



A handwritten signature in the top right corner of the page.

March 7, 1997

**RECEIVED**  
MAR 12 1997  
BUREAU OF  
AIR REGULATION

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

Dear Mr. Fancy:

Re: Suwannee Peaking Units P1, P2, and P3 -- Addition of Natural Gas Capability  
Draft Permit Modification No. PSD-FL-014(A)

This letter serves to notify the Department that Florida Power Corporation published a Notice of Intent to Issue Air Construction Permit Modification for the above-referenced project. The legal notice ran in the February 28, 1997 edition of the Suwannee Democrat. A copy of the notice and the notarized proof of publication are attached.

If you should have any questions concerning the above, please do not hesitate to contact me at (813) 866-5158.

Sincerely,

A handwritten signature of Scott H. Osbourn.

Scott H. Osbourn  
Senior Environmental Engineer

Attachment

cc: Chris Kirts, DEP NE District  
Ken Kosky, P.E., Golder Associates

cc: M. Costello

# SUWANNEE DEMOCRAT

PUBLISHED WEEKLY  
P.O. Box 370 - Telephone 362-1734  
Live Oak, Suwannee County, Florida 32060

STATE OF FLORIDA  
COUNTY OF SUWANNEE:

Before the undersigned authority personally appeared

Leandra J. Hunter

who on oath says that she is

Legal Secretary

of the Suwannee Democrat, a weekly newspaper published at Live Oak in Suwannee County, Florida; that the attached copy of advertisement, being a

Public Notice of Intent

in the matter of

To Issue Air Construction Permit

Modification

in the

Suwannee County

Court, was published in said newspaper in the issues of  
February 28, 1997

Affiant further says that the said Suwannee Democrat is a newspaper published at Live Oak in said Suwannee County, Florida, and that the said newspaper has heretofore been continuously published in said Suwannee County, Florida, each week and has been entered as second class mail matter at the post office in Live Oak, in said Suwannee 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 said newspaper.

Leandra J. Hunter

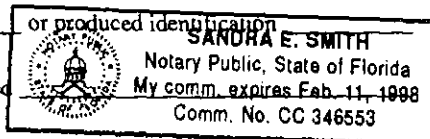
Sworn to and subscribed before me this 28th

day of Feb., A.D. 19 97

Sandra E. Smith  
(SEAL) Notary Public

Personally known

Type of identification produced



each originally permitted to operate up to 1,500 hours per year. In recent years their usage has been less than 350 hours each. In the near future, increased service to 600-1250 hours of operation per year is expected. FPC plans to burn available natural gas, an inherently clean fuel which is available to FPC on an interruptible basis, in lieu of some fuel oil to meet the anticipated demand.

Because of the great variability of usage from year-to-year inherent in peaking units, it is difficult to predict future usage for any given year. FPC provided information to the Department indicating that the operation of these units will greatly increase for demand-related reasons in 1997 with or without addition of natural gas firing capability. Hourly emissions will be very substantially reduced when natural gas is fired in lieu of fuel oil. Per Rule 62-210-200(1)(b), F.A.C., the Department may presume that unit-specific allowable emissions for an emissions unit are equivalent to the actual emissions of the emissions unit. Therefore, there will be no significant increase in PSD pollutants and the project is exempt from PSD and BACT. Burning natural gas will minimize emissions of particulate matter, sulfur dioxide, and nitrogen oxides (NOx).

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 any 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. 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 infor-

tioner 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,

the names, addresses, and telephone numbers of any persons who may attend the mediation; (c) The name, address, and telephone number of the mediator selected by the parties, or a provision for selecting a mediator within a specified time; (d) The agreed allocation of the costs and fees associated with the mediation; (e) The agreement of the parties on the confidentiality of discussions and documents introduced during mediation; (f) 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; (g) The name of each party's representative who shall have authority to settle or recommend settlement; and (h) The signature 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: 904/448-1344  
Fax: 904/922-6979

Department of Environmental Protection  
Northeast District Office  
7825 Baymeadows Way, Suite 2008  
Jacksonville, FL 32256-7590  
Telephone: 904/448-4300  
Fax: 904/448-4363

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 904/448-1344, for additional information.

February 28, 1997

**PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT MODIFICATION**

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

DRAFT Permit Modification  
No. PSD-FL-014(A)  
File No. 1210003-002-AC  
Suwannee County

The Department of Environmental Protection (Department) gives notice of its intent to issue a modification of Permit PSD-FL-014 to Florida Power Corporation (FPC) for Combustion Turbines (Peaking Units) P1, P2, and P3 at its Suwannee Facility located South of U.S. Route 90, Northwest of Live Oak, Suwannee County. A Best Available Control Technology (BACT) determination was not required for pursuant to Rule 62-212.400, F.A.C. and 40 CFR 52.21, Prevention of Significant Deterioration (PSD). The applicant's

# Memorandum

# Florida Department of Environmental Protection

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TO: Al Linero

FROM: Martin Costello

DATE: February 17, 1997

SUBJECT: FPC Suwannee Plant  
Project to Add Natural Gas Capability  
Used Oil Firing

The following general conditions are contained in each permit issued by the Department:

62-4.160 Permit Conditions. All permits issued by the Department shall include the following general 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.

FPC applied for a permit to add natural gas capability on the three combustion turbines located at the Suwannee power plant. Contained in the application is a description of on-specification used oil as one of the fuels for the combustion turbines. If the new construction permit is silent on the use of used oil as a fuel in the combustion turbines, then FPC may have federally enforceable authorization to fire used oil because this request is part of the "specific processes and operations applied for and indicated in the approved drawings or exhibits". The application neither contained emission rates when used oil is fired in the combustion turbines, nor maximum levels of nitrogen content in the used oil. The maximum level of ash requested in the application for used oil firing is nine times higher than the ash level in the No. 2 fuel oil. If FPC is not willing to exclude used oil as an optional fuel in their current application, I recommend that the construction permit issued to add natural gas capability contain a prohibition from firing used oil. Used oil firing in these units which have short exhaust stacks will greatly increase exhaust emissions and may exceed ambient air quality standards for particulate matter, nitrogen oxides and lead. The maximum contaminant levels for used oil listed in 40 CFR 279.11 only list heavy metals and total halogens. These specifications are listed for purposes of classifying the liquid waste as either a hazardous waste or not. The on-specification requirements do not limit sulfur content, nitrogen content, or total ash content -- the properties which are directly related to uncontrolled emission rates when the used oil is fired as a fuel.

Until FPC provides the Department with emission rates and maximum levels of contaminants in the used oil, and otherwise provides reasonable assurance that ambient air quality standards and increments would not be exceeded as a result of firing on-specification used oil in the combustion turbines, the Department cannot evaluate the firing of this waste material as contained in their recent application for a construction permit.