



# Department of Environmental Protection

Jeb Bush  
Governor

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

David B. Struhs  
Secretary

October 29, 2002

CERTIFIED MAIL – Return Receipt Requested

Mr. Brian V. Powers  
Plant Manager  
Florida Power Corporation  
Suwannee River Facility  
4037 River Road  
Live Oak, Florida 32060

Re: Air Construction Permit Project No.: 1210003-004-AC  
Amendment to Air Construction Permits Nos.: AC61-11862, AC61-11863 and AC61-11864  
Florida Power Corporation - Suwannee River Facility

Dear Mr. Powers:

This letter modification removes the federally enforceable particulate matter limitations established in the air construction permits, Nos. AC61-11862, AC61-11863 and AC61-11864, issued/clerked on November 28, 1978, because it was determined that there was no rule basis. The changes are being incorporated into the Title V Air Operation Permit under revision No. 1210003-003-AV. Therefore, the following is changed:

1. Specific Condition 11. (AC61-11862, AC61-11863 and AC61-11864).

FROM:

Maximum allowed emission rate for sulfur dioxide is 379 lbs/hr and for particulate matter is 38 lbs/hr.

TO:

Maximum allowed emission rate for sulfur dioxide is 379 lbs/hr.

This permit (letter) is issued pursuant to Chapter 403, Florida Statutes (F.S.). Any party to this order has the right to seek judicial review of it under Section 120.68, F.S., by filing 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 must be filed within thirty days after this order is filed with the clerk of the Department.

Executed in Tallahassee, Florida.

Sincerely,

for Howard L. Rhodes, Director  
Division of Air Resource Management

HLR/rbm

cc: Mr. Chris Kirts, NED  
Mr. Michael D. Harley, P.E.

10/29/02 cc = Bruce Mitchell  
Reading File

"More Protection, Less Process"

**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. Brian V. Powers  
 Plant Manager  
 Florida Power Corporation  
 Suwannee River Facility  
 4037 River Road  
 Live Oak, Florida 32060

## 2. Article Number (Copy from service label)

7000 0600 0021 6524 2748

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) B. Date of Delivery

11-1-02

C. Signature

X *Blynda M. Driver*  Agent  
 Addressee

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

PS Form 3811 July 1999

Domestic Return Receipt

PSN 7530-M-0952

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

Article Sent To:

Mr. Brian V. Powers

Postage	\$
Certified Fee	
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<b>Total Postage &amp; Fees</b>	<b>\$</b>

Postmark  
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Mr. Brian V. Powers

Street, Apt. No., or PO Box No.

4037 River Road

City, State, ZIP+4  
Live Oak, Florida 32060

PS Form 3800, July 1999

See Reverse for Instructions

7000 0600 0021 6524 2748



**Florida Power**

A Progress Energy Company

July 30, 2002

RECEIVED

AUG 05 2002

BUREAU OF AIR REGULATION

Mr. Clair H. Fancy, P.E.  
Chief  
Bureau of Air Regulation  
Division of Air Resource Management  
Florida Department of Environmental Protection  
2600 Blairstone Road  
Tallahassee, FL 32399-2400

Dear Mr. Fancy:

*Re: Amendment to Construction and Title V Permits for Units P-1, P-2, and P-3 at Florida Power Corporation's Suwannee River Facility*

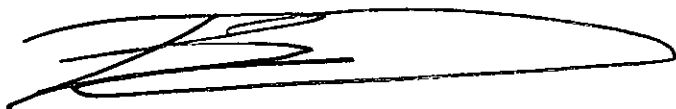
Pursuant to discussions with Mr. Bruce Mitchell of your staff, Florida Power is requesting that air construction permits for combustion turbine generating Units P-1, P-2, and P-3 at its Suwannee River facility be amended to remove conditions limiting particulate emissions that have no basis in rule.

When construction permits AC 61-11862, -11863, -11864 were originally issued in November 1978, a particulate emission limit was included in specific condition 10 of each permit. The emission limiting standard had no basis in applicable federal or Florida air rules. In addition, the limitation on particulate matter emissions was more restrictive than the August 11, 1978 Best Available Control Technology (BACT) Order signed by the Assistant Secretary. The BACT Order included specific emission limits for NO<sub>x</sub>, SO<sub>2</sub>, and VE only. The limits for NO<sub>x</sub> and SO<sub>2</sub> were consistent with the federally proposed new source limits for combustion turbines and the VE limit was consistent with the General Visible Emissions Limit found in the Florida air rules. For PM, VOC, and CO the BACT Order specifically stated that "no limit" was to be applied. When EPA issued the associated PSD permit (PSD-FL-014) on July 9, 1979, the PSD permit included limits for NO<sub>x</sub> and SO<sub>2</sub> consistent with the proposed federal air rule. It is important to note the federal PSD permit only included specific testing requirements for NO<sub>x</sub> and SO<sub>2</sub> while the state construction permit and the subsequent air operation permits only included specific testing requirements for NO<sub>x</sub>, SO<sub>2</sub>, and VE. Since specific condition 10 of the above-referenced construction permits has no basis in rule, Florida Power requests that it be deleted from the permits.

The requirement to conduct particulate emissions testing on Units P-1, P-2, and P-3 (Emission Units - 004, -005, -006) first appeared in the Title V permit (1210003-001-AV) issued January 1, 2000. It is our understanding that the reason for the particulate emissions testing requirement was the particulate emissions limit that had been inappropriately included in the permit some 22 years earlier. Therefore, Florida Power requests the removal of the particulate emissions limit for these units and the associated particulate testing requirements from the Title V permit as well. The conditions that should be deleted are Specific Conditions B.12, B.30, B.39(b)-(e), B.40(a)5., and B.42. We also request that Table 2-1 and any other portions of the permit be amended to remove particulate emission testing requirements.

We ask that the changes to the subject construction permits and Title V permits be processed in parallel. We appreciate the cooperation that you and the members of your Division have provided regarding this issue. If you have any questions, please contact Mike Kennedy at (727) 826-4334.

Sincerely,



Brian V. Powers  
Suwannee Plant Manager  
Responsible Official

MK/mh

cc: Mr. Al Linero, DEP  
Mr. Scott Sheplak, DEP  
Mr. Bruce Mitchell, DEP  
Mr. Mike Harley, HEAT