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September 7, 1990

OF COUNSEL
W. ROBERT FOKES

BY HAND-DELIVERY

Ms. Cindy Phillips
Bureau of Air Quality Management
Department of Environmental Regulation
2600 Blair Stone Road, Third Floor
Tallahassee, FL 32399-2400

RECEIVED

SEP 07 1990

DER-BAQM

Re: FPL Sanford Unit No. 4
Orimulsion Test Burn/Draft PSD Permit

Dear Cindy:

After the public hearing last night in which you distributed the latest Department draft of the above-referenced PSD permit, we had an opportunity to review the permit. First, we wish to thank the Department for making several of the changes suggested in our letter of September 5, 1990, commenting on the earlier draft permit. However, the new draft permit still contains conditions related to excess emissions which Florida Power & Light Company (FPL) believes are clearly inappropriate and must be changed to prevent the permit from being in conflict with Department regulations, existing permits for Sanford Units 3, 4 and 5, and perhaps most important of all, the federally approved State Implementation Plan (SIP).

As you know, the approach that FPL has taken in the test rule/PSD permit applications is to seek the same particulate restrictions on excess emissions during the test burn that are currently contained in the federally approved SIP. Please find attached as Attachment 1 to this letter Conditions 4(a)-(e) of the 1979 DER variance order which was approved by EPA as part of that SIP revision and which is still in effect. You will note that excess emissions, in summary, are limited as follows:

1. Excess emissions from malfunctions have no emission limitation, but best operational practices are required and

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there is a limit of two hours of malfunction related emissions for 24 hours unless the Department authorizes a longer time.

2. Excess emissions from startup and shutdown are limited neither with regard to time nor emission levels, provided that best operational practices are used and the emissions are minimized.

3. Excess emissions from sootblowing and load changes are limited to three hours in every 24 hours, provided that best operational practices are used, that emissions are minimized, and that a particulate matter level of 0.6 lb/mmBtu input is not exceeded.

4. Visible emissions above 60% opacity were allowed for no more than 24 minutes during any 24-hour period. (It should be noted that FPL has sought relief from this requirement during the test period.)

Unfortunately, in Specific Conditions 3(a), 3(c), and 4(d) of the latest draft PSD permit, the Department has imposed time limits and emissions level limits on particulate matter in opacity limitations associated with startup and shutdown. In addition, the Department has imposed emission level limitations on excess emissions associated with malfunctions. None of these proposals is paralleled in the current SIP nor in the existing permit for Sanford Units 3, 4, and 5 (see Attachment 2). It is possible that Rule 17-2.250, F.A.C., could be construed to justify the proposed conditions; however, our reading of that rule is to the contrary. We believe that neither a two-hour-per-24-hour time limitation nor an emissions limit for excess emissions is required by that rule for startup and shutdown. We also believe that the rule only imposes a two-hour time limit on excess emissions associated with malfunctions and that it does not impose an emissions limit on those emissions.

Accordingly, FPL respectfully requests that the final permit reflect the following modifications to the draft permit:

3. a) Particulate Matter: Steady-state - 0.3 lb/MMBtu; Excess emissions, not to exceed 3 hours per 24-hour period, for soot-blowing and load

changes - 0.6 lb/MMBtu; Excess emissions, not to exceed 2 hours per 24-hour period, for startup, shutdown, and malfunction - 0.6 lb/MMBtu Excess emissions for malfunctions shall meet the requirements of Rule 17-2.250(1), F.A.C., and excess emissions for startup and shutdown shall meet the requirements of Rule 17-2.250(2), F.A.C.

. . .

- c) Visible Emissions: Steady-state - 60% opacity; Excess emissions, not to exceed 3 hours per 24-hour period, for soot-blowing and load changes - 100% opacity; Excess emissions, not to exceed 2 hours per 24-hour period, for startup, shutdown, and malfunction - 100% opacity Excess emissions for malfunctions shall meet the requirements of Rule 17-2.250(1), F.A.C., and excess emissions for startup and shutdown shall meet the requirements of Rule 17-2.250(2), F.A.C.

. . .

4. d) Excess emissions resulting from startup, shutdown or malfunction shall be permitted providing (1) best operational practices to minimize emissions are adhered to and (2) the duration of excess emissions shall be minimized but in no case exceed two hours in any 24-hour period unless specifically authorized by the Department for longer duration.

We intend to reflect the above-referenced approach in the proposed recommended order that will be submitted for the Department's consideration during the week of

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September 10. We appreciate your continued dedication and efforts in this project and your patience with the very tight time frames which we have all been working under. We hope that you will be able to review our request with favor. Thank you again for your cooperation.

Sincerely,

A handwritten signature in cursive script that reads "Bill".

William H. Green

WHG:bjh
Enclosure