



Jeb Bush
Governor

Department of Environmental Protection

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

David B. Struhs
Secretary

February 24, 2004

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Dave Meyer, P.E.
Senior Environmental Specialist
Progress Energy Corporation
100 Central Avenue, BB1A-HE44
St. Petersburg, Florida 33701

Re: Request for Additional Information
DEP File Nos. PSD-FL-296, PA92-33
Hines Power Block 2 – Excess Emissions

Dear Mr. Meyer:

The Department is in receipt of your Title V application dated February 10, 2004, and the requested permit changes "Attachment PEF-FI-CV6" which were included. In order to continue processing your application, the Department will need the additional information below. Should your response to any of the below items require new calculations, please submit the calculations, assumptions, reference material and any appropriate revised pages of the application. Please note that due to the nature of your request, the Department will not begin processing the Title V application until the subject PSD permit modification is finalized.

Your letter makes requests, which cover four areas of the existing PSD permit:

- 1) Increase the number of hours of CEMS data exclusion from 4 hours to 6 hours for a cold startup in any 24-hour period.
- 2) Define a warm startup as one following a complete shutdown lasting 8 to 48 hours and provide for 3 hours of CEMS data exclusion in any 24-hour period.
- 3) Increase the maximum allowable hours of CEMS data exclusion (for any combination of allowable reasons) during any 24-hour period in which a cold startup has occurred from 6 to 8 hours [allowable reasons are defined within the existing permit as startup, shutdown, oil-to-gas fuel switches and documented malfunctions].
- 4) Authorize up to 5 maximum allowable hours of CEMS data exclusion (for any combination of allowable reasons) during any 24-hour period in which a warm startup has occurred.

The Department notes that the pertinent language contained in PSD-FL-296 is not uncommon for nearly every PSD permit issued over the past few years, where combined cycle units are involved. As you are likely aware, 62-210.700(1) allows excess emissions resulting from start-up and shutdown, "... but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration". In the past, we have been told by EPA that they expect us to be very judicious in our application of the rule, and EPA continues to comment adversely on draft permits where we have authorized up to 3 or 4 hours in a 24-hour period rather than the two hours written in the rule. We have had several discussions with Region IV on this precise topic, and have come to understand that their dissatisfaction stems from the underlying presumption that by allowing excess emissions to occur (with no defined limits), then by default all pollutant levels are authorized to be unlimited for that entire period of time. Since we have not required applicants to do modeling during startup, some possibility exists that a permit could be issued which allows ambient air quality standards to be violated during those times. We believe that these are valid concerns.

"More Protection, Less Process"

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Mr. Dave Meyer
Page 2 of 2
February 24, 2004

In the event that you wish to continue to process this request, we must have further information. The purpose of the additional information is to define with some precision:

- a) Which pollutant(s) exceed the permitted limits during the above startup mode(s)
- b) What are the actual hour by hour emission level(s) observed during each of the startup modes (in permitted measurement units as well as lb/hr)
- c) What emission level(s) are reasonably attainable during each of the startup modes (in permitted measurement units as well as lb/hr)
- d) What were the maximum modeled emission levels for each pollutant where relief is being sought (in permitted measurement units as well as lb/hr)

The above information will form the basis for a permit revision defining alternate (but not unlimited) emission levels during the affected startup modes and a corresponding reduction of CEMS data exclusion allowances to a maximum of 4 hours during any 24-hour period for any combination of allowable reasons. As indicated above, we believe that this approach is workable and is similar to the approach being utilized for KUA's Cane Island. I'm including a copy of that permit modification for your use.

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 responses to Department requests for additional information of an engineering nature. Please note that per Rule 62-4.055(1): *"The applicant shall have ninety days after the Department mails a timely request for additional information to submit that information to the Department..... Failure of an applicant to provide the timely requested information by the applicable date shall result in denial of the application."* We suggest that when you provide the above requested information, you provide at least two of the portions from our standard application, those being the signature of the facility's authorized representative, and a PE signature.

If you have any questions, please call me at 850/921-9519.

Sincerely,



Michael P. Halpin, P.E.

DEP/DARM

North Permitting Section

cc: Buck Oven, DEP PPSO
Gerry Kissel, DEP SWD
Roger Zirkle, Progress Energy
Ken Kosky, Golder
Gregg Worley, EPA Region 4
John Bunyak, NPS

ATTACHMENT

November 26, 2002

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

A.K. Sharma, Vice President Power Supply
Kissimmee Utility Authority
P.O. Box 423219
Kissimmee, Fl 34742-3219
Re: DEP File No. PSD-FL-254, PA 98-38
KUA Cane Island Unit No. 3

Dear Mr. Sharma:

The Department reviewed your request to modify the PSD Permit relative to start-up emissions. As a result of this review, the Department has concluded that a permit modification may be granted. Accordingly, this request is acceptable as indicated herein.

Permit PSD-FL-254 is hereby modified as follows:

29. Excess emissions resulting from startup, shutdown, or malfunction shall be permitted provided that best operational practices are adhered to and the duration of excess emissions shall be minimized. Excess emissions occurrences shall in no case exceed two hours in any 24-hour period ~~except during both "cold start up" to or shutdowns from combined cycle plant operation. During start up to simple cycle operation, up to one hour of excess emissions are allowed. During cold start up to combined cycle operation, up to four hours of excess emissions are allowed. During shutdowns from combined cycle operation, up to three hours of excess emissions are allowed. Cold start up is defined as a startup to combined cycle operation following a complete shutdown lasting at least 48 hours. During any calendar day in which a start-up or shutdown occurs with natural gas as the exclusively fired fuel, an alternative NO_x limit of 86 lb/hr (310 lb/hr if fuel oil is fired during the calendar day) on the basis of a 24-hour average shall apply.~~ [Applicant Request, G.E. Combined Cycle Startup Curves Data and Rule 62-210.700, F.A.C.].
44. Continuous Monitoring System: The permittee shall install, calibrate, maintain, and operate a continuous emission monitor in the stack to measure and record the nitrogen from these units. Periods when NO_x emissions (ppmvd @ 15% oxygen) are above the permitted limits, listed in Specific Condition No. 24 ~~(other than those allowed for in Specific Condition No. 29)~~, shall be reported to the DEP Central District Office within one working day (verbally) followed up by a written explanation not later than three (3) working days (alternatively by facsimile within one working day). [Rules 62-204.800, 62-210.700, 62-4.130, 62-4.160(8), F.A.C and 40 CFR 60.7 (1998 version)].

Mr. A. K. Sharma
November 26, 2002

No other changes to the permit are authorized by this action.

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 it under Section 120.68, F.S., by the filing of a Notice of Appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the Clerk of the Department of Environmental Protection in the Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000, and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within (thirty) days after 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 PSD 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. A. K. Sharma, KUA *
Mr. Jerome J. Guidry, P.E., Perigee Technical Services, Inc.
Mr. Gregg Worley, EPA
Mr. John Bunyak, NPS
Mr. Len Kozlov, CD
Mr. Buck Oven, DEP

Clerk Stamp

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

(Clerk)

(Date)

BEST AVAILABLE COPY

Restricted Delivery is desired.
 Print your name and address on the reverse so that we can return the card to you.
 Attach this card to the back of the mailpiece or on the front if space permits.

1. Article Addressed to:
 Mr. Dave Meyer, P.E.
 Senior Environmental Specialist
 Progress Energy Corporation
 100 Central Avenue, BB1A-HE44
 St. Petersburg, Florida 33701

2. Article Number (Transfer from service label) **7001 1140 0002 1578 0546**

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

B. Received by (Printed Name) **RODRIGUEZ, MICOY**
 C. Date of Delivery **7/11**
 D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

PS Form 3811, August 2001 Domestic Return Receipt 102595-02-M-1540

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

OFFICIAL USE

Mr. Dave Meyer, P.E.

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Sent To
 Mr. Dave Meyer, P.E.
 Street, Apt. No., or PO Box No. 100 Central Ave., BB1A-HE44
 City, State, ZIP+4 St. Petersburg, Florida 33701

PS Form 3800, January 2001 See Reverse for Instructions

(Domestic Mail Only - No Insurance Coverage Provided)

0546
7001 1140 0002 1578

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark Here

Sent To
 Mr. Dave Meyer, P.E.
 Street, Apt. No., or PO Box No. 100 Central Ave., BB1A-HE44
 City, State, Zip, & St. Petersburg, Florida 33701
 PS Form 3800, January 2001 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee <i>[Signature]</i>
1. Article Addressed to: Mr. Dave Meyer, P.E. Senior Environmental Specialist Progress Energy Corporation 100 Central Avenue, BB1A-HE44 St. Petersburg, Florida 33701	B. Received by (Printed Name) <input type="checkbox"/> Date of Delivery EDDEICUS MCOY 1/11
	D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:
2. Article Number (Transfer from service label)	
	3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.
	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes
	7001 1140 0002 1578 0546

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 Mr. Dave Meyer, P.E.
 Senior Environmental Specialist
 Progress Energy Corporation
 100 Central Avenue, BB1A-HE44
 St. Petersburg, Florida 33701

2. Article Number
 (Transfer from service label) **7001 1140 0002 1578 0546**

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee
Eddricus McCoy

B. Received by (Printed Name) Agent
 Addressee
Eddricus McCoy C. Date of Delivery *8/11*

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

**U.S. Postal Service
 CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)**

7001 1140 0002 1578 0546

OFFICIAL USE
 Mr. Dave Meyer, P.E.

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark
 Here

Sent To
 Mr. Dave Meyer, P.E.
 Street, Apt. No.;
 or PO Box No. 100 Central Ave., BB1A-HE44
 City, State, ZIP+4
 St. Petersburg, Florida 33701



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

RECEIVED
MAR 01 2004
BUREAU OF AIR REGULATION

• Sender: Please print your name, address, and ZIP+4 in this box

Dept. of Environmental Protection
Division of Air Resources Mgt.
Bureau of Air Regulation, NSR
2600 Blair Stone Rd., MS 5505
Tallahassee, FL 32399-2400

0042+5533



102595-01-M-1829

PS Form 3800, January 2001 (Reverse)

IMPORTANT: Save this receipt and present it when making an inquiry.

- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "Restricted Delivery".
- For an additional fee, a Return Receipt may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS postmark on your Certified Mail receipt is required.
- NO INSURANCE COVERAGE IS PROVIDED with Certified Mail. For values, please consider Insured or Registered Mail.
- Certified Mail is not available for any class of international mail.
- Certified Mail may ONLY be combined with First-Class Mail or Priority Mail.

Important Reminders:

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- A signature upon delivery
- A unique identifier for your mailpiece
- A mailing receipt

Certified Mail Provides: