

Jeb Bush  
Governor

# Department of Environmental Protection

Marjory Stoneman Douglas Building  
3900 Commonwealth Boulevard  
Tallahassee, Florida 32399-3000

David B. Struhs  
Secretary

November 18, 1999

Mr. Winston A. Smith, Director  
Air, Pesticides and Toxics Management Division  
United States Environmental Protection Agency  
Region 4  
61 Forsyth Street, SW  
Atlanta, Georgia 30303-8909

Re: Proposed Changes to the PROPOSED Title V Permit for the Florida Power Corporation Suwannee River Plant to Satisfy EPA Objections  
Title V Permit No.: 1210003-001-AV

Dear Mr. Smith:

This letter is to document changes that the Department proposes to satisfy EPA Region 4's objections to Florida's PROPOSED Title V Permit for the Florida Power Corporation Suwannee River Plant. The objections were detailed in a letter from EPA Region 4 dated July 12, 1999. All of the objections were resolved within the allotted timeframe except for one issue, which is the "the averaging time for the particulate matter standard". A letter received from Mr. W. Jeffrey Pardue on November 12, 1999, to Mr. Scott Sheplak, allows us to resolve the final issue.

Please review the following proposed changes to the referenced permit. If you concur with our changes, we will issue the FINAL Permit with these changes. The following items and changes are presented in the same order as listed in the June 12, 1999 EPA letter referenced above.

## I. EPA Objection Issues

1. In order to remove any ambiguity in the interpretations between Specific Condition A.5. and Specific Conditions A.27. and A.29., the conditions will be linked, as follows:

A.5. Visible Emissions. Visible emissions shall not exceed 20 percent opacity, except for one two-minute period per hour during which opacity shall not exceed 40 percent. Emissions units governed by this visible emissions limit shall compliance test for particulate matter emissions annually and as otherwise required by Chapter 62-297, F.A.C. (See Specific Conditions A.27.(a)5. And A.29.b. & c.)

A.27.(a)5. An annual compliance test for particulate matter emissions shall not be required for any fuel burning emissions unit that, in a federal fiscal year, does not burn liquid fuel, other than during startup, for a total of more than 400 hours. (See Specific Conditions A.5. and A.29.b. & c.)

A.29. Annual and permit renewal compliance testing for particulate matter emissions is not required for these emissions units while burning:

- c. only gaseous fuel(s); or
- c. gaseous fuel(s) in combination with any amount of liquid fuel(s) for less than 400 hours per year (See Specific Conditions A.5. and A.27(a)5.); or
- c. only liquid fuel(s) for less than 400 hours per year. (See Specific Conditions A.5. and A.27(a)5.)

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

*Printed on recycled paper.*

Mr. Winston A. Smith  
Response Letter to EPA Region 4 Objection Letter on a PROPOSED Title V Permit  
Florida Power Corporation: Suwannee River Plant  
Title V Permit No.: 1210003-001-AV  
Page 2 of 3

2. In Specific Conditions A.7. and A.8., we will include the following permitting note for "the averaging time for the particulate matter standard":

{Permitting note. The averaging time for the particulate matter standard corresponds to the cumulative sampling time of the specified test method.}

3. Since the basis for the requirements in Specific Condition A.34. are based on federal regulations and for reasonable assurance purposes, the qualifier "**Not Federally Enforceable.**" will be deleted.

4. Due to the requirement in Specific Condition B.6., the recording of the hours of operation for each CT needs to be done in order to satisfy the requirements of Specific Condition B.52.a. Therefore, the following will be added to Specific Condition B.52.a. and the two conditions will be linked:

B.6. Hours of Operation. The emissions units may operate 1500 hours/year/CT. See Specific Condition B.52.a.

and,

FROM:

B.52. Submit a quarterly report for each emissions unit for the following within 30 days at the end of each quarter:

a. Total hours of operation.

TO:

B.52. Submit a quarterly report for each emissions unit for the following within 30 days at the end of each quarter:

a. Total hours of operation, as reflected in an electronic data base. See Specific Condition B.6.

5. Equivalent Emissions. The equivalent emissions statements contained in Specific Conditions B.7., B.8., B.10. and B.12. are deleted.

6. Acid Rain Part. The EPA has requested that the following condition be added to the Acid Rain Part of the permit (one of the requested conditions was already established in condition A.3.1. of the Acid Rain Part):

**new:**

**Subsection IV.**

A.7. Where an applicable requirement of the Act is more stringent than an applicable requirement of regulations promulgated under Title IV of the Act, both provisions shall be incorporated into the permit and shall be enforceable by the Administrator.

[40 CFR 70.6(a)(4)(i); and, Rule 62-210.200, Definitions - Applicable Requirements, F.A.C.]

## II. General Comments

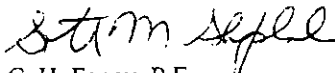
1. Appendix TV-3 will be the reference when referring to the Facility-wide Conditions, except for what is established in Section II., Facility-wide Conditions.

2. Section II, Facility-wide Condition No. 10. We will make any appropriate changes to EPA's address, phone number and facsimile number.

Mr. Winston A. Smith  
Response Letter to EPA Region 4 Objection Letter on a PROPOSED Title V Permit  
Florida Power Corporation: Suwannee River Plant  
Title V Permit No.: 1210003-001-AV  
Page 3 of 3

All parties involved have been expeditiously seeking resolution of these issues. We feel that EPA's concerns have been adequately addressed and we look forward to issuing the FINAL Title V permit. Please advise as soon as possible if you concur with the specific changes detailed above. Please call me at 850/921-9503 if you have any questions. You may also contact Mr. Scott M. Sheplak, P.E., at 850/921-9532, if you need any additional information.

Sincerely,

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

Attachment

CF/bm

cc: Howard L. Rhodes  
Scott M. Sheplak  
Bruce Mitchell  
Pat Comer, Esq.  
Gregg Worley, EPA  
Scott Osbourn, FPC  
Robert Manning, Esq., HGSS



RECEIVED

NOV 12 1999

BUREAU OF REGULATORY RELATIONS

November 8, 1999

Mr. Scott Sheplak, P.E.  
Florida Department of Environmental Protection  
2600 Blair Stone Rd.  
Tallahassee, Florida 32399-2400

Re: Florida Power Corporation's Anclote and Suwannee Facilities  
EPA Objection to Proposed Title V Permit Nos. 1210003-001-AV and 1010017-003-AV

Dear Mr. Sheplak:

FPC appreciates DEP's and EPA's cooperation thus far in resolving the majority of the issues contained in EPA's objection letters to the above-referenced permits, dated July 12, 1999 and July 16, 1999.

FPC understands that the only remaining issue is EPA's position that the particulate matter emission limits contained in the above-referenced proposed permits are not "practicably enforceable" unless "some form of averaging time" is added. FPC disagrees. These conditions are completely enforceable in their current form; adding an averaging time is simply unnecessary.

However, in an effort to move the Title V permitting process to conclusion, FPC is willing to accept the inclusion of a "permitting note" following Conditions A.7 and A.8, as follows:

*The averaging time for the particulate matter standard corresponds to the cumulative sampling time of the specified test method.*

FPC's suggested resolution of this matter does not constitute or imply concurrence with EPA's position. The Title V process is intended to consolidate existing applicable requirements for each Title V permit on a case-by-case basis, and FPC's suggested resolution applies only to the Anclote and Suwannee Title V facilities/permits. Moreover, the language suggested above is applicable only to the existing particulate matter limit and only for the existing compliance determination method for this limit.

Mr. Sheplak, P.E.  
November 8, 1999  
Page 2

Thank you for your attention to this important matter. If you have any questions regarding FPC's response or wish to discuss this matter further, please contact Scott Osbourn at (727) 826-4258 or me at (727) 826-4301.

Sincerely,



W. Jeffrey Pardue, C.E.P.  
Director, FPC Environmental Services Department  
Responsible Official for Anclote and Suwannee Title V permits

cc: Howard Rhodes, DEP  
Clair Fancy, DEP  
Winston A. Smith, EPA  
Greg Worley, EPA  
Elizabeth Bartlett, EPA  
Robert Manning, HGSS



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AUG 31 1999

BUREAU OF AIR REGULATION

August 27, 1999

Mr. Scott Sheplak, P.E.  
Florida Department of Environmental Protection  
2600 Blair Stone Rd.  
Tallahassee, Florida 32399-2400

Dear Mr. Sheplak:

Re: Florida Power Corporation's Suwannee Facility  
EPA Objection to Proposed Title V Permit No. 1210003-001-AV

Florida Power Corporation (FPC) is in receipt of a letter from the U.S. EPA, Region IV, dated July 12, 1999, objecting to the issuance of the above-referenced permit. The EPA has objected based on their belief that the Proposed permit does not fully meet periodic monitoring requirements, contains conditions which are unclear as to what the source must demonstrate compliance with, and is missing some Acid Rain requirements. This letter serves to provide responses to the EPA's objections in the order they were listed.

#### EPA Objection Issues

1. Periodic Monitoring- *The permit is not clear about the frequency of testing that the facility must follow to ensure compliance with the particulate matter limit. Condition A.5 of the permit requires the facility to conduct annual particulate matter testing. However, Conditions A.27 and A.29 establish that the facility will conduct testing once a year if fuel oil is burned for more than 400 hours, and that no testing is required otherwise. The permit must be clear about which one of these conditions the facility must follow to demonstrate compliance with the particulate matter limit.*

Response- It's been FPC's understanding that annual testing is not required if the emission unit does not burn fuel oil for more than 400 hours in a year. Therefore, Conditions A.27 and A.29 represent the applicable requirements.

2. Appropriate Averaging Times- *In order for the emission standard for particulate matter to be practicably enforceable, the appropriate averaging time must be specified in the permit. An approach that can be used to address this deficiency is to include general language in the permit to indicate that the averaging times for all specified emission limits are tied to or based on the run time of the test method(s) used for determining compliance.*

Response- The "applicable requirement" which provides the basis for Condition A.7 (particulate matter limit) is Florida's Rule 62-296.405(1)(b), F.A.C., which does not specify an averaging time directly. Moreover, neither the existing periodic monitoring rule, the Credible Evidence Rule, nor EPA's policy on practical enforceability, provide the authority to impose an averaging time in a Title V permit where none exists in the underlying requirement. Therefore, an averaging time has appropriately not been included in Condition A.7 in the Draft or Proposed Title V permits for FPC's Suwannee facility.

FPC had previously discussed this objection issue with the DEP and the EPA, and was willing to accept language regarding the use of appropriate reference test methods that are intended to make this permit condition practically enforceable. EPA was reluctant to accept any permit language short of including the following: "the averaging times for all specified emission limits are tied to or based on the run time of the test method(s) used for determining compliance." FPC is unwilling to accept this language in general and, particularly in the case of a particulate matter standard. The reference test methods used for particulate compliance (i.e., Methods 5 or 17) do not have a set run time; the sampling time may vary from one to four hours per run. The run times of the test methods are dependent on other relevant criteria, including the sampling of a minimum of 30 dry standard cubic feet (dscf) and the collection of a filter sample adequate for a representative analysis. Accordingly, EPA's suggested language is not appropriate or acceptable for a particulate limit that is compliance-tested using Methods 5 or 17. Further, the language suggested by the EPA is overly broad in that it applies to all emission limits, whereas the comment is limited solely to the particulate limit imposed by Condition A.7.

If EPA is unclear about the enforceability of Condition A.7, FPC suggests referencing the following conditions in Condition A.7: Condition A.19 (which specifies the test method), A.22 (which specifies the number of sampling runs), A.24 (which specifies how to calculate the actual emission rate), and A.25 (which specifies the sampling time, volume and flow rate). These conditions clearly provide how FPC's compliance with the particulate limit is completely enforceable.

- 3. Federal Enforceability- Condition A.34 has been identified as "Not Federally Enforceable". However, the condition contains documentation, record keeping, and notification requirements for used oil which originate from 40 CFR 279 and 761. Since those conditions are federal requirements, they are automatically federally enforceable. Additionally, Conditions A.11, A.30, and A.35 contain operational limitations for using used oil and reporting requirements that are identified as federally enforceable. Since the permit contains a federally enforceable limit and reporting requirements for the use of used oil, the method of establishing compliance with the limit and reporting requirement must also be federally enforceable. Therefore, the record keeping required by Condition A.34 is federally enforceable.*

Response- - FPC is in agreement that the individual permit requirements pertaining to used oil need to be broken down into federally enforceable and not federally enforceable conditions. FPC has reviewed the applicable rules in an effort to determine which of the requirements in

Conditions A.11, A.30, A.34, and A.35 are federally enforceable and which are not. FPC has determined that all of the requirements are federally enforceable, except for the following:

***Not Federally Enforceable:***

- A.11(a)- the maximum amount of on-spec used oil that can be burned;
  - A.11(a)- total halogens shall not exceed 1,000 ppm;
  - A.34(1) and (2)- the record keeping regarding the amounts of on-spec used oil burned per month and per year, respectively; and
  - A.35- the AOR reporting requirements.
4. Periodic Monitoring- *Condition B.6 limits the operation of the units to 1,500 hours per year per unit. The permit must specify that the facility is required to maintain records of the hours of operation of the units.*

Response- Each of these units is equipped with operating hour meters. The data is logged and records are kept on site.

5. Emission Limits- *Conditions B.7, B.8, B.10, and B.12 contain equivalent emissions for the NO<sub>x</sub>, SO<sub>2</sub>, and PM limits. It is not clear whether the facility is required to demonstrate compliance with these equivalent emissions and what the basis for these limits are. For example, we were only able to locate PSD permit modification FL-014(A), which modified the limit for SO<sub>2</sub> and it does not include the equivalent emissions for SO<sub>2</sub> that are listed in the permit. Please clarify these conditions of the permit.*

Response- FPC has discussed this issue with the Department, and it has been agreed these "equivalent emissions" will be deleted.

6. Acid Rain- *The following language regarding Acid Rain Program requirements in Title V is not addressed in the Acid Rain Part of the permit and does not appear to be included elsewhere in the body of the Proposed permit: Sections 70.6(a)(1)(ii) and 70.6(a)(4)(I). These conditions must be added to the Proposed Title V permit for this source.*

Response- FPC has no objection to the inclusion of the proposed language.

7. General Comment- Section II, Condition 1- *Please make sure that Appendix TV-2 reflects the updated version of Condition 51, as it is contained in Appendix TV-3.*

Response- No comment.

8. General Comment- Section II, Condition 10- *Please correct the telephone and fax number for the Air Enforcement Section. The correct telephone and fax numbers are (404) 562-9155 and (404) 562-9163, respectively.*

Response- No comment.



Mr. Sheplak  
August 27, 1999  
Page 4

If you should have any questions concerning the above, please do not hesitate to contact me at (727) 826-4258.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott H. Osbourn". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Scott H. Osbourn  
Senior Environmental Engineer

cc: Clair Fancy, DEP Tallahassee  
Doug Neeley, EPA Region IV  
Robert Manning, HGS&S



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4  
ATLANTA FEDERAL CENTER  
61 FORSYTH STREET  
ATLANTA, GEORGIA 30303-8960

JUL 12 1999

*Claim*  
*From: HRP*  
*7/12*

OPTIONAL FORM 90 (7-90)

FAX TRANSMITTAL

# of pages - 4

To Howard Rhodes DEP	From Gracy Davis
Dept/Agency FDEP	Phone # 404 562-9119
Fax # 850 922-6999	Fax # 404 562-9095
NSN 7540-01-317-7388	GENERAL SERVICES ADMINISTRATION
6099-101	

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JUL 13 1999

BUREAU OF AIR REGULATION

4APT-ARB

Howard L. Rhodes, Director  
Air Resources Management Division  
Florida Department of Environmental Protection  
Mail Station 5500  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

SUBJ: EPA's Review of Proposed Title V Permit  
Florida Power Corporation  
Suwannee River Facility  
Permit No. 1210003-001-AV

Dear Mr. Rhodes:

The purpose of this letter is to provide comments to the Florida Department of Environmental Protection (DEP) on the proposed title V operating permit for Florida Power Corporation, Suwannee River Facility, which was posted on DEP's web site on May 26, 1999. Based on the Environmental Protection Agency's (EPA's) review of the proposed permit and the supporting information for this facility, EPA formally objects, under the authority of Section 505(b) of the Clean Air Act (the Act) and 40 C.F.R. § 70.8(c) (see also Florida Regulation 62-213.450), to the issuance of the title V permit for this facility. The basis of EPA's objection is that the permit does not fully meet the periodic monitoring requirements of 40 C.F.R. § 70.6(a)(3)(i), contains conditions which are unclear as to what the source must demonstrate compliance with, and is missing some requirements related to the Acid Rain conditions contained in the permit.

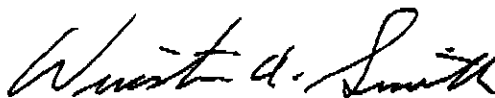
Section 70.8(c) requires EPA to object to the issuance of a proposed permit in writing within 45 days of receipt of the proposed permit (and all necessary supporting information) if EPA determines that the permit is not in compliance with the applicable requirements under the Act or 40 C.F.R. Part 70. Section 70.8(c)(4) and Section 505(c) of the Act further provide that if the State fails to revise and resubmit a proposed permit within 90 days to satisfy the objection, the authority to issue or deny the permit passes to EPA and EPA will act accordingly. Because the objection issues must be fully addressed within the 90 days, we suggest that the revised permit be submitted in advance in order that any outstanding issues may be addressed prior to the expiration of the 90-day period.

2

Pursuant to 40 C.F.R. § 70.8(c), this letter and its enclosure contain a detailed explanation of the objection issues and the changes necessary to make the permit consistent with the requirements of 40 C.F.R. Part 70. The enclosure also contains general comments applicable to the permit.

If you have any questions or wish to discuss this further, please contact Mr. Gregg Worley, Chief, Operating Source Section at (404) 562-9141. Should your staff need additional information they may contact Ms. Gracy R. Danois, Florida Title V Contact, at (404) 562-9119, or Ms. Angelia Souder-Blackwell, Associate Regional Counsel, at (404) 562-9527.

Sincerely,



Winston A. Smith

Director

Air, Pesticides & Toxics  
Management Division

Enclosure

cc: Mr. W. Jeffrey Pardue, Director  
Environmental Services Dept.  
Florida Power Corporation

Mr. Scott Osbourn Sr.  
Environmental Engineer  
Florida Power Corporation

## Enclosure

**U.S. EPA Region 4 Objection  
Proposed Part 70 Operating Permit  
Florida Power Corporation  
Suwannee River Facility  
Permit no. 1210003-001-AV**

### I. EPA Objection Issues

1. Periodic Monitoring: The permit is not clear about the frequency of testing that the facility must follow to assure compliance with the particulate matter limit. Condition A.5 of the permit requires the facility to conduct annual particulate matter testing. However, conditions A.27 and A.29 establish that the facility will conduct testing once a year if fuel oil is burned for more than 400 hours, and that no testing is required otherwise. The permit must be clear about which one of these conditions the facility must follow to demonstrate compliance with the particulate matter limit.
2. Appropriate Averaging Times: In order for the emissions standard for particulate matter to be practicably enforceable, the appropriate averaging time must be specified in the permit. An approach that can be used to address this deficiency is to include general language in the permit to indicate that the averaging times for all specified emission standards are tied to or based on the run time of the test method(s) used for determining compliance.
3. Periodic Monitoring: Condition A.34 has been identified as "not-Federally enforceable." However, the condition contains documentation, record keeping, and notification requirements for used oil which originate from 40 C.F.R. Parts 279 and 761. Since those conditions are federal requirements, they are automatically federally enforceable. Additionally, conditions A.11, A.30, and A.35 contain operational limitations for using used oil and reporting requirements that are identified as federally enforceable. Since the permit contains a federally enforceable limit and reporting requirement for the use of used oil, the method of establishing compliance with the limit and reporting requirement must also be federally enforceable. Therefore, the recordkeeping required by condition A.34 is federally enforceable.
4. Periodic Monitoring: Condition B.6 limits the operation of the units to 1500 hours per year per unit. The permit must specify that the facility is required to maintain records of the hours of operation of the units.
5. Emission Limits: Conditions B.7, B.8, B.10, and B.12 contain equivalent emissions for the NO<sub>x</sub>, SO<sub>2</sub>, and PM limits. It is not clear whether the facility is

required to demonstrate compliance with these equivalent emissions and what the basis for these limits are. For example, we were only able to locate PSD permit modification FL-014(A), which modified the limit for SO<sub>2</sub> and it does not include the equivalent emissions for SO<sub>2</sub> that are listed in the permit. Please clarify these conditions of the permit.

6. Acid Rain: The following language regarding Acid Rain Program requirements in title V is not addressed in the Acid Rain Part of the permit and does not appear to be included elsewhere in the body of the proposed permit: sections 70.6(a)(1)(ii) and 70.6(a)(4)(i). These conditions must be added to the proposed title V permit for this source.

## II. General Comments

7. Section II, condition 1: Please make sure that Appendix TV-2 reflects the updated version of condition 51, as it is contained in Appendix TV-3.
8. Section II, condition 10: Please correct the telephone and fax number for the Air Enforcement Section. The correct telephone and fax numbers are 404/562-9155 and 404/562-9163, respectively.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4  
ATLANTA FEDERAL CENTER  
61 FORSYTH STREET  
ATLANTA, GEORGIA 30303-8960

JUL 12 1999

-614-  
Clair  
Scott

4APT-ARB

Howard L. Rhodes, Director  
Air Resources Management Division  
Florida Department of Environmental Protection  
Mail Station 5500  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

RECEIVED  
JUL 16 1999  
DIVISION OF AIR  
RESOURCES MANAGEMENT

SUBJ: EPA's Review of Proposed Title V Permit  
Florida Power Corporation  
Suwannee River Facility  
Permit No. 1210003-001-AV

Dear Mr. Rhodes:

The purpose of this letter is to provide comments to the Florida Department of Environmental Protection (DEP) on the proposed title V operating permit for Florida Power Corporation, Suwannee River Facility, which was posted on DEP's web site on May 26, 1999. Based on the Environmental Protection Agency's (EPA's) review of the proposed permit and the supporting information for this facility, EPA formally objects, under the authority of Section 505(b) of the Clean Air Act (the Act) and 40 C.F.R. § 70.8(c) (see also Florida Regulation 62-213.450), to the issuance of the title V permit for this facility. The basis of EPA's objection is that the permit does not fully meet the periodic monitoring requirements of 40 C.F.R. § 70.6(a)(3)(i), contains conditions which are unclear as to what the source must demonstrate compliance with, and is missing some requirements related to the Acid Rain conditions contained in the permit.

Section 70.8(c) requires EPA to object to the issuance of a proposed permit in writing within 45 days of receipt of the proposed permit (and all necessary supporting information) if EPA determines that the permit is not in compliance with the applicable requirements under the Act or 40 C.F.R. Part 70. Section 70.8(c)(4) and Section 505(c) of the Act further provide that if the State fails to revise and resubmit a proposed permit within 90 days to satisfy the objection, the authority to issue or deny the permit passes to EPA and EPA will act accordingly. Because the objection issues must be fully addressed within the 90 days, we suggest that the revised permit be submitted in advance in order that any outstanding issues may be addressed prior to the expiration of the 90-day period.

Pursuant to 40 C.F.R. § 70.8(c), this letter and its enclosure contain a detailed explanation of the objection issues and the changes necessary to make the permit consistent with the requirements of 40 C.F.R. Part 70. The enclosure also contains general comments applicable to the permit.

If you have any questions or wish to discuss this further, please contact Mr. Gregg Worley, Chief, Operating Source Section at (404) 562-9141. Should your staff need additional information they may contact Ms. Gracy R. Danois, Florida Title V Contact, at (404) 562-9119, or Ms. Angelia Souder-Blackwell, Associate Regional Counsel, at (404) 562-9527.

Sincerely,



Winston A. Smith  
Director  
Air, Pesticides & Toxics  
Management Division

Enclosure

cc: Mr. W. Jeffrey Pardue, Director  
Environmental Services Dept.  
Florida Power Corporation

Mr. Scott Osbourn Sr.  
Environmental Engineer  
Florida Power Corporation

## Enclosure

**U.S. EPA Region 4 Objection  
Proposed Part 70 Operating Permit  
Florida Power Corporation  
Suwannee River Facility  
Permit no. 1210003-001-AV**

### **I. EPA Objection Issues**

1. Periodic Monitoring: The permit is not clear about the frequency of testing that the facility must follow to assure compliance with the particulate matter limit. Condition A.5 of the permit requires the facility to conduct annual particulate matter testing. However, conditions A.27 and A.29 establish that the facility will conduct testing once a year if fuel oil is burned for more than 400 hours, and that no testing is required otherwise. The permit must be clear about which one of these conditions the facility must follow to demonstrate compliance with the particulate matter limit.
2. Appropriate Averaging Times: In order for the emissions standard for particulate matter to be practicably enforceable, the appropriate averaging time must be specified in the permit. An approach that can be used to address this deficiency is to include general language in the permit to indicate that the averaging times for all specified emission standards are tied to or based on the run time of the test method(s) used for determining compliance.
3. Periodic Monitoring: Condition A.34 has been identified as “not-Federally enforceable.” However, the condition contains documentation, record keeping, and notification requirements for used oil which originate from 40 C.F.R. Parts 279 and 761. Since those conditions are federal requirements, they are automatically federally enforceable. Additionally, conditions A.11, A.30, and A.35 contain operational limitations for using used oil and reporting requirements that are identified as federally enforceable. Since the permit contains a federally enforceable limit and reporting requirement for the use of used oil, the method of establishing compliance with the limit and reporting requirement must also be federally enforceable. Therefore, the recordkeeping required by condition A.34 is federally enforceable.
4. Periodic Monitoring: Condition B.6 limits the operation of the units to 1500 hours per year per unit. The permit must specify that the facility is required to maintain records of the hours of operation of the units.
5. Emission Limits: Conditions B.7, B.8, B.10, and B.12 contain equivalent emissions for the NO<sub>x</sub>, SO<sub>2</sub>, and PM limits. It is not clear whether the facility is



required to demonstrate compliance with these equivalent emissions and what the basis for these limits are. For example, we were only able to locate PSD permit modification FL-014(A), which modified the limit for SO<sub>2</sub> and it does not include the equivalent emissions for SO<sub>2</sub> that are listed in the permit. Please clarify these conditions of the permit.

6. Acid Rain: The following language regarding Acid Rain Program requirements in title V is not addressed in the Acid Rain Part of the permit and does not appear to be included elsewhere in the body of the proposed permit: sections 70.6(a)(1)(ii) and 70.6(a)(4)(i). These conditions must be added to the proposed title V permit for this source.

## II. General Comments

7. Section II, condition 1: Please make sure that Appendix TV-2 reflects the updated version of condition 51, as it is contained in Appendix TV-3.
8. Section II, condition 10: Please correct the telephone and fax number for the Air Enforcement Section. The correct telephone and fax numbers are 404/562-9155 and 404/562-9163, respectively.



Jeb Bush  
Governor

# Department of Environmental Protection

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

David B. Struhs  
Secretary

July 14, 1999

## CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. W. Jeffrey Pardue, Director  
Environmental Services Department  
Florida Power Corporation  
Post Office Box 14042  
Saint Petersburg, Florida 33711

Re: EPA Objection to PROPOSED Title V Permit No. 1210003-001-AV  
Facility Name: Suwannee River Facility

Dear Mr. Pardue:

On July 12, 1999, the Department received a timely written objection from the United States Environmental Protection Agency to the referenced proposed permit. A copy of EPA's objection is attached.

In accordance with Section 403.0872(8), Florida Statutes (F.S.), the Department must not issue a final permit until the objection is resolved or withdrawn. Pursuant to Section 403.0872(8), F.S., the applicant may file a written reply to the objection within 45 days after the date on which the Department serves the applicant with a copy of the objection. The written reply must include any supporting materials that the applicant desires to include in the record relevant to the issues raised by the objection. The written reply must be considered by the Department in issuing a final permit to resolve the objection of EPA. Please submit any written comments you wish to have considered concerning the objection to Mr. Scott M. Sheplak, P.E., at the above letterhead address.

Pursuant to 40 CFR 70.8(c)(4) the Department will have to resolve the objection by issuing a permit that satisfies EPA within 90 days of the objection, or EPA will assume authority for the permit.

If you should have any other questions, please contact Mr. Scott M. Sheplak, P.E., at 850/921-9532.

Sincerely,

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

CHF/sms/k

Enclosure

cc: Pat Comer, Esquire, OGC w/enclosure  
Douglas Neeley, USEPA w/o enclosure  
Gregg Worley, USEPA w/o enclosure



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4  
ATLANTA FEDERAL CENTER  
61 FORSYTH STREET  
ATLANTA, GEORGIA 30303-8960

JUL 12 1999

*Clair*  
*from: HRP*  
*7/12*

4APT-ARB

Howard L. Rhodes, Director  
Air Resources Management Division  
Florida Department of Environmental Protection  
Mail Station 5500  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

RECEIVED

JUL 13 1999

BUREAU OF AIR REGULATION

SUBJ: EPA's Review of Proposed Title V Permit  
Florida Power Corporation  
Suwannee River Facility  
Permit No. 1210003-001-AV

OPTIONAL FORM 99 (7-90)

FAX TRANSMITTAL

To: *Howard Rhodes*

From: *Gracy Davis*

Del./Agency: *FSEP*

Phone: *904 562-9119*

Fax: *904 562-9095*

NSN 7540-01-317-7380

8099-101

GENERAL SERVICES ADMINISTRATION

# of pages: *4*

Dear Mr. Rhodes:

The purpose of this letter is to provide comments to the Florida Department of Environmental Protection (DEP) on the proposed title V operating permit for Florida Power Corporation, Suwannee River Facility, which was posted on DEP's web site on May 26, 1999. Based on the Environmental Protection Agency's (EPA's) review of the proposed permit and the supporting information for this facility, EPA formally objects, under the authority of Section 505(b) of the Clean Air Act (the Act) and 40 C.F.R. § 70.8(c) (see also Florida Regulation 62-213.450), to the issuance of the title V permit for this facility. The basis of EPA's objection is that the permit does not fully meet the periodic monitoring requirements of 40 C.F.R. § 70.6(a)(3)(i), contains conditions which are unclear as to what the source must demonstrate compliance with, and is missing some requirements related to the Acid Rain conditions contained in the permit.

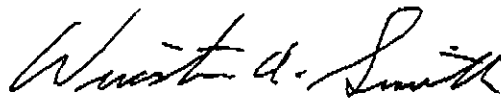
Section 70.8(c) requires EPA to object to the issuance of a proposed permit in writing within 45 days of receipt of the proposed permit (and all necessary supporting information) if EPA determines that the permit is not in compliance with the applicable requirements under the Act or 40 C.F.R. Part 70. Section 70.8(c)(4) and Section 505(c) of the Act further provide that if the State fails to revise and resubmit a proposed permit within 90 days to satisfy the objection, the authority to issue or deny the permit passes to EPA and EPA will act accordingly. Because the objection issues must be fully addressed within the 90 days, we suggest that the revised permit be submitted in advance in order that any outstanding issues may be addressed prior to the expiration of the 90-day period.

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Pursuant to 40 C.F.R. § 70.8(c), this letter and its enclosure contain a detailed explanation of the objection issues and the changes necessary to make the permit consistent with the requirements of 40 C.F.R. Part 70. The enclosure also contains general comments applicable to the permit.

If you have any questions or wish to discuss this further, please contact Mr. Gregg Worley, Chief, Operating Source Section at (404) 562-9141. Should your staff need additional information they may contact Ms. Gracy R. Danois, Florida Title V Contact, at (404) 562-9119, or Ms. Angelia Souder-Blackwell, Associate Regional Counsel, at (404) 562-9527.

Sincerely,



Winston A. Smith

Director

Air, Pesticides & Toxics  
Management Division

Enclosure

cc: Mr. W. Jeffrey Pardue, Director  
Environmental Services Dept.  
Florida Power Corporation

Mr. Scott Osbourn Sr.  
Environmental Engineer  
Florida Power Corporation

**Enclosure**

**U.S. EPA Region 4 Objection  
Proposed Part 70 Operating Permit  
Florida Power Corporation  
Suwannee River Facility  
Permit no. 1210003-001-AV**

**I. EPA Objection Issues**

1. Periodic Monitoring: The permit is not clear about the frequency of testing that the facility must follow to assure compliance with the particulate matter limit. Condition A.5 of the permit requires the facility to conduct annual particulate matter testing. However, conditions A.27 and A.29 establish that the facility will conduct testing once a year if fuel oil is burned for more than 400 hours, and that no testing is required otherwise. The permit must be clear about which one of these conditions the facility must follow to demonstrate compliance with the particulate matter limit.
2. Appropriate Averaging Times: In order for the emissions standard for particulate matter to be practicably enforceable, the appropriate averaging time must be specified in the permit. An approach that can be used to address this deficiency is to include general language in the permit to indicate that the averaging times for all specified emission standards are tied to or based on the run time of the test method(s) used for determining compliance.
3. Periodic Monitoring: Condition A.34 has been identified as "not-Federally enforceable." However, the condition contains documentation, record keeping, and notification requirements for used oil which originate from 40 C.F.R. Parts 279 and 761. Since those conditions are federal requirements, they are automatically federally enforceable. Additionally, conditions A.11, A.30, and A.35 contain operational limitations for using used oil and reporting requirements that are identified as federally enforceable. Since the permit contains a federally enforceable limit and reporting requirement for the use of used oil, the method of establishing compliance with the limit and reporting requirement must also be federally enforceable. Therefore, the recordkeeping required by condition A.34 is federally enforceable.
4. Periodic Monitoring: Condition B.6 limits the operation of the units to 1500 hours per year per unit. The permit must specify that the facility is required to maintain records of the hours of operation of the units.
5. Emission Limits: Conditions B.7, B.8, B.10, and B.12 contain equivalent emissions for the NO<sub>x</sub>, SO<sub>2</sub>, and PM limits. It is not clear whether the facility is

required to demonstrate compliance with these equivalent emissions and what the basis for these limits are. For example, we were only able to locate PSD permit modification FL-014(A), which modified the limit for SO<sub>2</sub> and it does not include the equivalent emissions for SO<sub>2</sub> that are listed in the permit. Please clarify these conditions of the permit.

6. Acid Rain: The following language regarding Acid Rain Program requirements in title V is not addressed in the Acid Rain Part of the permit and does not appear to be included elsewhere in the body of the proposed permit: sections 70.6(a)(1)(ii) and 70.6(a)(4)(i). These conditions must be added to the proposed title V permit for this source.

## II. General Comments

7. Section II, condition 1: Please make sure that Appendix TV-2 reflects the updated version of condition 51, as it is contained in Appendix TV-3.
8. Section II, condition 10: Please correct the telephone and fax number for the Air Enforcement Section. The correct telephone and fax numbers are 404/562-9155 and 404/562-9163, respectively.

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<b>SENDER:</b> ■ 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:  <b>Mr. W. Jeffrey Pardue, Director          Environmental Services Dept.          Florida Power Corp.          P. O. Box 14042          Saint Petersburg, FL 33711</b>	4a. Article Number <b>P 174 053 162</b>	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
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6. Signature: (Addressee or Agent) <b>X [Signature]</b>	8. Addressee's Address (Only if requested and fee is paid)	

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PS Form 3811, December 1994

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 Florida Power Corp.  
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PS Form 3800, April 1995