

Harvey, Mary

From: Harvey, Mary
Sent: Friday, December 21, 2007 1:12 PM
To: 'trichards@fpua.com'; Hoefert, Lee
Cc: Linero, Alvaro; Cascio, Tom; Adams, Patty; Gibson, Victoria
Subject: Letter - Mr. Thomas W. Richards - Fort Pierce Utilities Authority - DEP File #1110003-009-AC
Attachments: Ltr. - Fort Pierce Utilities Authority - DEP File #1110003-009-AC.pdf

Tracking:	Recipient	Read
✓	'trichards@fpua.com'	
✓	Hoefert, Lee	Read: 12/21/2007 1:44 PM
✓	Linero, Alvaro	Read: 12/22/2007 7:43 AM
✓	Cascio, Tom	Read: 12/21/2007 1:35 PM
✓	Adams, Patty	Read: 12/27/2007 10:42 AM
✓	Gibson, Victoria	Read: 12/21/2007 1:13 PM

Dear Sir/Madam:

Please send a "reply" message verifying receipt of the attached document(s); this may be done by selecting "Reply" on the menu bar of your e-mail software and then selecting "Send". We must receive verification of receipt and your reply will preclude subsequent e-mail transmissions to verify receipt of the document(s).

The document(s) may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible.

The document is in Adobe Portable Document Format (pdf). Adobe Acrobat Reader can be downloaded for free at the following internet site:
<http://www.adobe.com/products/acrobat/readstep.html>.

The Bureau of Air Regulation is issuing electronic documents for permits, notices and other correspondence in lieu of hard copies through the United States Postal System, to provide greater service to the applicant and the engineering community. Please advise this office of any changes to your e-mail address or that of the Engineer-of-Record.

Thank you,

DEP, Bureau of Air Regulation

Harvey, Mary

From: Tom Richards [tom@fpua.com]
To: Harvey, Mary
Sent: Friday, December 21, 2007 2:17 PM
Subject: Read: Letter - Mr. Thomas W. Richards - Fort Pierce Utilities Authority - DEP File # 1110003-009-AC

Your message

To: tom@fpua.com
Subject:

was read on 12/21/2007 2:17 PM.

Harvey, Mary

From: Tom Richards [tom@fpua.com]
Sent: Friday, December 21, 2007 2:17 PM
To: Harvey, Mary
Subject: RE: Letter - Mr. Thomas W. Richards - Fort Pierce Utilities Authority - DEP File #1110003-009-AC

Tom

-----Original Message-----

From: Harvey, Mary [mailto:Mary.Harvey@dep.state.fl.us]
Sent: Friday, December 21, 2007 1:12 PM
To: Tom Richards; Hoefert, Lee
Cc: Linero, Alvaro; Cascio, Tom; Adams, Patty; Gibson, Victoria
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The Department of Environmental Protection values your feedback as a customer. DEP Secretary Michael W. Sole is committed to continuously assessing and improving the level and quality of services provided to you. Please take a few minutes to comment on the quality of service you received. Simply click on [this link](#) to the DEP Customer Survey. Thank you in advance for completing the survey.

12/21/2007

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From: Hoefert, Lee
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To: Harvey, Mary
Subject: RE: Letter - Mr. Thomas W. Richards - Fort Pierce Utilities Authority - DEP File #1110003-009-AC

Lee C. Hoefert, P.E.
Air Program Administrator
Florida Department of Environmental Protection
Southeast District
400 N. Congress Ave., Suite 200
West Palm Beach, FL 33401
561-681-6626(Phone), 561-681-6790(Fax)

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DEP, Bureau of Air Regulation

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From: Cascio, Tom
To: Harvey, Mary
Sent: Friday, December 21, 2007 1:35 PM
Subject: Read: Letter - Mr. Thomas W. Richards - Fort Pierce Utilities Authority - DEP File # 1110003-009-AC

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was read on 12/21/2007 1:35 PM.

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From: Gibson, Victoria
To: Harvey, Mary
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Sent: 12/21/2007 1:12 PM

was read on 12/21/2007 1:13 PM.

Harvey, Mary

From: Linero, Alvaro
To: Harvey, Mary
Sent: Saturday, December 22, 2007 7:43 AM
Subject: Read: Letter - Mr. Thomas W. Richards - Fort Pierce Utilities Authority - DEP File # 1110003-009-AC

Your message

To: 'trichards@fpua.com'; Hoefert, Lee
Cc: Linero, Alvaro; Cascio, Tom; Adams, Patty; Gibson, Victoria
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was read on 12/22/2007 7:43 AM.

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1110003-009-AC

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Sent: 12/21/2007 1:12 PM

was read on 12/22/2007 7:43 AM.

Harvey, Mary

From: Adams, Patty
To: Harvey, Mary
Sent: Thursday, December 27, 2007 10:42 AM
Subject: Read: Letter - Mr. Thomas W. Richards - Fort Pierce Utilities Authority - DEP File # 1110003-009-AC

Your message

To: 'trichards@fpua.com'; Hoefert, Lee
Cc: Linero, Alvaro; Cascio, Tom; Adams, Patty; Gibson, Victoria
Subject: Letter - Mr. Thomas W. Richards - Fort Pierce Utilities Authority - DEP File #1110003-009-AC
Sent: 12/21/2007 1:12 PM

was read on 12/27/2007 10:42 AM.



Florida Department of Environmental Protection

Bob Martinez Center
2600 Blairstone Road
Tallahassee, Florida 32399-2400

Charlie Crist
Governor
Jeff Kottkamp
Lt. Governor
Michael W. Sole
Secretary

December 20, 2007

Electronically Sent – Received Receipt Requested.

trichards@fpua.com

Mr. Thomas W. Richards, P.E.
Director of Electric and Gas Systems
Fort Pierce Utilities Authority
Post Office Box 3191
Fort Pierce, Florida 34948

Re: DEP File No. 1110003-009-AC
H. D. King Power Plant
Authorization to Burn Backup Fuel

Dear Mr. Richards:

The Department has reviewed your request dated November 15, 2007, for authorization to combust approximately 190,000 gallons of surplus No. 2 low sulfur distillate fuel oil in Unit #9 over the next few months due to the planned decommissioning of the H.D. King Power Plant in the Spring of 2008. As you explain in your letter (copy attached), the plan is to gradually burn off the remaining distillate fuel oil as the plant is normally dispatched over this time period. You further explain that alternative means of disposal (i.e., removal of the oil from the current storage tank and transshipment offsite) will be problematic and costly. Your estimate of the additional nitrogen oxides (NO_x) emissions due to this practice is approximately 2.65 tons. Using stoichiometric methods, we estimate that the sulfur dioxide emissions due to the burning of the surplus fuel oil will be approximately 0.65 tons.

The Department authorizes this one time operational practice provided:

- The surplus No. 2 low sulfur distillate fuel oil is burned by June 30, 2008, and the quantity is limited to 190,000 gallons maximum;
- The operator adheres to best operational practices to minimize pollutant emissions;
- The operator notifies the Department's Southeast District Office at the commencement and completion of this initiative; and,
- The operator submits a report summarizing the total estimated NO_x emissions increase due to the practice at the completion of the initiative.

The Department will consider the above-noted action final unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, F.S. Mediation under Section 120.573, F.S., will not be available for this proposed action.

A person whose substantial interests are affected by the proposed 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 Department's Office of General

Counsel, MS #35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000. Petitions filed by the applicant or any of the parties listed below must be filed within 14 (fourteen) days of receipt of this notice. Petitions filed by any other person must be filed within 14 (fourteen) days of receipt of this proposed action. 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 28-106.205, F.A.C.

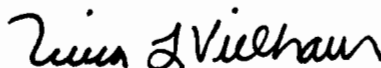
A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination; (c) A statement of how and when each petitioner received notice of the agency action or proposed action; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to specific rules or statutes; and, (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts upon which the permitting authority's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

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. Persons whose substantial interests will be affected by any such final decision of the permitting authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Any party to this order 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 in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station #35, 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 from the date this notice is filed with the Clerk of the permitting authority.

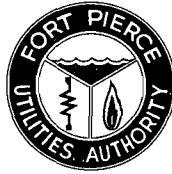
Executed in Tallahassee, Florida.



Trina L. Vielhauer, Chief
Bureau of Air Regulation

TLV/aal/tbc

Attachment



H. D. KING POWER PLANT

311 North Indian River Drive
Fort Pierce, Florida 34950
(772) 464-5792

RECEIVED

NOV 27 2007

BUREAU OF AIR REGULATION

November 15, 2007

Florida Department of Environmental Protection
2600 Blair Stone Road, MS 5505
Tallahassee, Florida 32399

Attn: Mr. A Linero, Program Administrator

Re: Fort Pierce Utilities Authority (FPUA)
H. D. King Power Plant-Unit #9 (EU ID 003)
Air Permit 1110003-05-AV

Dear Mr. Linero,

FPUA plans to decommission the King Power Plant in May 2008. We currently have on hand in our #5 AST approximately 190,000 gallons of low sulfur diesel fuel (<.05%) that will need to be dispositioned. The logistics and cost of moving the oil are difficult and awkward. Off-loading 190,000 gallons into 27 truckloads for transportation elsewhere has inherent risks for spillage and fugitive evaporation that do not seem worth taking.

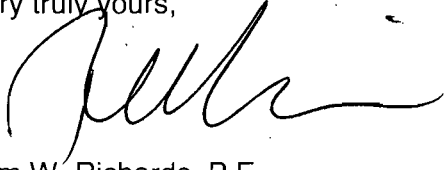
Our current permit requirements (for Unit #9 contained in Section A.3.b) state that "the emissions unit fires No. 2 distillate oil as an emergency back-up fuel". A permitting note (same section) also states "Emergency backup fuel use is authorized for maintenance, as per manufacturer's specifications, and during restricted availability of natural gas". Unlike Units #6, #7, and #8, which limits this use to 400 hours per year, Unit #9 does not have any time restriction.

Rather than move the fuel, FPUA is requesting FDEP authorization to allow us to use Unit #9 to burn the remaining distillate fuel before May 1, 2008. We estimate that approximately 80 hours will be required to use up the fuel. We do not have compliance testing information on distillate firing to accurately calculate the NOx that will be generated, but we estimate (based on parameters identified in Section A.5 of the permit) that it will be around five (5) tons. This would compare to 2.35 tons (calculated using compliance testing results) if we burned pipeline natural gas for the same period. Please note that we have not burned any distillate on any of our regulated units this year.

All other conditions of the permit would be met. Our intention would be to gradually burn off the remaining distillate over the next six months, as the plant is normally dispatched.

Your review of our request is greatly appreciated. If you need any further information please contact me or John Tompeck (772) 461-9301, X-5201.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Tom Richards', written in a cursive style.

Tom W. Richards, P.E.
Director of Electric & Gas Systems

Cc: T Vielhauer (FDEP-Tallahassee)
J Tompeck
W Anderson