pb, Hg, Be, As)

The Department agrees with the applicant's rationale that there are no feasible methods to control lead, mercury, arsenic, and beryllium; except by limiting the inherent quality of the fuel.

Although the emissions of these toxic pollutants could be controlled by particulate control devices, such as a baghouse or scrubber, the amount of emission reductions would not warrant the added expense. As this is the case, the Department does not believe that the BACT determination for PM would be affected by the emissions of these pollutants.

PRODUCTS OF INCOMPLETE COMBUSTION

Carbon Monoxide (CO)

The emissions of carbon monoxide exceed the PSD significant emission rate of 100 TPY. The applicant has indicated that the carbon monoxide emissions from the proposed combined cycle turbine is on exhaust concentrations of 15 ppmv for natural gas firing and 30 ppmv for fuel oil firing.

The majority of BACT emissions limitations have been based on combustion controls for carbon monoxide and volatile organic compounds minimization, additional control is achievable through the use of catalytic oxidation. Catalytic oxidation is a postcombustion control that has been employed in CO nonattainment areas where regulations have required CO emission levels to be less than those associated with wet injection. These installations have been required to use LAER technology and typically have CO limits in the 10-ppm range (corrected to dry conditions).

In an oxidation catalyst control system, CO emissions are reduced by allowing unburned CO to react with oxygen at the surface of a precious metal catalyst such as platinum. Combustion of CO starts at about 300°F, with efficiencies above 90 percent occurring at temperatures above 600°F. Catalytic oxidation occurs at temperatures 50 percent lower than that of thermal oxidation, which reduces the amount of thermal energy required. For CT/HRSG combinations, the oxidation catalyst can be located directly after the CT or in the HRSG. Catalyst size depends upon the exhaust flow, temperature, and desired efficiency.

Due to the oxidation of sulfur compounds and excessive formation of H₂SO₄ mist emissions, oxidation catalyst are not considered to be technically feasible for gas turbines fired with fuel oil.

Catalytic oxidation has not been demonstrated on a continuous basis when using fuel oil.

Use of oxidation catalyst technology would be technically feasible for this natural gas-fired unit; however, the cost of \$10,000 per ton for the PG7221FA of CO removed will have an adverse economic impact on this project.

The Department is in agreement with the applicant's proposal of combustor design and good operating practices as BACT for CO for this cogeneration project.

ACID GASES

Nitrogen Oxides (NO_x)

The emissions of nitrogen oxides represent a significant proportion of the total emissions generated by this project, and need to be controlled if deemed appropriate. As such, the applicant presented an extensive analysis of the different available technologies for NO_x control.

The applicant has stated that BACT for nitrogen oxides will be met by using water/steam injection (when firing distillate fuel oil) and advanced combustor design to limit emissions to 25 ppmvd (corrected to 15% O₂) when burning natural gas and 42 ppmvd (corrected to 15% O₂) when burning fuel oil.

A review of the EPA's BACT/LAER Clearinghouse indicates that the lowest NO_x emission limit established to date for a combustion turbine is 4.5 ppmvd at 15% oxygen. This level of control was accomplished through the use of water injection and a selective catalytic reduction (SCR) system.

Selective catalytic reduction is a post-combustion method for control of NO_x emissions. The SCR process combines vaporized ammonia with NO_x in the presence of a catalyst to form nitrogen and water. The vaporized ammonia is injected into the exhaust gases prior to passage through the catalyst bed. The SCR process can achieve up to 90% reduction of NO_x with a new catalyst. As the catalyst ages, the maximum NO_x reduction will decrease to approximately 86 percent.

The effect of exhaust gas temperature on NO_x reduction depends on the specific catalyst formulation and reactor design. Generally, SCR units can be designed to achieve effective NO_x control over a 100-300°F operating window within the bounds of 450-800°F, although recently developed zeolite-based catalysts are claimed to be capable of operating at temperatures as high as 950°.

Most commercial SCR systems operate over a temperature range of about 600-750°F. At levels above and below this window, the specific catalyst formulation will not be effective and NO_x reduction will decrease. Operating at high temperatures can permanently damage the catalyst through sintering of surfaces.

Increased water vapor content in the exhaust gas (as would result from water or steam injection in the gas turbine combustor) can shift the operating temperature window of the SCR reactor to slightly higher levels.

Although technically feasible, the applicant has rejected using SCR on the combined cycle because of economic, energy, and environmental impacts. The applicant has identified the following limitations:

- a) Reduced power output.
- b) Emissions of unreacted ammonia (slip).
- c) Disposal of hazardous waste generated (spent catalyst).
- d) Ammonium bisulfate and ammonium sulfate particulate emissions (ammonium salts) due to the reaction of NH₃ with SO₃ present in the exhaust gases.
- e) The energy impacts of SCR will reduce potential electrical power generation of more than 7 million kwh per year.
- f) Incremental cost effectiveness for the application of SCR technology to the Central Florida Power project was considered to be \$7,400 per ton of NO_x removed.

Since SCR has been determined to be BACT for several combined cycle facilities, the EPA has clearly stated that there must be unique circumstances to consider the rejection of such control on the basis of economics.

In a recent letter from EPA Region IV to the Department regarding the permitting of a combined cycle facility (Tropicana Products, Inc.), the following statement was made:

"In order to reject a control option on the basis of economic considerations, the applicant must show why the costs associated with the control are significantly higher for this specific project than for other similar projects that have installed this control system or in general for controlling the pollutant."

For fuel oil firing, the cost associated with controlling NO_x emissions must take into account the potential operating problems that can occur with using SCR in the oil firing mode.

A concern associated with the use of SCR on combined cycle projects is the formation of ammonium bisulfate. For the SCR process, ammonium bisulfate can be formed due to the reaction of sulfur in the fuel and the ammonia injected. The ammonium bisulfate formed has a tendency to plug the tubes of the heat recovery steam generator leading to operational problems. As this is the case, SCR has been judged to be technically infeasible for oil firing in some previous BACT determinations.

The latest information available now indicates that SCR can be used for oil firing provided that adjustments are made in the ammonia to NO_x injection ratio. For natural gas firing operation, NO_x emissions can be controlled with up to a 90 percent efficiency using a 1 to 1 or greater ammonia injection ratio. By lowering the injection ratio for oil firing, testing has indicated that NO_x can be controlled with efficiencies ranging from 60 to 80 percent. When the injection ratio is lowered there is not a problem with ammonium bisulfate formation since essentially all of the ammonia is able to react with the nitrogen oxides present in the combustion gases. Based on this strategy SCR has been both proposed and established as BACT for oil fired combined cycle facilities with NO_x emission limits ranging from 11.7 to 25 ppmvd depending on the efficiency of control established.

The applicant has indicated that the total levelized annual operating cost to install SCR for this project at 100 percent capacity factor and burning natural gas is \$3,364,400 for the PG7221FA. Taking into consideration the total annual cost, a cost/benefit analysis of using SCR can now be developed.

For this project, based on the information supplied by the applicant, it is estimated that the maximum annual NO_x emissions using dry low-NO_x (natural gas) and water injection (oil firing) will be 702.1 tons/year (at 72°F). Assuming that SCR would reduce the NO_x emissions by 65%, about 245.7 TPY would be emitted annually. When this reduction (456.4 TPY) is taken into consideration with the total levelized annual operating cost of \$3,364,400; the cost per ton of controlling NO_x is \$7,400. This calculated cost is higher than has previously been approved as BACT.

A review of the latest DER BACT determinations show limits of 15 ppmvd (natural gas) using low-NO_x burn technology for combined cycle turbines. General Electric is currently developing programs using both steam/water injection and dry low NO_x combustor to achieve NO_x emission control level of 9 ppm when firing natural gas. Therefore, since this technology will likely be available by

1997, the Department has accepted the water/steam injection (for distillate fuel oil firing), the dry low-NO_x burner design, and the 25 ppmvd (natural gas)/42 ppmvd (oil) at 15% O₂ as BACT for a limited time (up to 12/31/97).

BACT Determination by DER

NO_x Control

The information that the applicant presented and Department calculations indicates that the cost per ton of controlling NO_x for this turbine [\$7,400 per ton (natural gas)] is high compared to other BACT determinations which require SCR. Based on the information presented by the applicant, the Department believes that the use of SCR for NO_x control is not justifiable as BACT at this time.

A review of the permitting activities for combined cycle proposals across the nation indicates that SCR has been required and most recently proposed for installations with a variety of operating conditions (i.e., natural gas, fuel oil, and various capacity factors). Although, the cost and other concerns expressed by the applicant are valid, the Department, in this case, is willing to accept water/steam injection and low NO_x burner design as BACT for this project for a limited time (up to 12/31/97).

It is the Department's understanding that General Electric is developing programs for the PG7221FA using either steam/water injection or dry low NO_x combustor technology to achieve a NO_x emission control level of 9 ppm when firing natural gas.

Based on this, the Department has determined to revise and lower the allowable BACT limit for this project to 15 ppmvd at 15% O₂ no later than 12/31/97. For this turbine, an even lower NO_x emission level than 15 (gas)/42 (oil) ppmvd, corrected to 15% O₂, may become a condition of the permit pursuant to F.A.C. Rule 17-4.080.

CO Control

Combustion control will be considered as BACT for CO and VOC when firing natural gas.

Other Emissions Control

The emission limitations for PM and PM₁₀, Be, Pb, and Hg are based on previous BACT determinations for similar facilities.

The emission limits for the Central Florida Power, L.P. project are thereby established as follows:

258 MW COMBINED CYCLE COMBUSTION TURBINE
100 MMBtu/hr Duct Burner

Pollutant	Emission Standards/Limitations(a)		Method of Control
	Oil(b)	Gas(c)	
NO _x (CT)	42 ppmvd at 15% O ₂ ; 362.2 lbs/hr	25 ppmvd at 15% O ₂ ; 161.9 lbs/hr	Water Injection/ Dry Low-NO _x Combustor
		15 ppmvd at 15% O ₂ ; 97.2 lbs/hr	Dry Low-NO _x Combustor or any other NO _x Control Technology
NO _x (DB)		0.1 lbs/MMBtu	
CO (CT)	98.4 lbs/hr	49 lbs/hr	Combustion
CO (DB)		10 lbs/hr	
PM/PM ₁₀ (CT)	17 lbs/hr	9 lbs/hr	Combustion
PM/PM ₁₀ (DB)		0.01 lbs/MMBtu	
SO ₂ (CT)	99.7 lbs/hr	4.9 lbs/hr	Distillate Fuel Oil (0.05% S)
SO ₂ (DB)		0.3 lbs/hr	
H ₂ SO ₄ (CT)	1.2 lbs/hr	5.95 x 10 ⁻¹ lbs/hr	Distillate Fuel Oil (0.05% S)
H ₂ SO ₄ (DB)		3.7 x 10 ⁻² lbs/hr	
VOC (CT)	7.5 lbs/hr	2.8 lbs/hr	Combustion
VOC (DB)		2.9 lbs/hr	
Hg	3.0 x 10 ⁻⁶ lbs/MMBtu (5.5 x 10 ⁻³ lbs/hr)		Fuel Quality
Pb	8.9 x 10 ⁻⁶ lbs/MMBtu (1.65 x 10 ⁻² lbs/hr)		Fuel Quality
Be	2.5 x 10 ⁻⁶ lbs/MMBtu (4.62 x 10 ⁻³ lbs/hr)		Fuel Quality
As	4.2 x 10 ⁻⁶ lbs/MMBtu (7.77 x 10 ⁻³ lbs/hr)		Fuel Quality

October 23, 1996

Mr. A. A. Linero
Administrator New Source Review Section
State of Florida
Department of Environmental Protection
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, FL 32399-2400

RECEIVED
OCT 24 1996
BUREAU OF
AIR REGULATION

Re: Tiger Bay Cogen ("Tiger Bay")
AIRS ID #1050223-001-AC
Air Permit No: AC53-214903/PSD-FL-190
Request for Extension to Specific Condition No. 15

Dear Mr. Linero:

As discussed on June 18, 1996, with representatives of Destec Energy Inc. and Tiger Bay Cogen, Tiger Bay respectfully requests an extension to Specific Condition No. 15 of the air permit referenced above. Specific condition No. 15 states that:

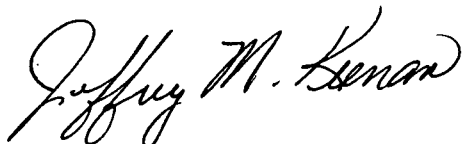
"The permittee shall comply with the following by December 31, 1997:

- a) For this turbine, if the 15 (gas)/42 (oil) ppmvd, corrected to 15% O₂ emission rates cannot be met by December 31, 1997, SCR or other control technology will be installed. Hence, the permittee shall install a duct module suitable for future installation of SCR equipment."

Tiger Bay is requesting permission to extend the December 31, 1997 deadline to December 31, 1998. The "Supplemental Information" document (Tab 1) supports our request for an extension to December 31, 1998. If you have any questions please do not hesitate to contact me at (713) 735-4086.

Additionally, enclosed you will find a check in the amount of \$250 for the processing fee for this request.

Very truly yours,



Jeffrey M. Keenan
Staff Environmental Engineer

Enclosures

CC: Sam Rubio-Tiger Bay Cogen
Jeff Fassett-Tiger Bay Cogen
File 1253

Destec Energy Inc.
P.O. Box 4411
Houston, Texas 77210

4442

DATE 10/17/96

PAYMENT ADVICE

CHECK NUMBER 00165848

INVOICE		COMMENT	GROSS	DEDUCTIONS	AMOUNT PAID
NUMBER	DATE				
101596	10/15/96	APPLICATION FOR EXTENSION TO SPECIFIC CONDITION #15			\$250.00

DETACH BEFORE DEPOSITING



CITIBANK Delaware
One Penn's Way
New Castle, DE 19720

CHECK NUMBER 00165848

DATE	AMOUNT
10/17/96	\$250.00*****

PAY

TWO HUNDRED FIFTY DOLLARS AND NO/100'S*****

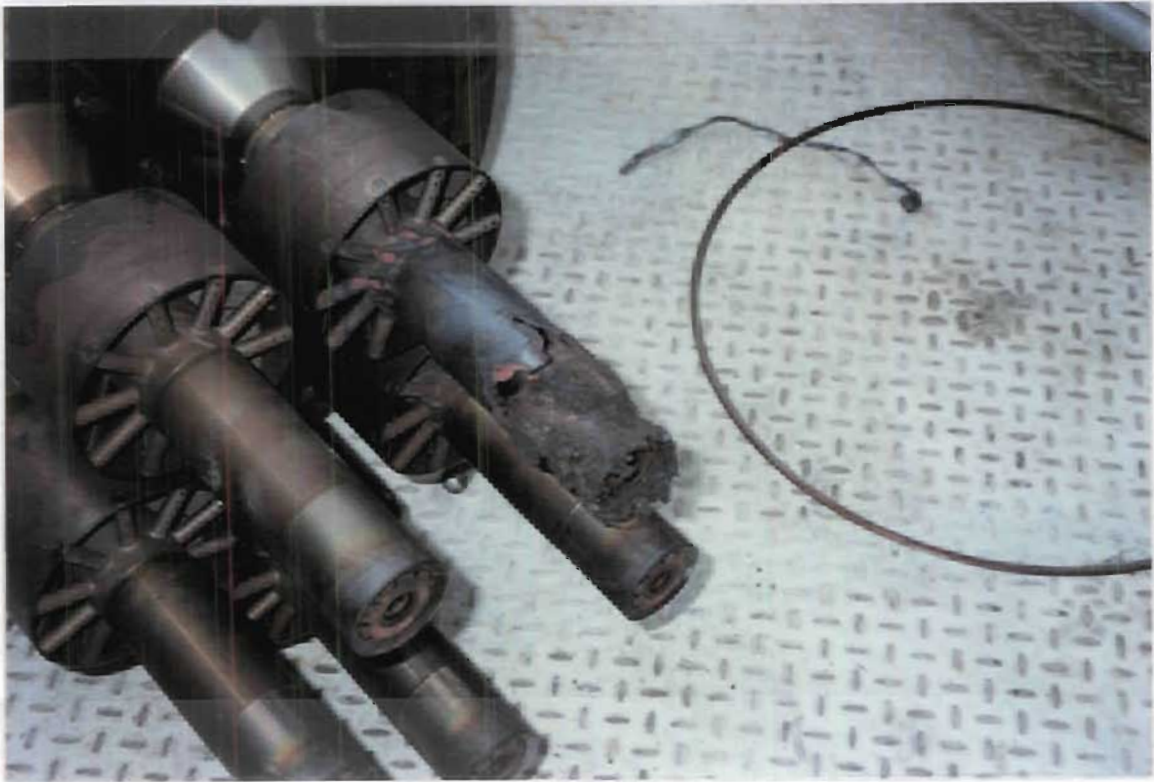
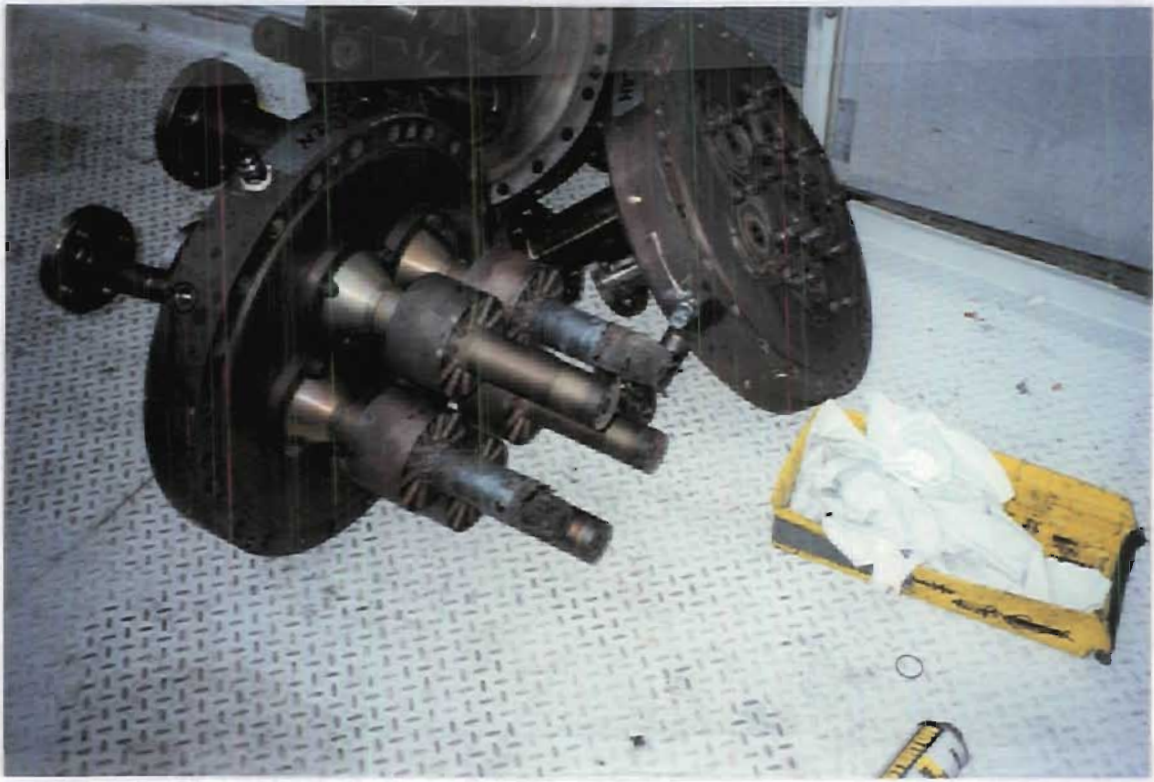
TO THE ORDER OF:

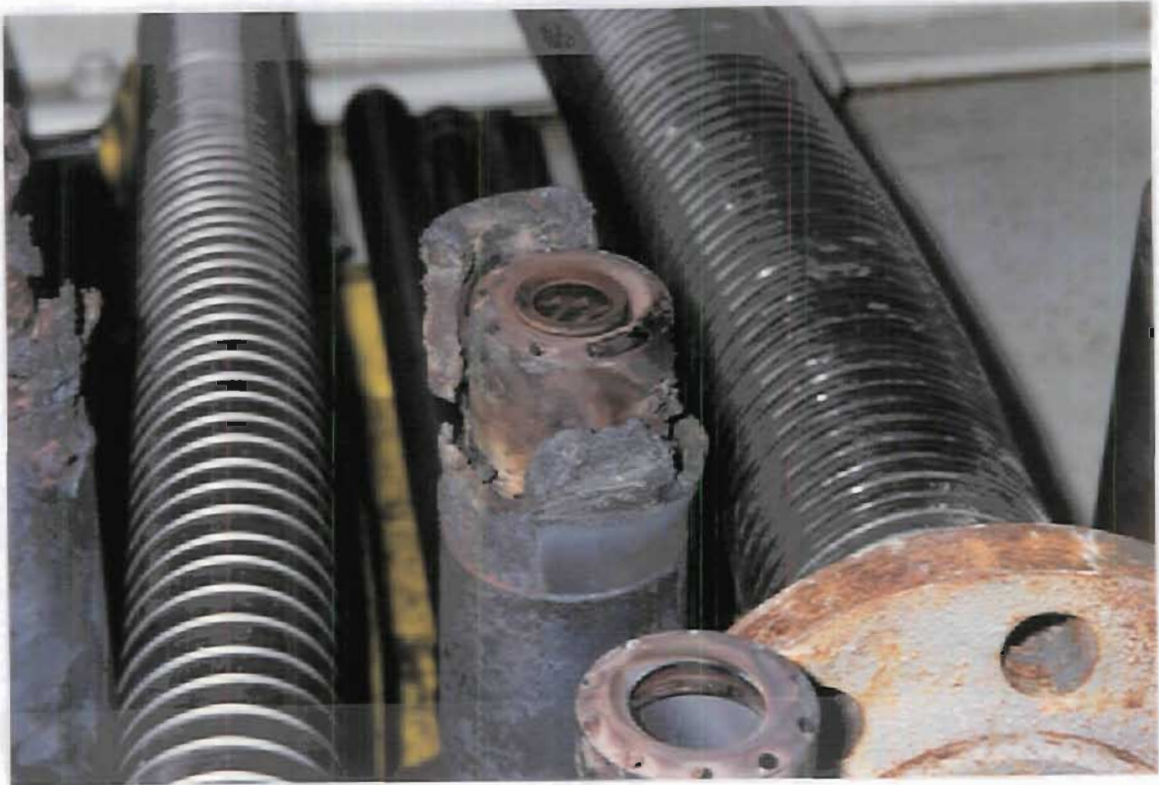
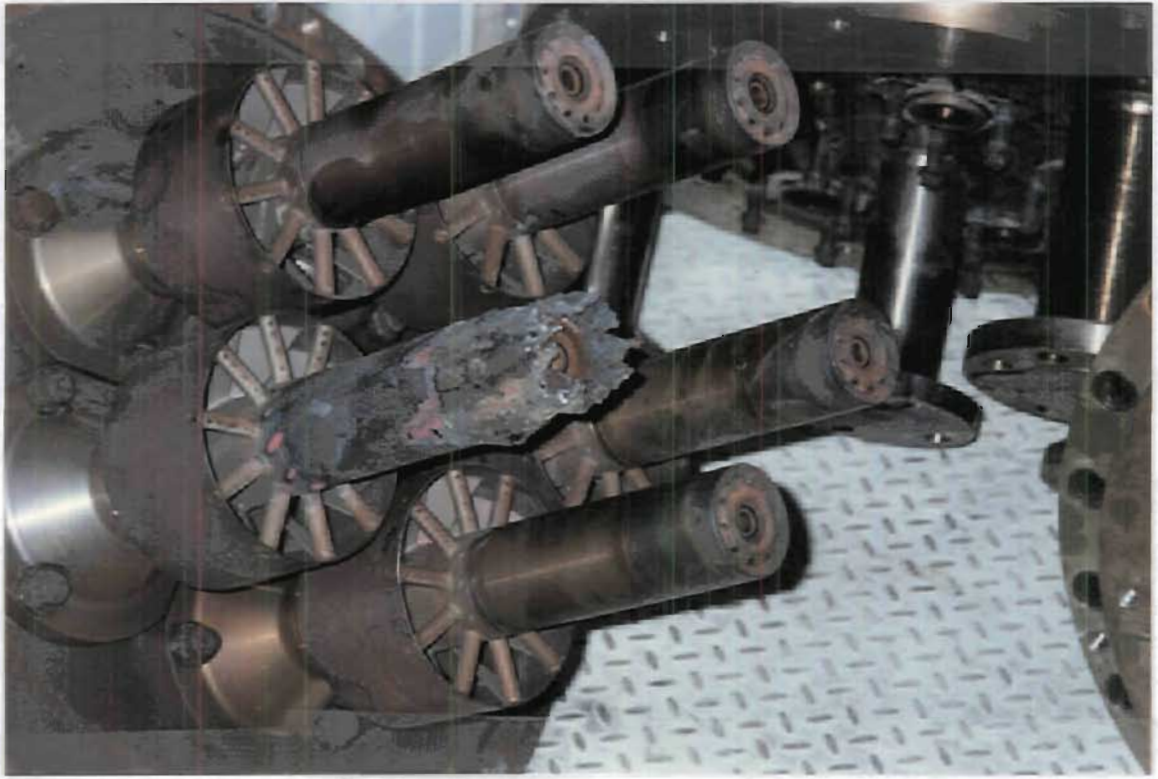
FLORIDA DEPARTMENT OF ENVIRONMENTAL
PROTECTION
TWIN TOWERS OFFICE BLDG
2600 BLAIR STONE ROAD
TALLAHASSEE, FL 32399

Destec Energy Inc.









Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- 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.

3. Article Addressed to:
 Jeffrey Fassett, SPE
 District 1iger Bay, LP
 3219 State Rd 630 W
 Ft Meade, FL 33841

4a. Article Number
 P 339 251 184

4b. Service Type
 Registered
 Certified
 Insured
 COD
 Express Mail
 Return Receipt for Merchandise

7. Date of Delivery
 11-25-96

8. Addressee's Address (Only if requested and fee is paid)

5. Signature (Addressee)
 Julie Cavanaugh

6. Signature (Sender)
 PS FL

Thank you for using Return Receipt Service.

P 481 152 184

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

Sent to
 Jeffrey Fassett

Street & Number
 District 1iger Bay

Post Office, State & ZIP Code
 Ft Meade 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
 11-21-96
 PSD-FI-190

PS Form 3800, April 1995

Thank you for using Return Receipt Service.

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
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- 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.

3. Article Addressed to:
 Jeffrey M. Keeran
 District Energy, Inc
 P.O. Box 4474
 Houston, TX 77210-4474

4a. Article Number
 P 339 251 183

4b. Service Type
 Registered
 Certified
 Insured
 COD
 Express Mail
 Return Receipt for Merchandise

7. Date of Delivery
 NOV 25 1996

8. Addressee's Address (Only if requested and fee is paid)

5. Signature (Addressee)

6. Signature (Sender)

PS Form 3811, December 1991

Is your RETURN ADDRESS completed on the reverse side?

P 481 152 183

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

Sent to
 Jeffrey Keeran

Street & Number
 DISTEC

Post Office, State & ZIP Code
 Houston, TX

Postage \$

Certified Fee
 Diger Bay

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
 11-21-96
 1050223-003-AC
 PSD-FI-190

PS Form 3800, April 1995

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.
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- 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.

3. Article Addressed to:
 Mr. Jeffrey Keenan
 DESTEC Energy, Inc.
 3319 State Rd 630, West
 Ft. Meade, FL 33841

4a. Article Number
 P 265 659 142

4b. Service Type
 Registered Certified
 Express Mail Insured
 Return Receipt for Merchandise COD

5. Received By: (Print Name)
 J. Keenan

6. Signature: (Addressee or Agent)
 X Jeffrey Keenan

7. Date of Delivery
 1-10-97

8. Addressee's Address (Only if requested and fee is paid)
 3319 State Rd 630, West
 Ft. Meade, FL 33841

PS Form 3811, December 1994

Thank you for using Return Receipt Service.

Thank you for using Return Receipt Service.

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
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- Write "Return Receipt Requested" on the mailpiece below the article number.
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3. Article Addressed to:
 Jeffrey Keenan
 DESTEC Energy
 P O Box 1144
 Houston, TX 77210-0144

4a. Article Number
 P 265 659 141

4b. Service Type
 Registered Certified
 Express Mail Insured
 Return Receipt for Merchandise COD

5. Received By: (Print Name)
 J. Keenan

6. Signature: (Addressee or Agent)
 X Jeffrey Keenan

7. Date of Delivery
 JAN 14 1997

8. Addressee's Address (Only if requested and fee is paid)
 3319 State Rd 630, West
 Ft. Meade, FL 33841

PS Form 3811, December 1994

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Domestic Return Receipt

P 265 659 142

P 265 659 141

US Postal Service
Receipt for Certified Mail
 No Insurance Coverage Provided.
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Sent to
 Jeff. Fassett

Street & Number
 DESTEC

Post Office, State, & ZIP Code
 Ft. Meade, 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
 1-8-96

PS Form 3800, April 1995

PSD-FI-190

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

Sent to
 J. Keenan

Street & Number
 DESTEC

Post Office, State, & ZIP Code
 Houston, TX

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
 1-8-97

PS Form 3800, April 1995

PSD-FI-190

Fold at line over top of envelope to

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I also wish to receive the following services (for an extra fee):

1. Addressee's Address
2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:
 Mr. W. Jeffrey Pardue, CEP
 Director of Env. Services
 FPC
 P O Box 14042
 St. Petersburg, FL
 33733

4a. Article Number
 P 265 659 449

4b. Service Type
 Registered Certified
 Express Mail Insured
 Return Receipt for Merchandise COD

7. Date of Delivery
 SEP 12 1997

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)
 X *Miller*

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

P 265 659 449

US Postal Service
Receipt for Certified Mail

No Insurance Coverage Provided.
 Do not use for International Mail (See reverse)

Sender <i>Jeffrey Pardue</i>	
Street & Number <i>FPC</i>	
Post Office, State & ZIP Code <i>St-Pete FL</i>	
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 <i>9-9-97</i>	
<i>1050223-004-A0</i>	
<i>1050223-005-AC</i>	

PS Form 3800, April 1995

Sold at line over top of envelope to

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- 1. Addressee's Address
- 2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:
 Mr. W. Jeffrey Pardue, CEP
 Fla. Power Corp.
 3201 34th St. South
 St. Petersburg, FL
 33733

4a. Article Number
P 265 659 470

4b. Service Type
 Registered Certified
 Express Mail Insured
 Return Receipt for Merchandise COD

7. Date of Delivery
10/14/97

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)

X Milton Moreau

Thank you for using Return Receipt Service.

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Domestic Return Receipt

P 265 659 470

US Postal Service
Receipt for Certified Mail

No Insurance Coverage Provided.
Do not use for International Mail (See reverse)

Sent to	
Jeffrey Pardue	
Street & Number	
3201 34th St S	
Post Office, State, & ZIP Code	
St. Pete 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	
1050323-006-AC 10-14-97	
PSD-FI-190	

PS Form 3800, April 1995

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- 1. Addressee's Address
- 2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:
 Mr. W. Jeffrey Pardue
 Env. Services Dept.
 FPC
 3201 34th St. South
 St. Pete, FL 33733

4a. Article Number
 P 265 659 487

4b. Service Type
 Registered Certified
 Express Mail Insured
 Return Receipt for Merchandise COD

7. Date of Delivery
 11/12/97

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)

[Handwritten Signature]

PS Form 3811, December 1994

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Thank you for using Return Receipt Service.

P 265 659 487

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

Sent to <i>Jeffrey Pardue</i>	
Street & Number <i>FPC</i>	
Post Office, State, & ZIP Code <i>St. Pete, FL</i>	
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 <i>11-12-97</i> <i>1050223-007-AC</i>	

PS Form 3800, April 1995

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-I also wish to receive the following services (for an extra fee):

- 1. Addressee's Address
- 2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Mr. W. Jeffrey Pardue, CEO
Fla. Power Corp. - Tiger Bay
3201 34th St. South
St. Pete, FL 33733

4a. Article Number

P 265 659 489

4b. Service Type

- Registered Certified
- Express Mail Insured
- Return Receipt for Merchandise COD

7. Date of Delivery

11/19/97

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)

X *Frank Chyn*

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

P 265 659 489

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to		<i>Jeff Pardue</i>
Street & Number		<i>FPC - Tiger Bay</i>
Post Office, State, & ZIP Code		<i>St. Pete, FL</i>
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		<i>11-17-97</i>

PS Form 3800, April 1995

Fold at line over top of envelope to

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SENDER:

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I also wish to receive the following services (for an extra fee):

- 1. Addressee's Address
- 2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:
 W. Jeffrey Pardue, CEP
 Fla. Power Corp.
 3201 34th Street South
 St. Pete, FL 33733

4a. Article Number
 P 265 659 253

4b. Service Type
 Registered Certified
 Express Mail Insured
 Return Receipt for Merchandise COD

7. Date of Delivery
 11/24/97

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)
 X *W. Jeffrey Pardue*

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

P 265 659 253

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

Sent to		<i>Jeffrey Pardue</i>	
Street & Number		<i>CEP</i>	
Post Office, State, & ZIP Code		<i>St. Pete, FL</i>	
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		<i>11-19-97</i>	
<i>1050223-006-AC</i>			
<i>PSP-FL-190</i>			

PS Form 3800, April 1995

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: Jeffrey Pardue, CEP Fla. Power Corp 3201 34th St. South St. Pete, FL 33733	4a. Article Number P 265 659 280	
5. Received By: (Print Name)		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
6. Signature: (Addressee or Agent) X <i>William Mah...</i>		7. Date of Delivery 1-20-98
8. Addressee's Address (Only if requested and fee is paid)		

Thank you for using Return Receipt Service.

PS Form 3811, December 1994

Domestic Return Receipt

P 265 659 280

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

Sent to		Jeff. Pardue
Street & Number		FPC-Tiger Bay
Post Office, State & ZIP Code		St. Pete 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		1-14-98

PS Form 3800, April 1995

AFFIDAVIT OF PUBLICATION

THE LEDGER Lakeland, Polk County, Florida

Case No

STATE OF FLORIDA)
COUNTY OF POLK)

Before the undersigned authority personally appeared Nelson Kirkland, who on oath says that he is Classified Advertising Manager of The Ledger, a daily newspaper published at Lakeland in Polk County, Florida; that the attached copy of advertisement, being a

Public Notice Of Intent

in the matter of
DEP File Nos. AC53-214903 and PDS-FI-190(D).

in the
Court, was published in said newspaper in the issues of
March 26;
1998.

Affiant further says that said The Ledger is a newspaper published at Lakeland, in said Polk County, Florida, and that the said newspaper has heretofore been continuously published in said Polk County, Florida, daily, and has been entered as second class matter at the post office in Lakeland, in said Polk County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

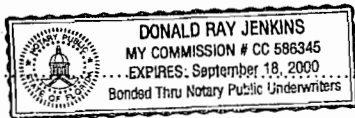
Signed
Nelson Kirkland
Classified Advertising Manager
By Nelson Kirkland who is
personally known to me

Sworn to and subscribed before me this 30TH
day of MARCH A.D. 19 98

(Seal)

Donald Ray Jenkins
Notary Public

My Commission Expires



Order#699762
FPC

B350

Attach Notice Here

PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT MODIFICATION

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DEP File Nos. AC 53-214903 and PSD-FI-190(D)

Florida Power Corporation
Tiger Bay Power Plant - 270 MW Cogen Unit
Polk County

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit modification to Florida Power Corporation (FPC) to increase steam electrical power generation from 74 to 86 megawatts (MW) to total electrical power generation from 258 to 270 MW at its cogeneration facility located five miles west of Fort Meade, Polk County, A Best Available Control Technology (BACT) determination was not required pursuant to Rules 62-212.400 and 610, F.A.C. or 40 CFR 52.21, Prevention of Significant Deterioration (PSD). The applicant's name and address are: Florida Power Corporation, 3201 34th Street South, St. Petersburg, Florida 33733.

Originally the combined cycle unit was permitted to produce 258 MW of electricity (184MW combustion turbine and 74 MW steam turbine). The steam turbine was operationally limited by the previous owner, DESTEC, to 74 MW so the construction and operation of the plant were not subject to the Power Plant Site Certification (PPSA) requirements. The new owner, FPC, has submitted the project for a separate review under the PPSA.

According to the FPC and DESTEC, the steam electrical generation portion of the unit can produce more steam than necessary to generate 74 MW. Excess steam, beyond the amount required to produce 74 MW, was either wasted or provided to sold to other users. Excess steam will, instead, be used to produce additional electricity.

According to the applicant, there will be no additional fuel or water consumption and no emissions increases resulting from the change. The unit will continue to comply with the previous PSD permit conditions and BACT determination. The unit burns natural gas, an inherently clean fuel. Nitrogen oxides are to be controlled by either Dry Low NOx combustion or selective catalytic reduction.

The Department will issue the FINAL Permit Modification, in accordance with the conditions of the DRAFT Permit Modification unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed DRAFT permit Modification issuance, action, for a period of 30 (thirty) days from the date of publication of this Notice. Written comments should be provided to the Department's Bureau of Air Regulation, 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this DRAFT Permit Modification, the Department shall issue a Revised DRAFT Permit Modification and require, if applicable, another Public Notice.

The Department will issue FINAL Permit Modification with the conditions of the DRAFT Permit Modification unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, F.S. The procedures for petitioning for a hearing are set forth below. Mediation is not available for this action.

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, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, telephone: 850/488-9370, fax: 850/487-4938. Petitions must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. 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, F.S., 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 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 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 Department's 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 notice of intent. Persons whose substantial interests will be affected by any such final decision at the Department of the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

A complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

Department of Environmental Protection Southwest District 3804 Coconut Palm Drive Tampa, Florida 33619-8218 Telephone: 850/744-6100 Fax: 850/744-6084	Department of Environmental Protection Bureau of Air Regulation 111 South Magnolia Drive, Suite 4 Tallahassee, Florida 32301 Telephone: 850/488-1344 Fax: 850/922-6979
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The complete project file includes the Draft Permit Modification, the application and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Administrator, New Resource Review Section at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/488-1344, for additional information.

B-350 - 3-26-1998

AFFIDAVIT OF PUBLICATION

THE LEDGER Lakeland, Polk County, Florida

Case No

STATE OF FLORIDA)
COUNTY OF POLK)

Before the undersigned authority personally appeared Nelson Kirkland, who on oath says that he is Classified Advertising Manager of The Ledger, a daily newspaper published at Lakeland in Polk County, Florida; that the attached copy of advertisement, being a

Public Notice of Intent

in the matter of

DEP File Nos. AC53-214903 and PDS-FI-190(D).

in the

Court, was published in said newspaper in the issues of

March 26;

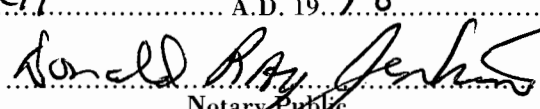
1998.

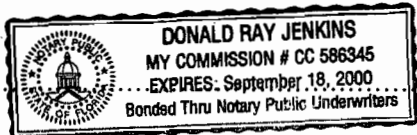
Affiant further says that said The Ledger is a newspaper published at Lakeland, in said Polk County, Florida, and that the said newspaper has heretofore been continuously published in said Polk County, Florida, daily, and has been entered as second class matter at the post office in Lakeland, in said Polk County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Signed 
Nelson Kirkland
Classified Advertising Manager
By Nelson Kirkland who is
personally known to me

Sworn to and subscribed before me this 30TH

day of MARCH A.D. 19 98

(Seal) 
Notary Public



My Commission Expires

Order#699762
FPC

B350

Attach Notice Here

PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT MODIFICATION
STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DEP File Nos. AC 53-214903 and PSD-FI-190(D)

Florida Power Corporation
Tiger Bay Power Plant - 270 MW Cogen Unit
Polk County

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit modification to Florida Power Corporation (FPC) to increase steam electrical power generation from 74 to 86 megawatts (MW) to total electrical power generation from 258 to 270 MW at its cogeneration facility located five miles west of Fort Meade, Polk County. A Best Available Control Technology (BACT) determination was not required pursuant to Rules 62-212.400 and 410, F.A.C., or 40 CFR 52.21, Prevention of Significant Deterioration (PSD). The applicant's name and address are: Florida Power Corporation, 3201 34th Street South, St. Petersburg, Florida 33733.

Originally the combined cycle unit, was permitted to produce 258 MW of electricity (184MW combustion turbine and 74 MW steam turbine). The steam turbine was operationally limited by the previous owner, DESTEC, to 74 MW so the construction and operation of the plant were not subject to the Power Plant Site Certification (PPSA) requirements. The new owner, FPC, has submitted the project for a separate review under the PPSA.

According to the FPC and DESTEC, the steam electrical generation portion of the unit can produce more steam than necessary to generate 74 MW. Excess steam, beyond the amount required to produce 74 MW, was either wasted or provided to sold to other users. Excess steam will, instead, be used to produce additional electricity.

According to the applicant, there will be no additional fuel or water consumption and no emissions increases resulting from the change. The unit will continue to comply with the previous PSD permit conditions and BACT determination. The unit burns natural gas, an inherently clean fuel. Nitrogen oxides are to be controlled by either Dry Low NOx combustion or selective catalytic reduction.

The Department will issue the FINAL Permit Modification, in accordance with the conditions of the DRAFT Permit Modification unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed DRAFT permit Modification issuance action for a period of 30 (thirty) days from the date of publication of this Notice. Written comments should be provided to the Department's Bureau of Air Regulation, 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this DRAFT Permit Modification, the Department shall issue a Revised DRAFT Permit Modification and require, if applicable, another Public Notice.

The Department will issue FINAL Permit Modification with the conditions of the DRAFT Permit Modification unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57 F.S. The procedures for petitioning for a hearing are set forth below. Mediation is not available for this action.

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 F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, telephone: 850/488-9370, fax: 850/487-4938. Petitions must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. 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 F.S., 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 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 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 Department's 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 notice of intent. Persons whose substantial interests will be affected by any such final decision of the Department or the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

A complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

Department of Environmental Protection
Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619-8218
Telephone: 850/744-6100
Fax: 850/744-6084

Department of Environmental Protection
Bureau of Air Regulation
111 South Magnolia Drive, Suite 4
Tallahassee, Florida, 32301
Telephone: 850/488-1344
Fax: 850/922-6979

The complete project file includes the Draft Permit Modification, the application and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Administrator, New Resource Review Section at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/488-1344, for additional information.

B-350 - 3-26; 1998

1050223 001 AC
PSD, FL 190D
VT

AFFIDAVIT OF PUBLICATION

THE LEDGER

Lakeland, Polk County, Florida

Case No

STATE OF FLORIDA)
COUNTY OF POLK)

Before the undersigned authority personally appeared Nelson Kirkland, who on oath says that he is Classified Advertising Manager of The Ledger, a daily newspaper published at Lakeland in Polk County, Florida; that the attached copy of advertisement, being a

Public Notice Of Intent

in the matter of

Permit Amendment No

*cc: Leano B.
JEFFREY K.*

in the

Court, was published in said newspaper in the issues of

December 2;

1996

Affiant further says that said The Ledger is a newspaper published at Lakeland, in said Polk County, Florida, and that the said newspaper has heretofore been continuously published in said Polk County, Florida, daily, and has been entered as second class matter at the post office in Lakeland, in said Polk County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Signed

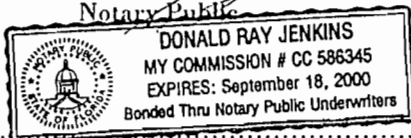
Nelson Kirkland
Classified Advertising Manager
By Nelson Kirkland who is
personally known to me

2nd

Sworn to and subscribed before me this

day of December A.D. 1996

(Seal)



My Commission Expires

Order#602878
L

R768

PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT AMENDMENT

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

DRAFT Permit Amendment No.:
1050223-003-AC, (PSD-FL-190)
Tiger Bay Cogen Combined Cycle Unit
Polk County

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit amendment to DESTEC/Tiger Bay Limited Partnership, for the Tiger Bay Cogen Combined Cycle Unit located five miles west of Ft. Meade, Polk County. A Best Available Control Technology (BACT) determination was not required as a result of this amendment for any pollutants pursuant to Rule 62-212.400, F.A.C. and 40 CFR 52.21, Prevention of Significant Deterioration (PSD). The amendment will not cause a violation of any state or federal ambient air quality standards or increments. The applicant's name and address are: DESTEC/Tiger Bay Limited Partnership, 3219 State Road 630 West, Fort Meade, Florida 33841.

At present, the unit is in compliance with its present nitrogen oxide (NO_x) limit of 25 parts per million (ppm). Specific Condition No. 15 of the above referenced construction permit presently requires that the unit achieve a nitrogen oxides (NO_x) emission limit of 15 parts per million (ppm) by December 31, 1997. The amendment will extend the compliance date of Specific Condition No. 15 from December 31, 1997 to December 31, 1998. Originally DESTEC and the manufacturer, General Electric, expected to achieve the limit through technology known as Dry Low NO_x Combustors. This technology has been associated with reliability problems when attempting to reach the lower limit. Instead, the limit will be achieved through technology known as Selective Catalytic Reduction (SCR). The additional time will allow for design engineering, procurement, installation and testing of the new equipment.

The Department will issue the FINAL Permit Amendment unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed DRAFT Permit Amendment issuance action for a period not to exceed 14 (fourteen) days from the date of publication of this Notice. Written comments should be provided to the Department's Bureau of Air Regulation, 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this DRAFT Permit Amendment, the Department shall issue a Revised DRAFT Permit Amendment and require, if applicable, another Public Notice.

The Department will issue FINAL Permit Amendment unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57 F.S. or a party requests mediation as an alternative remedy under Section 120.573 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. The procedures for petitioning for a hearing are set forth below, followed by the procedures for requesting mediation.

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 F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, telephone: 904/488-9370, fax: 904/487-4938. Petitions must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. 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 F.S., 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 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 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 Department's 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 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.

A person whose substantial interests are affected by the Department's proposed 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, 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 notice of intent 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 F.S., the timely agreement of all parties to mediate will toll the time limitations imposed by Sections 120.569 and 120.57 F.S. 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 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 F.S. 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.

A complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

Department of Environmental Protection
Bureau of Air Regulation
111 S. Magnolia Drive, Suite 4
Tallahassee, Florida, 32301
Telephone: 904/488-1344
Fax: 904/922-6979

Department of Environmental Protection
Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619-8218
Telephone: (904) 744-6100
Fax: (904) 744-6084

The complete project file includes the Draft Permit Amendment, the application, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Administrator, New Resource Review Section at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 904/488-1344, for additional information.