

-file-
RSL - Cape Canaveral

DEP ROUTING AND TRANSMITTAL SLIP

0090006-001-AV

TO: (NAME, OFFICE, LOCATION)

3. _____

1. *Scott Shepard*

2. *MS SSO* 5. _____

PLEASE PREPARE REPLY FOR:

SECRETARY'S SIGNATURE

DIV/DIST DIR SIGNATURE

MY SIGNATURE

YOUR SIGNATURE

DUE DATE _____

ACTION/DISPOSITION

DISCUSS WITH ME

COMMENTS/ADVISE

REVIEW AND RETURN

SET UP MEETING

FOR YOUR INFORMATION

HANDLE APPROPRIATELY

INITIAL AND FORWARD

SHARE WITH STAFF

FOR YOUR FILES

COMMENTS:

*copy: Clair Kincy
Bruce Mitchell
Tom Cascio*

RECEIVED

MAR 09 1998

**BUREAU OF
AIR REGULATION**

FROM: _____ DATE: _____ PHONE: _____

**STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

PORT ST. JOHN HOMEOWNERS ASSOCIATION,

Petitioner,

vs.

OGC CASE NO. 97-2006

**FLORIDA POWER & LIGHT COMPANY, and
STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION,**

Respondents.

FINAL ORDER

On November 14, 1997, the Florida Department of Environmental Protection (Department) received a Petition for administrative hearing from Petitioner, Port St. John Homeowners Association. The Petition challenged the Department's decision to Issue Permit No. 0090006-001-AV to Florida Power & Light Company for a Title V air operation permit for the Cape Canaveral Plant in Brevard County.

The Petitioner states that it received notice of the Department's action on October 30, 1997. Rule 62-103.155, Florida Administrative Code (F.A.C.), and the notice provided Petitioner in the Department's Notice of Intent requires that persons whose substantial interests are affected by the agency's decision must file a petition for an administrative determination (hearing) in the Department's Office of General Counsel within fourteen days of publication of notice or receipt of notice whichever occurs first.

Rule 62-103.155(3)(b), F.A.C., provides:

(b) Failure to timely file a petition within the applicable time period after receipt of notice of agency action or receipt of notice of proposed agency action, whichever notice first occurs, shall constitute a waiver of any right to request an administrative proceeding under Chapter 120 of the Florida Statutes.

The Petitioner's petition was filed one day late because the public notice of Department's Intent to Issue the Title V air operation permit was published on October 21, 1997. On January 16, 1998, the Department entered an Amended Order Dismissing Petition with Leave to Amend. This Amended Order allowed the Petitioner leave to file an amended petition to show cause as to why it should be considered timely.

On January 26, 1998, and February 19, 1998, the Petitioner filed responses to the Department's Amended Order Dismissing Petition with Leave to Amend. It appears the Petitioner contends the petition should be considered timely because the Petitioner was under the "impression that there was a three week time window" to file a petition for administrative hearing. The responses submitted by the Petitioner do not indicate when and how the Petitioner first received notice of the Department's Intent to Issue. Rather, the responses indicate that the Petitioner first contacted the Department on October 21, 1997, concerning the Department's Intent to Issue.

The Petitioner has failed to demonstrate good cause as to why the petition should not be considered untimely. The Department's applicable rule, as well as the notice provided Petitioner in the Department's Notice of Intent, requires that persons whose substantial interests are affected by the agency's decision must file a petition for an administrative hearing in the Department's Office of General Counsel within fourteen days of publication of notice or receipt of notice *whichever occurs first*. Petitioner's Petition was filed one day late, and that failure to timely file the Petition constitutes

such a waiver of its right to request an administrative proceeding under Rule 62-103.155, F.A.C., and chapter 120 of the Florida Statutes. Therefore,

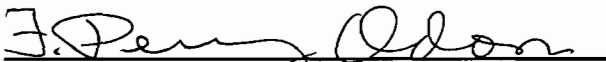
IT IS ORDERED:

The petition for hearing filed by Port St. John Homeowners Association is DISMISSED.

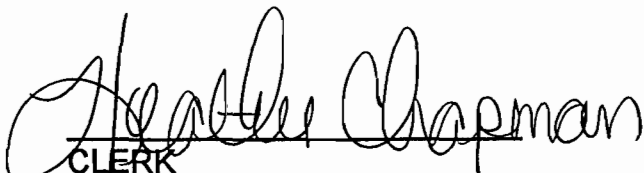
Any party to this order has the right to seek judicial review of the order under section 120.68 of the Florida Statutes by the filing of a notice of appeal under rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department in the Office of General Counsel, 3900 Commonwealth 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 30 days from the date this order is filed with the clerk of the Department.

DONE AND ORDERED this 4th day of March, 1998, in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION


for Virginia B. Wetherell
Secretary
3900 Commonwealth Boulevard
Tallahassee, FL 32399-3000
Telephone: (904) 488-1554

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to S.120.52, Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.


CLERK

3/6/98
DATE

CERTIFICATE OF SERVICE

I CERTIFY that a true copy of the foregoing was furnished by U.S. mailed to:

Mary A. Tees
President
Earnest F. Voeglin
Vice President
Port St. John Homeowners Association
Post Office Box 10044
Cocoa, FL 32927

Diana Davis, Esq.
Florida Power and Light Company
Post Office Box 14000
Juno Beach, FL 33408-0420

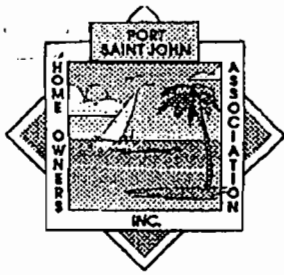
on this 9th day of March, 1998.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



W. DOUGLAS BEASON
Florida Bar No. 379239
Assistant General Counsel

3900 Commonwealth Boulevard
Mail Station 35
Tallahassee, FL 32399-3000
Telephone: (904) 488-9730



PORT ST. JOHN HOMEOWNERS ASSOCIATION

P.O. Box 10044 • Cocoa, Florida 32927

January 16, 1998

State of Florida
Department of Environmental Protection
Office of General Counsel
3900 Commonwealth Boulevard, Mail Station #35
Tallahassee, Florida 32399-3000

Dear Sir or Madam:

Please consider this a request for reconsideration for an Administrative Hearing concerning objections to the Title 5 Draft Permit Issuance, #0090006-001-AV, Cape Canaveral Plant, Brevard County.

We consider our request of November 12, 1997 to be timely for the following reasons: The information we received from the office of the DEP has been incomplete and untimely. As per our first phone call of October 30, 1997 when we requested information on the permit, the following information was given first by Gary Caburski, Orlando Compliance Officer. He said that the public comment period was in process and would continue until November 25, 1997. When asked about requesting a hearing, he referred us to Scott Sheplak, DEP Tallahassee for further information.

On the same day Scott Sheplak then gave the following information to the Homeowners Association. He told us again that the period of time was 30 days for public comment and that we could request a hearing. We asked specific information about the hearing and were told the information was in the public notice of intent. We then asked for a paper copy to be sent from his office. He concurred and the discussion ended with the impression that there was a three week time window. After waiting a week for the paper copy to arrive, we had to call Scott Sheplak again who said the paper copy was in the mail. We received this copy November 8th and to our concernment found that if we wanted a hearing, it had to be requested in the first two weeks of the public notice.

Therefore, our original request for a hearing was not sent within the two week deadline because of incorrect information given by your office, and because we did not receive the promised papers.

This lack of communication from FDEP to our organization appears to be continuous. At the date of this letter, in addition to not receiving the original promised paperwork, we have not received a formal reply to either of our November 12, 1997 petitions, even after calls to both Scott Sheplak and your Legal Department.

Because substantive health and safety issues involving the Port St. John community are affected by the proposed permitting decision, we petition for an Administrative Hearing in accordance with Sections 120.569 and 120.570 F.S. All information required has been submitted with the original petition dated November 12, 1997. We do know that this petition reached you, as FPL was forwarded a copy of our request and has since sent us a letter protesting it.

As mentioned in our letter of November 12th, we may be reached as follows: Mary Tees, President (407) 632-4665; Ernest Voegtlin (407) 631-4368; FAX (407)631-4468.

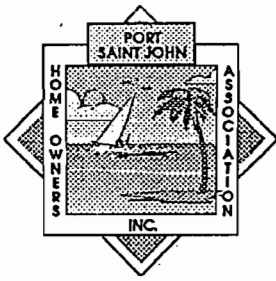
Please acknowledge receipt of same. Thank you.

Sincerely,


Mary Tees, President


Ernest Voegtlin, Vice President

c: The Honorable Lawton Chiles, Governor
Senator Patsy Ann Kurth
Senator Charles Bronson
Representative Randy Ball
Representative Bill Posey
Commissioner Truman Scarborough
Commissioner Randy O'Brien
Commissioner Nancy Higgs
Commissioner Mark Cook
Commissioner Helen Voltz
James Broadhead, CEO-FPL
Leonard G. Sanderson, Jr. FPL
Howard L. Rhodes, FDEP
Len Kozlov, FDEP



PORT ST. JOHN HOMEOWNERS ASSOCIATION

P.O. Box 10044 • Cocoa, Florida 32927

February 15, 1998

Office of General Counsel
Department of Environmental Protection
3900 Commonwealth Boulevard
Mail Station #35
Tallahassee, Florida 32399-3000

Dear Sir or Madam:

This letter is in response to your most recent letter to the Port St. John Homeowners Association in which you deny our petition for a public hearing regarding our objections to the Title 5 Draft Permit Issuance # 0090006-001-AV. Cape Canaveral Plant, Brevard County.

We do not concur with the conclusions you reached in this letter. You stated that we agree that we had timely notification of the permit timeliness. This is not correct as stated in the letter dated 1-14-98. We were given the correct date as far as public comment was concerned but the 14 day period for asking for a hearing was never given, and the information was not mailed in time for us to reach this deadline. We did however ask repeatedly on October 30th how we could get a hearing. This information was not received by us until November 9th after repeat phone calls asking for this information. Inefficiency on your part should not result in this denial, as a hearing was requested within the 14 days verbally, as per phone call to Scott Sheplak on October 30th.

This time lag was furthered by our never receiving your denial letter until we requested it by numerous phone calls to you and State Representative Randy Ball. Your office stated that it was returned to your address unknown by the post office, and you never attempted to get it to the Homeowners Association although our phone numbers had been given.

If we are not allowed a hearing on this permit, then we will have to seek whatever Legal and Media news support necessary to achieve our goal, which is to simply be heard as set forth in the public notice of intent. Your job as The Department of Environmental Protection is to protect the health and welfare of Florida's citizens, not to protect the interests of Florida Power and Light Corporation. Please assist us in our concerns.

We may be contacted by the following, Mary Tees, Port St. John Homeowners Association, President (407) 632-4665, or Earnest Voegtlin, Vice-President (407) 631-4368, or fax (407) 631-4468. Please acknowledge. Thank you.

Mary Tees

Mary A. Tees
President
PSJ Homeowners Association

Amy C. Tidd

Amy C. Tidd
Beautification Chairperson
PSJ Homeowners Association

LEB 1 3 1990

Dir
0090006-001-AV

DEP ROUTING AND TRANSMITTAL SLIP

TO: (NAME, OFFICE, LOCATION) 3. _____
1. Clair Lancy Scott
2. MS5500 5. _____

- PLEASE PREPARE REPLY FOR:
- ___ SECRETARY'S SIGNATURE
 - ___ DIV/DIST DIR SIGNATURE
 - ___ MY SIGNATURE
 - ___ YOUR SIGNATURE
 - ___ DUE DATE _____
- ACTION/DISPOSITION
- ___ DISCUSS WITH ME
 - ___ COMMENTS/ADVISE
 - ___ REVIEW AND RETURN
 - ___ SET UP MEETING
 - ___ FOR YOUR INFORMATION
 - ___ HANDLE APPROPRIATELY
 - ___ INITIAL AND FORWARD
 - ___ SHARE WITH STAFF
 - ___ FOR YOUR FILES

COMMENTS:

RECEIVED
MAR 09 1998
BUREAU OF
AIR REGULATION

FROM: Doug Beason DATE: _____ PHONE: _____

**STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

PORT ST. JOHN HOMEOWNERS ASSOCIATION,

Petitioner,

vs.

OGC CASE NO. 97-2006

**FLORIDA POWER & LIGHT COMPANY, and
STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION,**

Respondents.

FINAL ORDER

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The Petitioner states that it received notice of the Department's action on October 30, 1997. Rule 62-103.155, Florida Administrative Code (F.A.C.), and the notice provided Petitioner in the Department's Notice of Intent requires that persons whose substantial interests are affected by the agency's decision must file a petition for an administrative determination (hearing) in the Department's Office of General Counsel within fourteen days of publication of notice or receipt of notice whichever occurs first.

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(b) Failure to timely file a petition within the applicable time period after receipt of notice of agency action or receipt of notice of proposed agency action, whichever notice first occurs, shall constitute a waiver of any right to request an administrative proceeding under Chapter 120 of the Florida Statutes.

The Petitioner's petition was filed one day late because the public notice of Department's Intent to Issue the Title V air operation permit was published on October 21, 1997. On January 16, 1998, the Department entered an Amended Order Dismissing Petition with Leave to Amend. This Amended Order allowed the Petitioner leave to file an amended petition to show cause as to why it should be considered timely.

On January 26, 1998, and February 19, 1998, the Petitioner filed responses to the Department's Amended Order Dismissing Petition with Leave to Amend. It appears the Petitioner contends the petition should be considered timely because the Petitioner was under the "impression that there was a three week time window" to file a petition for administrative hearing. The responses submitted by the Petitioner do not indicate when and how the Petitioner first received notice of the Department's Intent to Issue. Rather, the responses indicate that the Petitioner first contacted the Department on October 21, 1997, concerning the Department's Intent to Issue.

The Petitioner has failed to demonstrate good cause as to why the petition should not be considered untimely. The Department's applicable rule, as well as the notice provided Petitioner in the Department's Notice of Intent, requires that persons whose substantial interests are affected by the agency's decision must file a petition for an administrative hearing in the Department's Office of General Counsel within fourteen days of publication of notice or receipt of notice *whichever occurs first*. Petitioner's Petition was filed one day late, and that failure to timely file the Petition constitutes

such a waiver of its right to request an administrative proceeding under Rule 62-103.155, F.A.C., and chapter 120 of the Florida Statutes. Therefore,

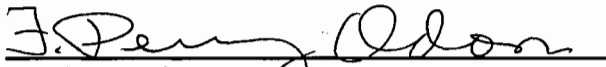
IT IS ORDERED:

The petition for hearing filed by Port St. John Homeowners Association is DISMISSED.

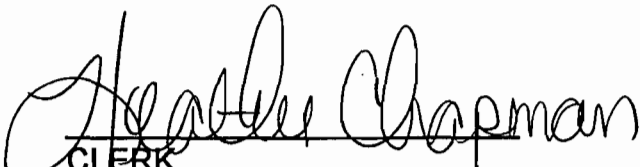
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DONE AND ORDERED this 4th day of March, 1998, in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION


for Virginia B. Wetherell
Secretary
3900 Commonwealth Boulevard
Tallahassee, FL 32399-3000
Telephone: (904) 488-1554

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to S.120.52, Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.


CLERK

3/6/98
DATE

CERTIFICATE OF SERVICE

I CERTIFY that a true copy of the foregoing was furnished by U.S. mailed to:

Mary A. Tees
President
Earnest F. Voeglin
Vice President
Port St. John Homeowners Association
Post Office Box 10044
Cocoa, FL 32927

Diana Davis, Esq.
Florida Power and Light Company
Post Office Box 14000
Juno Beach, FL 33408-0420

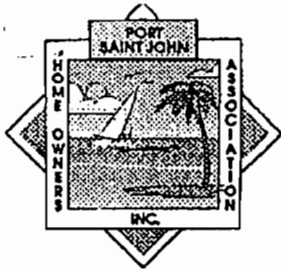
on this 9th day of March, 1998.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



W. DOUGLAS BEASON
Florida Bar No. 379239
Assistant General Counsel

3900 Commonwealth Boulevard
Mail Station 35
Tallahassee, FL 32399-3000
Telephone: (904) 488-9730



PORT ST. JOHN HOMEOWNERS ASSOCIATION

P.O. Box 10044 • Cocoa, Florida 32927

January 16, 1998

State of Florida
Department of Environmental Protection
Office of General Counsel
3900 Commonwealth Boulevard, Mail Station #35
Tallahassee, Florida 32399-3000

Dear Sir or Madam:

Please consider this a request for reconsideration for an Administrative Hearing concerning objections to the Title 5 Draft Permit Issuance, #0090006-001-AV, Cape Canaveral Plant, Brevard County.

We consider our request of November 12, 1997 to be timely for the following reasons: The information we received from the office of the DEP has been incomplete and untimely. As per our first phone call of October 30, 1997 when we requested information on the permit, the following information was given first by Gary Caburski, Orlando Compliance Officer. He said that the public comment period was in process and would continue until November 25, 1997. When asked about requesting a hearing, he referred us to Scott Sheplak, DEP Tallahassee for further information.

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Therefore, our original request for a hearing was not sent within the two week deadline because of incorrect information given by your office, and because we did not receive the promised papers.

This lack of communication from FDEP to our organization appears to be continuous. At the date of this letter, in addition to not receiving the original promised paperwork, we have not received a formal reply to either of our November 12, 1997 petitions, even after calls to both Scott Sheplak and your Legal Department.

Because substantive health and safety issues involving the Port St. John community are affected by the proposed permitting decision, we petition for an Administrative Hearing in accordance with Sections 120.569 and 120.570 F.S. All information required has been submitted with the original petition dated November 12, 1997. We do know that this petition reached you, as FPL was forwarded a copy of our request and has since sent us a letter protesting it.

As mentioned in our letter of November 12th, we may be reached as follows: Mary Tees, President (407) 632-4665; Ernest Voegtlin (407) 631-4368; FAX (407)631-4468.

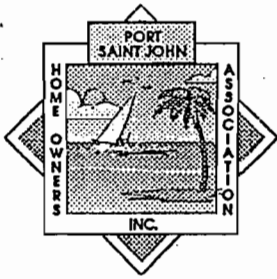
Please acknowledge receipt of same. Thank you.

Sincerely,


Mary Tees, President


Ernest Voegtlin, Vice President

c: The Honorable Lawton Chiles, Governor
Senator Patsy Ann Kurth
Senator Charles Bronson
Representative Randy Ball
Representative Bill Posey
Commissioner Truman Scarborough
Commissioner Randy O'Brien
Commissioner Nancy Higgs
Commissioner Mark Cook
Commissioner Helen Voltz
James Broadhead, CEO-FPL
Leonard G. Sanderson, Jr. FPL
Howard L. Rhodes, FDEP
Len Kozlov, FDEP



PORT ST. JOHN HOMEOWNERS ASSOCIATION

P.O. Box 10044 • Cocoa, Florida 32927

February 15, 1998

Office of General Counsel
Department of Environmental Protection
3900 Commonwealth Boulevard
Mail Station #35
Tallahassee, Florida 32399-3000

Dear Sir or Madam:

This letter is in response to your most recent letter to the Port St. John Homeowners Association in which you deny our petition for a public hearing regarding our objections to the Title 5 Draft Permit Issuance # 0090006-001-AV. Cape Canaveral Plant, Brevard County.

We do not concur with the conclusions you reached in this letter. You stated that we agree that we had timely notification of the permit timeliness. This is not correct as stated in the letter dated 1-14-98. We were given the correct date as far as public comment was concerned but the 14 day period for asking for a hearing was never given, and the information was not mailed in time for us to reach this deadline. We did however ask repeatedly on October 30th how we could get a hearing. This information was not received by us until November 9th after repeat phone calls asking for this information. Inefficiency on your part should not result in this denial, as a hearing was requested within the 14 days verbally, as per phone call to Scott Sheplak on October 30th.

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If we are not allowed a hearing on this permit, then we will have to seek whatever Legal and Media news support necessary to achieve our goal, which is to simply be heard as set forth in the public notice of intent. Your job as The Department of Environmental Protection is to protect the health and welfare of Florida's citizens, not to protect the interests of Florida Power and Light Corporation. Please assist us in our concerns.

We may be contacted by the following, Mary Tees, Port St. John Homeowners Association, President (407) 632-4665, or Earnest Voegtlin, Vice-President (407) 631-4368, or fax (407) 631-4468. Please acknowledge. Thank you.

Mary Tees

Mary A. Tees
President
PSJ Homeowners Association

Amy C. Tidd

Amy C. Tidd
Beautification Chairperson
PSJ Homeowners Association

LEB 1 3 1990

514

Date: 11/21/97 3:12:41 PM
From: Heather Chapman TAL
Subject: Cape Canaveral Power Plant
To: Scott Sheplak TAL

Scott:

OGC has received a petition from Port St. Johns Homeowners Association regarding the above-referenced permit no. Please send me a copy of the Intent to Issue as soon as possible.

Thank you

Heather Chapman
MS 35

DEP ROUTING AND TRANSMITTAL SLIP

TO: (NAME, OFFICE, LOCATION)

1. Scott Sheplak 3. _____

2. M55500 5. _____

PLEASE PREPARE REPLY FOR:

- SECRETARY'S SIGNATURE
- DIV/DIST DIR SIGNATURE
- MY SIGNATURE
- YOUR SIGNATURE
- DUE DATE _____

ACTION/DISPOSITION

- DISCUSS WITH ME
- COMMENTS/ADVISE
- REVIEW AND RETURN
- SET UP MEETING
- FOR YOUR INFORMATION
- HANDLE APPROPRIATELY
- INITIAL AND FORWARD
- SHARE WITH STAFF
- FOR YOUR FILES

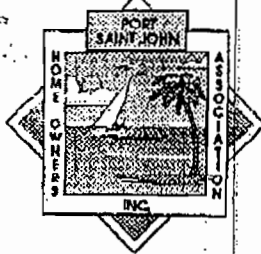
COMMENTS:

per your request

*please copy
Tom Bruce me
&
Chris*

*11/25
Done
11/25*

FROM: Heather Chapman DATE: _____ PHONE: _____



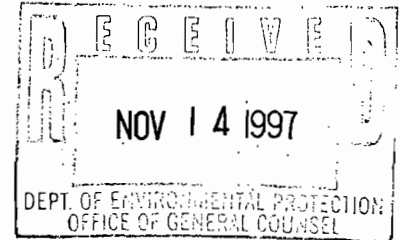
BEST AVAILABLE COPY

PORT ST. JOHN HOMEOWNERS ASSOCIATION

P.O. Box 10044 • Cocoa, Florida 32927

November 12, 1997

State of Florida
 Department of Environmental Protection
 Office of General Counsel
 3900 Commonwealth Boulevard, Mail Station #35
 Tallahassee, Florida 32399-3000



Dear Sir or Madam: By fax (850) 487-4938 and by mail.

Please consider this a petition for an administrative hearing concerning objections to Title V Draft Permit Issuance as outlined herein.

(a) From: Port St. John Homeowners Association, P.O. Box 10044, Cocoa, Florida, 32927. Mary A Tees, President, (407) 632-4665; Ernest F. Voegtlin, Vice President, (407) 631-4368. Permit File Number: 0090006-001-AV. County of Brevard.

(b) Notice of permitting authority's proposed action requested by phone 10/30/97; received 11/03/97.

(c) Visible pollutants emitting from the smokestacks of the Florida Power & Light Company plant, 6000 N US 1, Cocoa, Florida (approximately 8 miles north of Cocoa, on the west bank of the Indian River, adjacent to the community of Port St. John) have increased substantially since 1995, and have adversely affected the community's health and property values.

(d) See comments in paragraphs (c) and (e).

(e) The DRAFT Permit No: 0090006-001-AV, Section I, Subsection A., Facility Description, states "Based on the initial Title V Permit application received June 12, 1996, this facility is a major source of hazardous air pollutants (HAPs)." Based on the subject FPL plant's own statistics, 1997 through the 2nd quarter, compared against 1995, the sulfur content of its fuel oil has increased by over 37%, and the equivalent sulfur content of total energy burned has increased by over 33%. The Port St. John Homeowners Association requests that the subject FPL plant be ordered to reduce air pollution levels (opacity) by 50%, with the initial stage, if stages are necessary, being to reduce pollutants (opacity) to no more than the average levels emitted by the same plant during calendar year 1995. The Port St. John community population has grown to approximately 23,000 - 25,000 people.

BEST AVAILABLE COPY

Department of Environmental Protection

November 12, 1997

It is unconscionable that government environmental agencies would permit our community, not to mention the surrounding population contiguous to our borders, to be exposed to "hazardous air pollutants" on a continual and ongoing basis.

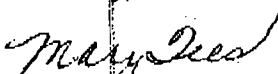
Utility Committee members of the Port St. John Homeowners Association have met with executives of the subject FPL plant and the area Manager, Corporate and External Affairs, on a number of occasions, most recently on October 11, 1997. The PSJHOA presented a request, based on a unanimous vote of the PSJHOA membership, for FPL to initially reduce opacity to no higher than the average 1995 levels as soon as possible. The FPL executives summarily rejected this request, stating that they were operating "...within the law..." See attachment 1 for a list of high pollutant (opacity) dates and times recently monitored by our observer. On these days, depending on prevailing winds, a thick brown smog like haze can be seen extending as far west as Orlando or east as Cocoa Beach. Further, on westerly wind days, when FPL's opacity is high, a visible dirty ash is deposited on most parked vehicles in Port St. John in the wind path of the pollutants. This can be demonstrated by viewing the private automobiles of the employees of the Port St. John Library, none of whom live in Port St. John, but whose cars are covered by this pollutant when they leave work. Children's activities are held at this library on a continual basis; thus, they are continually exposed to these dangerous pollutants.

(f) Rules or statutes : Chapter 403, Florida Statutes (F.S.) , and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210 , 62-213, and 62-214.

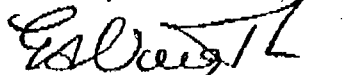
(g) Immediately order that permitted pollutants (opacity) be reduced by 50%.

Please acknowledge. Thank you.

Sincerely,


Mary A. Tees
President

Sincerely,


Ernest F. Voegelin
Vice President

c: Governor Lawton Chiles
Senator Patsy Ann Kurth
Senator Charlie Bronson
Representative Randy Ball
Representative Bill Posey
Commissioner Truman Scarborough
Commissioner Randy O'Brien
Commissioner Nancy Higgs
Commissioner Mark Cook
Commissioner Helen Voltz

TITV B.DOC

Date: 11/5/97 4:11:36 PM
From: Elizabeth Walker TAL
Subject: New postings
To: See Below

There are two new postings available on the DEP website

FPL / MARTIN CO
0850001004AV

Proposed

FPL Cape Canaveral
0090006001AV
Draft Reissue

If you have any questions, please let me know.

Thanks,
Elizabeth

To: adams yolanda
To: pierce carla
To: Barbara Boutwell TAL
To: Scott Sheplak TAL
To: Terry Knowles TAL
To: gates kim
CC: Tom Cascio TAL



Published Daily

RECEIVED

OCT 24 1997

BUREAU OF
AIR REGULATION

STATE OF FLORIDA
COUNTY OF BREVARD

Before the undersigned authority personally appeared MELISSA ANNITTO who on

oath says that she is LEGAL ADVERTISING CLERK

of the FLORIDA TODAY, a newspaper published in Brevard County,

Florida; that the attached copy of advertising being a LEGAL NOTICE

_____ in the matter of _____

FPL-ENVIRONMENTAL SERVICES DEPT.

in the _____ Court _____

STATE OF FLORIDA DEP ISSUES PERMIT

was published in the FLORIDA TODAY NEWSPAPER

in the issues of OCTOBER 21, 1997

Affiant further says that she said FLORIDA TODAY NEWSPAPER

is a newspaper published in said Brevard County, Florida; and that the said newspaper has heretofore been continuously published in said Brevard County, Florida, regularly as stated above,

and has been entered as second class mail matter at the post office in MELBOURNE

said Brevard County, Florida, for a period of one year next preceeding the first publication of the

attached copy of advertisement; and affiant further says that she 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.

Melissa Annitto
(Signature of Affiant)

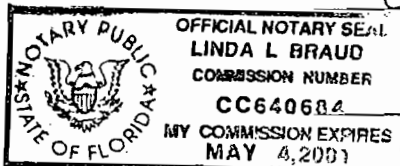
Sworn to and subscribed before me this 21 day of OCTOBER

97

Linda L. Braud
(Signature of Notary Public)

LINDA L. BRAUD

(Name of Notary Typed, Printed or Stamped)



Personally Known or Produced Identification

Type of Identification Produced _____

* legal-affidav

TO-L29703-1T-10/21,1997-Tues.
PUBLIC NOTICE OF INTENT TO ISSUE
TITLE V AIR OPERATION PERMIT
STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Title V DRAFT Permit No.: 0090006-001-AV
Cape Canaveral Plant
Brevard County

The Department of Environmental Protection (permitting authority) gives notice of its intent to issue a Title V air operation permit to the Florida Power & Light Company for the Cape Canaveral Plant located on the West side of the Indian River, approximately eight miles north of Cocoa, Florida on U.S. Highway No. 1, Brevard County.

The permitting authority will issue the Title V PROPOSED Permit, and subsequent Title V FINAL Permit, in accordance with the conditions of the Title V DRAFT Permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The permitting authority will accept written comments concerning the proposed Title V DRAFT Permit 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 written comments received result in a significant change in this DRAFT Permit, the permitting authority shall issue a Revised DRAFT Permit and require, if applicable, another Public Notice.

The permitting authority will issue the permit with the attached conditions 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 permitting 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 Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/488-9730; Fax: 850/487-4988). Petitions must be filed within 14 (fourteen) days of publication of the public notice or within 14 (fourteen) days of receipt of the notice of intent, whichever occurs first. A petitioner must mail a copy of the petition to the address indicated above, at the time of filing. The failure of any person to file a petition within the applicable 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 permitting authority's action or proposed action;
 - (c) A statement of how each petitioner's substantial interests are affected by the permitting authority's action or proposed action;
 - (d) A statement of the material facts disputed by the petitioner, if any;
 - (e) A statement of the facts that the petitioner contends warrant reversal or modification of the permitting authority's action or proposed action;
 - (f) A statement identifying the rules or statutes that the petitioner contends warrant reversal or modification of the permitting authority'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 permitting authority to take with respect to the 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 permitting authority'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 permitting authority on the application, in accordance with the requirements set forth above, in addition to the above, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 (sixty) days of the expiration of the Administrator's 45 (forty-five) day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to issuance of any permit. Any petition shall be based only on objections to the permit that were raised with reasonable specificity during the 30 (thirty) day public comment period provided in this notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at 401 M. Street, SW, Washington, D.C. 20460.

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:
Permitting Authority:
Department of Environmental Protection Bureau of Air Regulation
111 South Magnolia Drive, Suite 4
Tallahassee, Florida 32301
Telephone: 850/488-1344
Fax: 850/922-6979
Affected District Program:
Department of Environmental Protection
Central District Office
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767
Telephone: 407/894-7555
Fax: 407/897-2966

The complete project file includes the DRAFT Permit, the application, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact Scott M. Sheplak, P.E., at the above address, or call 850/488-1344, for additional information.



Department of Environmental Protection

Lawton Chiles
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400
October 6, 1997

Virginia B. Wetherell
Secretary

Mr. John Franklin
Plant General Manager
Florida Power & Light Company
Environmental Services Department
P.O. Box 14000
Juno Beach, FL 33408

Re: DRAFT Title V Permit No.: 0090006-001-AV
Cape Canaveral Plant

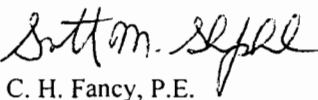
Dear Mr. Franklin:

One copy of a **reissued** DRAFT Title V Air Operation Permit for the Cape Canaveral Plant located on the West side of the Indian River, approximately eight miles north of Cocoa, Florida on U.S. Highway No. 1, Brevard County is enclosed. The earlier DRAFT Permit was changed based on discussions with Rich Piper of your company. The permitting authority's "INTENT TO ISSUE TITLE V AIR OPERATION PERMIT" is also included. The enclosed DRAFT Permit, dated October 6, 1997, supersedes the earlier DRAFT Permit and all permitting event clocks are reset pursuant to the date clerked.

The "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT" must be published as soon as possible upon receipt of this letter. This issue is important in order for you to receive your Title IV Acid Rain permit by January 1, 1998, pursuant to the Clean Air Act and Section 403.0872, Florida Statutes. Proof of publication, i.e., newspaper affidavit, must be provided to the permitting authority's office within 7 (seven) days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit.

Please submit any written comments you wish to have considered concerning the permitting authority's proposed action to Scott M. Sheplak, P.E., at the above letterhead address. If you have any other questions, please contact Tom Cascio at 850/488-1344.

Sincerely,

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

CHF/tc

Enclosures

cc: Ms. Carla E. Pierce, U.S. EPA, Region 4 (INTERNET E-mail Memorandum)
Ms. Yolanda Adams, U.S. EPA, Region 4 (INTERNET E-mail Memorandum)

In the Matter of an
Application for Permit by:

Florida Power & Light Company
Environmental Services Department
P.O. Box 14000
Juno Beach, FL 33408

DRAFT Permit No.: 0090006-001-AV
Cape Canaveral Plant
Brevard County

INTENT TO ISSUE TITLE V AIR OPERATION PERMIT

The Department of Environmental Protection (permitting authority) gives notice of its intent to issue a Title V air operation permit (copy of DRAFT Permit enclosed) for the Title V source detailed in the application specified above, for the reasons stated below.

The applicant, Florida Power & Light Company, applied on June 12, 1996, to the permitting authority for a Title V air operation permit for the Cape Canaveral Plant located on the West side of the Indian River, approximately eight miles north of Cocoa, Florida on U.S. Highway No. 1, Brevard County.

The permitting authority has permitting jurisdiction under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, 62-213, and 62-214. This source is not exempt from Title V permitting procedures. The permitting authority has determined that a Title V air operation permit is required to commence or continue operations at the described facility.

The permitting authority intends to issue this Title V air operation permit based on the belief that reasonable assurances have been provided to indicate that operation of the source will not adversely impact air quality, and the source will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-214, 62-256, 62-257, 62-281, 62-296, and 62-297, F.A.C.

Pursuant to Sections 403.815 and 403.0872, F.S., and Rules 62-103.150 and 62-210.350(3), F.A.C., you (the applicant) are required to publish at your own expense the enclosed "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT." The notice shall be published one time only as soon as possible in the legal advertisement section of a newspaper of general circulation in the area affected. For the purpose of these rules, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. Where there is more than one newspaper of general circulation in the county, the newspaper used must be one with significant circulation in the area that may be affected by the permit. If you are uncertain that a newspaper meets these requirements, please contact the permitting authority at the address or telephone number listed below. The applicant shall provide proof of publication to the Department's Bureau of Air Regulation, 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400 (Telephone: 850/488-1344; Fax: 850/922-6979), within 7 (seven) days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit pursuant to Rule 62-103.150(6), F.A.C.

The permitting authority will issue the Title V PROPOSED Permit, and subsequent Title V FINAL Permit, in accordance with the conditions of the enclosed Title V DRAFT Permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The permitting authority will accept written comments concerning the proposed permit issuance action for a period of 30 (thirty) days from the date of publication of "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT." Written comments should be provided to the permitting authority office. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this DRAFT Permit, the permitting authority shall issue a Revised DRAFT Permit and require, if applicable, another Public Notice.

The permitting authority will issue the permit with the attached conditions 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 permitting 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 Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/488-9730; Fax: 850/487-4938). Petitions filed by the permit applicant or any of the parties listed below must be filed within 14 (fourteen) days of receipt of this notice of intent. Petitions filed by any other person must be filed within 14 (fourteen) days of publication of the public notice or within 14 (fourteen) days of receipt of this notice of intent, whichever occurs first. 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 28-5.207, F.A.C.

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 permitting authority's action or proposed action;
- (c) A statement of how each petitioner's substantial interests are affected by the permitting authority's action or proposed action;
- (d) A statement of the material facts disputed by the petitioner, if any;
- (e) A statement of the facts that the petitioner contends warrant reversal or modification of the permitting authority's action or proposed action;
- (f) A statement identifying the rules or statutes that the petitioner contends require reversal or modification of the permitting authority'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 permitting authority to take with respect to the 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 permitting authority'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 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.

In addition to the above, a person subject to regulation has a right to apply to the Department of Environmental Protection for a variance from or waiver of the requirements of particular rules, on certain conditions, under Section 120.542, F.S. The relief provided by this state statute applies only to state rules, not statutes, and not to any federal regulatory requirements. Applying for a variance or waiver does not substitute or extend the time for filing a petition for an administrative hearing or exercising any other right that a person may have in relation to the action proposed in this notice of intent.

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. The petition must specify the following information:

- (a) The name, address, and telephone number of the petitioner;
- (b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any;
- (c) Each rule or portion of a rule from which a variance or waiver is requested;
- (d) The citation to the statute underlying (implemented by) the rule identified in (c) above;
- (e) The type of action requested;
- (f) The specific facts that would justify a variance or waiver for the petitioner;
- (g) The reason why the variance or waiver would serve the purposes of the underlying statute (implemented by the rule); and,
- (h) A statement whether the variance or waiver is permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

The Department will grant a variance or waiver when the petition demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of those terms is defined in Section 120.542(2), F.S., and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner.


Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable by the Administrator of the United States Environmental Protection Agency and by any person under the Clean Air Act unless and until the Administrator

separately approves any variance or waiver in accordance with the procedures of the federal program.

Finally, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 (sixty) days of the expiration of the Administrator's 45 (forty-five) day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to issuance of any permit. Any petition shall be based only on objections to the permit that were raised with reasonable specificity during the 30 (thirty) day public comment period provided in this notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at 401 M. Street, SW, Washington, D.C. 20460.

Executed in Tallahassee, Florida.

**STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION**

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

PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Title V DRAFT Permit No.: 0090006-001-AV
Cape Canaveral Plant
Brevard County

The Department of Environmental Protection (permitting authority) gives notice of its intent to issue a Title V air operation permit to the Florida Power & Light Company for the Cape Canaveral Plant located on the West side of the Indian River, approximately eight miles north of Cocoa, Florida on U.S. Highway No. 1, Brevard County.

The permitting authority will issue the Title V PROPOSED Permit, and subsequent Title V FINAL Permit, in accordance with the conditions of the Title V DRAFT Permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The permitting authority will accept written comments concerning the proposed Title V DRAFT Permit 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 written comments received result in a significant change in this DRAFT Permit, the permitting authority shall issue a Revised DRAFT Permit and require, if applicable, another Public Notice.

The permitting authority will issue the permit with the attached conditions 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 permitting 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 Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/488-9730; Fax: 850/487-4938). Petitions must be filed within 14 (fourteen) days of publication of the public notice or within 14 (fourteen) days of receipt of the notice of intent, whichever occurs first. 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 applicable 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 permitting authority's action or proposed action;
- (c) A statement of how each petitioner's substantial interests are affected by the permitting authority's action or proposed action;
- (d) A statement of the material facts disputed by the petitioner, if any;

(e) A statement of the facts that the petitioner contends warrant reversal or modification of the permitting authority's action or proposed action;

(f) A statement identifying the rules or statutes that the petitioner contends require reversal or modification of the permitting authority'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 permitting authority to take with respect to the 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 permitting authority'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 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.

In addition to the above, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 (sixty) days of the expiration of the Administrator's 45 (forty-five) day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to issuance of any permit. Any petition shall be based only on objections to the permit that were raised with reasonable specificity during the 30 (thirty) day public comment period provided in this notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at 401 M. Street, SW, Washington, D.C. 20460.

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:

Permitting Authority:

Department of Environmental Protection
Bureau of Air Regulation
111 South Magnolia Drive, Suite 4
Tallahassee, Florida 32301
Telephone: 850/488-1344
Fax: 850/922-6979

Affected District Program:

Department of Environmental Protection
Central District Office
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767
Telephone: 407/894-7555
Fax: 407/897-2966

The complete project file includes the DRAFT Permit, the application, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact Scott M. Sheplak, P.E., at the above address, or call 850/488-1344, for additional information.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- 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. Addressee's Address
2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Mr. John Franklin
 Plant General Manager
 Florida Power & Light Company
 Environmental Services
 Department
 P.O. Box 14000
 Juno Beach, Florida 33408

4a. Article Number
 P 263 585 117

4b. Service Type

Registered
 Express Mail
 Return Receipt for Merchandise


Certified
 Insured

7. Date of Delivery

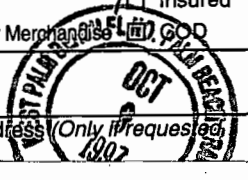
5. Received By: (Print Name)
 J. COOPER

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: **X**



PS Form 3811



Thank you for using Return Receipt Service.

P 263 585 117

PS Form 3800, April 1995

US Postal Service
Receipt for Certified Mail
 No Insurance Coverage Provided.
 Do not use for International Mail (See reverse)

Sent to Mr. John Franklin	
Street & Number P.O. Box 14000	
Post Office, State, & ZIP Code Juno Beach, FL 33408	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date 10/07/97 - Reissue DRAFT FP&L - Cape Canaveral ID#0090006-001-AV	

Is your RETURN ADDRESS completed on the reverse side?

SENDER: ■ 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: Mr. William Muly Reichel Florida Power & Light Company Environmental Services Department P.O. Box 14000 Juno Beach, Florida 33408		4a. Article Number P 263 585 118	
		4b. Service Type <input type="checkbox"/> Registered <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Insured <input type="checkbox"/> COD	
5. Received By: (Print Name) H. COLLINS		7. Date of Delivery UCT 9 1997	
6. Signature: (Addressee or Agent) X		8. Addressee's Address (Only if requested and fee is paid)	

Thank you for using Return Receipt Service.

PS Form 3811, December 1994 Domestic Return Receipt

P 263 585 118

US Postal Service
Receipt for Certified Mail
 No Insurance Coverage Provided.
 Do not use for International Mail (See reverse)

Sent to	
Mr. William Muly Reichel	
Street & Number	
P.O. Box 14000	
Post Office, State, & ZIP Code	
Juno Beach, Florida 33408	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	
10/07/97 - Reissue DRAFT	
FP&L - Cape Canaveral	
40000006-001-AV	

PS Form 3800, April 1995



Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

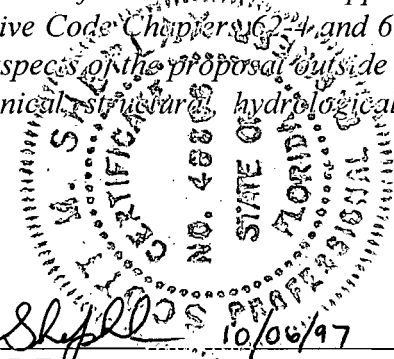
P.E. Certification Statement

Permittee:
Florida Power & Light Company
Cape Canaveral Plant

DRAFT Permit No.: 0090006-001-AV
Facility ID No.: 0090006

Project type: Initial Title V Air Operation Permit

I HEREBY CERTIFY that the engineering features described in the above referenced application and subject to the proposed permit conditions provide reasonable assurance of compliance with applicable provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Chapters 62-4 and 62-204 through 62-297. However, I have not evaluated and I do not certify aspects of the proposal outside of my area of expertise (including but not limited to the electrical, mechanical, structural, hydrological, and geological features).


Scott M. Sheplak

Scott M. Sheplak, P.E. date
Registration Number: 0048866

Permitting Authority:
Department of Environmental Protection
Bureau of Air Regulation
111 South Magnolia Drive, Suite 4
Tallahassee, Florida 32301
Telephone: 850/488-1344
Fax: 850/922-6979

STATEMENT OF BASIS

Title V DRAFT Permit No.: 0090006-001-AV
Florida Power and Light Company
Cape Canaveral Plant
Brevard County

This Title V air operation permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, 62-213, and 62-214. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents, attached hereto or on file with the permitting authority, in accordance with the terms and conditions of this permit.

This facility consists of two oil and natural gas fired conventional steam electric generating stations, designated as Units #1 and #2. These emissions units are regulated under Acid Rain, Phase II, and Rule 62-296.405, F.A.C., Fossil Fuel Steam Generators with more than 250 million Btu per Hour Heat Input.

Each emissions unit is a nominal 400 megawatt (MW) class (electric) steam generator which drives a single reheat turbine generator, and is equipped with a 397 foot exhaust stack. Each emissions unit is fired on No. 2, No. 6 residual, or used oil, with a maximum heat input of 4000 MMBtu per hour, or natural gas with a maximum heat input of 4180 MMBtu per hour. Fuel additives such as, but not limited to, magnesium hydroxide are used to enhance combustion and facilitate furnace cleaning, in a manner consistent with Best Operational Practices. The control device consists of multiple cyclones with fly ash reinjection to control particulate matter emissions. Unit #1 commenced commercial operation in April, 1965. Unit #2 commenced commercial operation in May, 1969.

Also included in this permit are miscellaneous unregulated/exempt emissions units and/or activities. Based on the initial Title V permit application received June 12, 1996, this facility is a major source of hazardous air pollutants (HAPs).

Florida Power and Light Company
Cape Canaveral Plant
Facility ID No.: 0090006
Brevard County

Initial Title V Air Operation Permit
DRAFT Permit No.: 0090006-001-AV

• Permitting Authority:

State of Florida
Department of Environmental Protection
Division of Air Resources Management
Bureau of Air Regulation
Title V Section

Mail Station #5505
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Telephone: 850/488-1344
Fax: 850/922-6979

October 6, 1997

Compliance Authority:

State of Florida
Department of Environmental Protection
Central District Office

3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767

Telephone: 407/894-7555
Fax: 407/897-2966

Initial Title V Air Operation Permit
DRAFT Permit No.: 0090006-001-AV

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Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

Permittee:

Florida Power and Light Company
6000 N. U.S. 1
Cocoa, Florida 32927-6002

DRAFT Permit No.: 0090006-001-AV

Facility ID No.: 0090006

SIC Nos.: 49, 4911

Project: Initial Title V Air Operation Permit

This permit is for the operation of the Cape Canaveral Plant. This facility is located on the West side of the Indian River, approximately eight miles north of Cocoa, Florida on U.S. Highway No. 1, Brevard County; UTM Coordinates: Zone 17, 523.1 km East and 3149.0 km North; Latitude: 28° 28' 10" North and Longitude: 80° 45' 51" West.

STATEMENT OF BASIS: This Title V air operation permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, 62-213, and 62-214. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents, attached hereto or on file with the permitting authority, in accordance with the terms and conditions of this permit.

Referenced attachments made a part of this permit:

Appendix E-1, List of Exempt Emissions Units and/or Activities

Appendix U-1, List of Unregulated Emissions Units and/or Activities

APPENDIX TV-1, TITLE V CONDITIONS (version dated 08/11/97)

APPENDIX SS-1, STACK SAMPLING FACILITIES (version dated 10/07/96)

Phase II Acid Rain Application/Compliance Plan received December 6, 1995

Alternate Sampling Procedure: ASP No. 97-B-01

Florida Department of Environmental Protection Order dated January 2, 1986

Effective Date: January 1, 1998

Renewal Application Due Date: July 5, 2002

Expiration Date: December 31, 2002

Howard L. Rhodes, Director
Division of Air Resources
Management

HLR/sms/tbc

Section I. Facility Information.

Subsection A. Facility Description.

This facility consists of two oil and natural gas fired conventional steam electric generating stations, designated as Units #1 and #2. Each steam unit is a nominal 400 megawatt (MW) class (electric) steam generator which drives a single reheat turbine generator. Also included in this permit are miscellaneous unregulated/exempt emissions units and/or activities.

Based on the initial Title V permit application received June 12, 1996, this facility is a major source of hazardous air pollutants (HAPs).

Subsection B. Summary of Emissions Unit ID Nos. and Brief Descriptions.

E.U. ID

<u>No.</u>	<u>Brief Description</u>
-001	Fossil Fuel Fired Steam Generator #1
-002	Fossil Fuel Fired Steam Generator #2

Unregulated Emissions Units and/or Activities

-xxx	Painting and Solvent Cleaning
-xxx	Internal Combustion Engines which drive Compressors and Water Pumps and Similar Equipment
-xxx	Emergency Diesel Generators

Please reference the Permit No., Facility ID No., and appropriate Emissions Unit(s) ID No(s). on all correspondence, test report submittals, applications, etc.

Subsection C. Relevant Documents.

The documents listed below are not a part of this permit, however, are specifically related to this permitting action.

These documents are provided to the permittee for information purposes only:

- Table 1-1, Summary of Air Pollutant Standards and Terms
- Table 2-1, Summary of Compliance Requirements
- Appendix A-1, Abbreviations, Acronyms, Citations, and Identification Numbers
- Appendix H-1, Permit History/ID Number Changes

These documents are on file with permitting authority:

Initial Title V Permit Application received June 12, 1996

Additional Information Request dated November 19, 1996

Additional Information Response received May 8, 1997

Information letter from Florida Power & Light received July 14, 1997

Information letter from Florida Power & Light received August 19, 1997

Information letter from Florida Power & Light received August 28, 1997

Section II. Facility-wide Conditions.

The following conditions apply facility-wide:

1. APPENDIX TV-1, TITLE V CONDITIONS, is a part of this permit.
{Permitting note: APPENDIX TV-1, TITLE V CONDITIONS, is distributed to the permittee only. Other persons requesting copies of these conditions shall be provided one copy when requested or otherwise appropriate.}
2. **Not federally enforceable.** General Pollutant Emission Limiting Standards. Objectionable Odor Prohibited. The permittee shall not cause, suffer, allow, or permit the discharge of air pollutants which cause or contribute to an objectionable odor.
[Rule 62-296.320(2), F.A.C.]
3. Prevention of Accidental Releases (Section 112(r) of CAA). If required by 40 CFR 68, the permittee shall submit to the implementing agency:
 - a. a risk management plan (RMP) when, and if, such requirement becomes applicable; and
 - b. certification forms and/or RMPs according to the promulgated rule schedule.[40 CFR 68]
4. Exempt Emissions Units and/or Activities. Appendix E-1, List of Exempt Emissions Units and/or Activities, is a part of this permit.
[Rules 62-213.440(1), 62-213.430(6), and 62-4.040(1)(b), F.A.C.]
5. Unregulated Emissions Units and/or Activities. Appendix U-1, List of Unregulated Emissions Units and/or Activities, is a part of this permit.
[Rule 62-213.440(1), F.A.C.]
6. General Particulate Emission Limiting Standards. General Visible Emissions Standard. Except for emissions units that are subject to a particulate matter or opacity limit set forth or established by rule and reflected by conditions in this permit, no person shall cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity, the density of which is equal to or greater than that designated as Number 1 on the Ringelmann Chart (20 percent opacity).
[Rule 62-296.320(4)(b)1., F.A.C.]

7. Not federally enforceable. Reasonable precautions to prevent emissions of unconfined particulate matter at this facility include the following:

- a. In order to perform sandblasting on fixed plant equipment, sandblasting enclosures are constructed and operated as necessary. Thick polyurethane flaps are used over the doorways to prevent any sandblasting material from leaving the sandblast facility.
- b. Maintenance of paved areas is performed as needed.
- c. Mowing of grass and care of vegetation are done on a regular basis.
- d. Access to plant property by unnecessary vehicles is controlled and limited.
- e. Bagged chemical products are stored in weather tight buildings until they are used. Spills of powdered chemical products are cleaned up as soon as practical.
- f. Vehicles are restricted to slow speeds on the plant site.

[Rule 62-296.320(4)(c)2., F.A.C.; Proposed by applicant in the initial Title V permit application received June 12, 1996.]

8. When appropriate, any recording, monitoring, or reporting requirements that are time-specific shall be in accordance with the effective date of the permit, which defines day one.

[Rule 62-213.440, F.A.C.]

9. The permittee shall submit all compliance related notifications and reports required of this permit to the Department's Central District office:

Department of Environmental Protection
Central District Office
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767
Telephone: 407/894-7555
Fax: 407/897-2966

10. Any reports, data, notifications, certifications, and requests required to be sent to the United States Environmental Protection Agency, Region 4, should be sent to:

United States Environmental Protection Agency
Region 4
Air, Pesticides & Toxics Management Division
Operating Permits Section
61 Forsyth Street
Atlanta, Georgia 30303
Telephone: 404/562-9099
Fax: 404/562-9095

Section III. Emissions Units and Conditions.

Subsection A. This section addresses the following emissions units.

E.U.

ID No. Brief Description

- 001 Fossil Fuel Fired Steam Generator #1
- 002 Fossil Fuel Fired Steam Generator #2

Fossil Fuel Fired Steam Generators #1 and #2 are nominal 400 megawatt class (electric) steam generators designated as Cape Canaveral Units #1 and #2, respectively. Each emissions unit is fired on No. 2, No. 6 residual, or used oil, with a maximum heat input of 4000 MMBtu per hour, or natural gas with a maximum heat input of 4180 MMBtu per hour. Unit #1 commenced commercial operation in April, 1965. Unit #2 commenced commercial operation in May, 1969.

Fuel additives such as, but not limited to, magnesium hydroxide are used to enhance combustion and facilitate furnace cleaning, in a manner consistent with Best Operational Practices.

Both emissions units consist of boiler/steam generators which drive a single reheat turbine generator, and are equipped with 397 foot exhaust stacks. The control devices consist of multiple cyclones with fly ash reinjection to control particulate matter emissions.

{Permitting note: these emissions units are regulated under Acid Rain, Phase II, and Rule 62-296.405, F.A.C., Fossil Fuel Steam Generators with more than 250 million Btu per Hour Heat Input.}

The following conditions apply:

Essential Potential to Emit (PTE) Parameters

A.1. Permitted Capacity. The maximum operation heat input rates are as follows:

<u>Unit No.</u>	<u>MMBtu/hr Heat Input</u>	<u>Fuel Type</u>
1	4180	Natural Gas
	4000	No. 2 Fuel Oil, No. 6 Residual Fuel Oil or Used Oil
2	4180	Natural Gas
	4000	No. 2 Fuel Oil, No. 6 Residual Fuel Oil or Used Oil

Methods of heat input calculation are as determined by hourly fuel usage, and the higher heat value of the oil as determined by as-fired fuel analysis. When a blend of fuel oil and natural gas is fired, the heat input is prorated based on the percent heat input of each fuel.

[Rules 62-4.160(2), 62-210.200 (PTE), and 62-296.405, F.A.C.; AO05-217321; AO05-252219]

A.2. Emissions Unit Operating Rate Limitation After Testing. See specific condition **A.23**.
[Rule 62-297.310(2), F.A.C.]

A.3. Methods of Operation - Fuels.

a. Startup: The only fuels allowed to be burned are natural gas, propane gas, No. 2 fuel oil, No. 6 residual fuel oil, or on-specification used oil from Florida Power and Light Company operations.

b. Normal: The only fuels allowed to be burned are natural gas, No. 2 fuel oil, No. 6 residual fuel oil, or on-specification used oil from Florida Power and Light Company operations.
[Rule 62-213.410, F.A.C.; AO05-217321, Specific Condition No. 2; AO05-252219, Specific Condition No. 2]

A.4. Hours of Operation. The emissions units may operate continuously, i.e., 8,760 hours/year.
[Rule 62-210.200 (PTE), F.A.C.; AO05-217321, Specific Condition No. 3; AO05-252219, Specific Condition No. 3]

Emission Limitations and Standards

{Permitting note: Table 1-1, Summary of Air Pollutant Standards and Terms, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

A.5. Visible Emissions. Visible emissions shall not exceed 40 percent opacity. Emissions units governed by this visible emissions standard shall compliance test for particulate matter emissions annually.
[Rule 62-296.405(1)(a), F.A.C.; and Order dated January 2, 1986.]

A.6. Visible Emissions - Soot Blowing and Load Change. Visible emissions shall not exceed 60 percent opacity during the 3-hours in any 24 hour period of excess emissions allowed for boiler cleaning (soot blowing) and load change. Visible emissions above 60 percent opacity shall be allowed for not more than 4, six (6)-minute periods, during the 3-hour period of excess emissions allowed by this subparagraph, for boiler cleaning and load changes.

A load change occurs when the operational capacity of a unit is in the 10 percent to 100 percent capacity range, other than startup or shutdown, which exceeds 10 percent of the unit's rated capacity and which occurs at a rate of 0.5 percent per minute or more.
[Rule 62-210.700(3), F.A.C.]

A.7. Particulate Matter. Particulate matter emissions shall not exceed 0.1 pound per million Btu heat input, as measured by applicable compliance methods.
[Rule 62-296.405(1) (b), F.A.C.]

A.8. Particulate Matter - Soot Blowing and Load Change. Particulate matter emissions shall not exceed an average of 0.3 pound per million Btu heat input during the 3-hours in any 24 hour period of excess emissions allowed for boiler cleaning (soot blowing) and load change.
[Rule 62-210.700(3), F.A.C.]

A.9. Sulfur Dioxide. Sulfur dioxide emissions shall not exceed 2.75 pounds per million Btu heat input, as measured by applicable compliance methods. Compliance shall be based on the total heat input from all liquid and gaseous fuels burned. The sulfur dioxide emission limitation shall apply at all times including startup, shutdown, and load change, but shall not apply during malfunction provided best operational practices to minimize emissions are adhered to and the duration of excess emissions are minimized and does not exceed two hours in any 24 hour period.
[Rules 62-213.440 and 62-296.405(1)(c)1.j., F.A.C.]

A.10. "On-Specification" Used Oil. Only "on-specification" used oil generated by the Florida Power and Light Company in the production and distribution of electricity shall be fired in these emissions units. **The total combined quantity allowed to be fired at these emissions units shall not exceed 1,500,000 gallons per calendar year.** "On-specification" used oil is defined as each used oil delivery that meets the 40 CFR 279 (Standards for the Management of Used Oil) specifications listed below. Used oil that does not meet all of the following specifications is considered "off-specification" used oil and shall not be fired. See specific conditions **A.16.**, **A.34.**, and **A.35.**

CONSTITUENT/PROPERTY*	ALLOWABLE LEVEL
Arsenic	5 ppm maximum
Cadmium	2 ppm maximum
Chromium	10 ppm maximum
Lead	100 ppm maximum
Total Halogens	1000 ppm maximum
Flashpoint	100 degrees F minimum
PCBs	less than 50 ppm

* As determined by approved methods specified in EPA Publication SW-846 (Test Methods for Evaluating Solid Waste, Physical/Chemical Methods).
[40 CFR 279.11; and AO05-217321, AO05-252219]

Excess Emissions

A.11. Excess emissions resulting from malfunction shall be permitted provided that best operational practices to minimize emissions are adhered to and 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.
[Rule 62-210.700(1), F.A.C.]

A.12. Excess emissions resulting from startup or shutdown shall be permitted provided that best operational practices to minimize emissions are adhered to and the duration of excess emissions shall be minimized.

[Rule 62-210.700(2), F.A.C.]

A.13. Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown or malfunction shall be prohibited.

[Rule 62-210.700(4), F.A.C.]

Monitoring of Operations

A.14. Sulfur Dioxide. The owner or operator of the emission units shall demonstrate compliance with the sulfur dioxide limit of specific condition **A.9** of this permit by the following:

- a. Through the use of a continuous emission monitoring system (CEMS) installed, calibrated, operated and maintained in accordance with the quality assurance requirements of 40 CFR 75, adopted and incorporated by reference in rule 62-204.800, F.A.C. A Relative Accuracy Test Audit of the SO₂ CEMS shall be conducted no less than annually. Compliance shall be demonstrated based on a 3-hour rolling average.
- b. In the event the CEMS becomes temporarily inoperable or interrupted, the fuels and the maximum fuel oil to natural gas firing ratio that shall be used is limited to that which was last used to demonstrate compliance prior to the loss of the CEMS, or the emissions units shall fuel switch and be fired with a fuel oil containing a maximum sulfur content of 2.5%, by weight, or less.
- c. When burning 100% fuel oil, the emissions units shall be fired with a fuel oil containing a maximum sulfur content of 2.5%, by weight, or less.

[Rules 62-213.440, 62-204.800 and 62-296.405(1)(c)3., F.A.C.]

A.15. Determination of Process Variables.

(a) **Required Equipment.** The owner or operator of an emissions unit for which compliance tests are required shall install, operate, and maintain equipment or instruments necessary to determine process variables, such as process weight input or heat input, when such data are needed in conjunction with emissions data to determine the compliance of the emissions unit with applicable emission limiting standards.

(b) **Accuracy of Equipment.** Equipment or instruments used to directly or indirectly determine process variables, including devices such as belt scales, weight hoppers, flow meters, and tank scales, shall be calibrated and adjusted to indicate the true value of the parameter being measured with sufficient accuracy to allow the applicable process variable to be determined within 10% of its true value.

[Rule 62-297.310(5), F.A.C.]

A.16. Compliance with the “on-specification” used oil requirements will be determined from a sample collected from each batch delivered for firing. See specific conditions **A.10.**, **A.34.** and **A.35.**

[Rules 62-4.070 and 62-213.440; and, 40 CFR 279]

Continuous Monitoring Requirements

A.17. The Florida Power and Light Company shall operate, calibrate, and maintain a continuous opacity monitoring system. The continuous opacity monitoring system shall be calibrated, operated, span checked, and maintained according to the manufacturer’s recommendation. Calibrations shall consist of electronic zero and span checks and include an optical lens check to ensure the monitoring system functions properly.

[Rule 62-210.700, F.A.C.; AO05-217321, Specific Condition No. 9; AO05-252219, Specific Condition No. 9]

Test Methods and Procedures

{Permitting note: Table 2-1, Summary of Compliance Requirements, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

A.18. Visible Emissions. The test method for visible emissions shall be DEP Method 9, incorporated in Chapter 62-297, F.A.C. A transmissometer may be used and calibrated according to Rule 62-297.520, F.A.C. See specific condition **A.19.**

[Rule 62-296.405(1)(e)1., F.A.C.]

A.19. DEP Method 9. The provisions of EPA Method 9 (40 CFR 60, Appendix A) are adopted by reference with the following exceptions:

1. EPA Method 9, Section 2.4, Recording Observations. Opacity observations shall be made and recorded by a certified observer at sequential fifteen second intervals during the required period of observation.
2. EPA Method 9, Section 2.5, Data Reduction. For a set of observations to be acceptable, the observer shall have made and recorded, or verified the recording of, at least 90 percent of the possible individual observations during the required observation period. For single-valued opacity standards (e.g., 20 percent opacity), the test result shall be the highest valid six-minute average for the set of observations taken. For multiple-valued opacity standards (e.g., 20 percent opacity, except that an opacity of 40 percent is permissible for not more than two minutes per hour) opacity shall be computed as follows:
 - a. For the basic part of the standard (i.e., 20 percent opacity) the opacity shall be determined as specified above for a single-valued opacity standard.
 - b. For the short-term average part of the standard, opacity shall be the highest valid short-term average (i.e., two-minute, three-minute average) for the set of observations taken.

In order to be valid, any required average (i.e., a six-minute or two-minute average) shall be based on all of the valid observations in the sequential subset of observations selected, and the selected subset shall contain at least 90 percent of the observations possible for the required averaging time. Each required average shall be calculated by summing the opacity value of each of the valid observations in the appropriate subset, dividing this sum by the number of valid observations in the subset, and rounding the result to the nearest whole number. The number of missing observations in the subset shall be indicated in parenthesis after the subset average value.

[Rule 62-297.401, F.A.C.]

A.20. Particulate Matter. The test methods for particulate emissions shall be EPA Methods 17, 5, 5B, or 5F, incorporated by reference in Chapter 62-297, F.A.C. The minimum sample volume shall be 30 dry standard cubic feet. EPA Method 5 may be used with filter temperature no more than 320 degrees Fahrenheit. For EPA Method 17, stack temperature shall be less than 375 degrees Fahrenheit. The owner or operator may use EPA Method 5 to demonstrate compliance. EPA Method 3 (Orsat analysis) or 3A shall be used when the oxygen based F-factor is computed according to EPA Method 19 is used in lieu of heat input. Acetone wash shall be used with EPA Method 5 or 17.

[Rules 62-213.440, 62-296.405(1)(e)2., and 62-297.401, F.A.C.]

A.21. Sulfur Dioxide. The test methods for sulfur dioxide emissions shall be EPA Methods 6, 6A, 6B, or 6C, incorporated by reference in Chapter 62-297, F.A.C. If the emissions unit obtains an alternate procedure under the provisions of Rule 62-297.620, F.A.C., the procedure shall become a condition of the emissions unit's permit. The Department will retain the authority to require EPA Method 6 or 6C if it has reason to believe that exceedences of the sulfur dioxide emissions limiting standard are occurring. The permittee may use the EPA test methods, referenced above, to demonstrate compliance; however, as an alternate sampling procedure authorized by permit, **the permittee elected to demonstrate compliance using CEMS for sulfur dioxide. See specific condition A.14 of this permit.**

[Rules 62-213.440 and 62-296.405(1)(c)3. and (1)(e)3., F.A.C.; Proposed by applicant 09/18/97]

A.22. Required Number of Test Runs. For mass emission limitations, a compliance test shall consist of three complete and separate determinations of the total air pollutant emission rate through the test section of the stack or duct and three complete and separate determinations of any applicable process variables corresponding to the three distinct time periods during which the stack emission rate was measured provided, however, that three complete and separate determinations shall not be required if the process variables are not subject to variation during a compliance test, or if three determinations are not necessary in order to calculate the unit's emission rate. The three required test runs shall be completed within one consecutive five day period. In the event that a sample is lost or one of the three runs must be discontinued because of circumstances beyond the control of the owner or operator, and a valid third run cannot be obtained within the five day period allowed for the test, the Secretary or his or her designee may accept the results of the two complete runs as proof of compliance, provided that the arithmetic

mean of the results of the two complete runs is at least 20 percent below the allowable emission limiting standards.

[Rule 62-297.310(1), F.A.C.]

A.23. Operating Rate During Testing. Testing of emissions shall be conducted with each emissions unit operation at permitted capacity, which is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. If it is impracticable to test at permitted capacity, an emissions unit may be tested at less than the minimum permitted capacity; in this case, subsequent emissions unit operation is limited to 110 percent of the test load until a new test is conducted. Once the emissions unit is so limited, operation at higher capacities is allowed for no more than 15 consecutive days for the purpose of additional compliance testing to regain the authority to operate at the permitted capacity.

[Rules 62-297.310(2) & (2)(b), F.A.C.]

A.24. Calculation of Emission Rate. The indicated emission rate or concentration shall be the arithmetic average of the emission rate or concentration determined by each of the separate test runs unless otherwise specified in a particular test method or applicable rule.

[Rule 62-297.310(3), F.A.C.]

A.25. Applicable Test Procedures.

(a) **Required Sampling Time.**

1. Unless otherwise specified in the applicable rule, the required sampling time for each test run shall be no less than one hour and no greater than four hours, and the sampling time at each sampling point shall be of equal intervals of at least two minutes.

2. **Opacity Compliance Tests.** When either EPA Method 9 or DEP Method 9 is specified as the applicable opacity test method, the required minimum period of observation for a compliance test shall be sixty (60) minutes for emissions units which emit or have the potential to emit 100 tons per year or more of particulate matter, and thirty (30) minutes for emissions units which have potential emissions less than 100 tons per year of particulate matter and are not subject to a multiple-valued opacity standard. The opacity test observation period shall include the period during which the highest opacity emissions can reasonably be expected to occur. Exceptions to these requirements are as follows:

c. The minimum observation period for opacity tests conducted by employees or agents of the Department to verify the day-to-day continuing compliance of a unit or activity with an applicable opacity standard shall be twelve minutes.

(b) **Minimum Sample Volume.** Unless otherwise specified in the applicable rule, the minimum sample volume per run shall be 25 dry standard cubic feet.

(c) **Required Flow Rate Range.** For EPA Method 5 particulate sampling, acid mist/sulfur dioxide, and fluoride sampling which uses Greenburg Smith type impingers, the sampling nozzle and sampling time shall be selected such that the average sampling rate will be between 0.5 and 1.0 actual cubic feet per minute, and the required minimum sampling volume will be obtained.

(d) **Calibration of Sampling Equipment.** Calibration of the sampling train equipment shall be conducted in accordance with the schedule shown in Table 297.310-1.

TABLE 297.310-1
 CALIBRATION SCHEDULE

ITEM	MINIMUM CALIBRATION FREQUENCY	REFERENCE INSTRUMENT	TOLERANCE
Liquid in glass thermometer	Annually	ASTM Hg in glass ref. thermometer or equivalent, or thermometric points	+/-2%
Bimetallic thermometer	Quarterly	Calib. liq. in glass thermometer	5 degrees F
Thermocouple	Annually	ASTM Hg in glass ref. thermometer, NBS calibrated reference and potentiometer	5 degrees F
Barometer	Monthly	Hg barometer or NOAA station	+/-1% scale
Pitot Tube	When required or when damaged	By construction or measurements in wind tunnel D greater than 16" and standard pitot tube	See EPA Method 2, Fig. 2-2 & 2-3
Probe Nozzles	Before each test or when nicked, dented, or corroded	Micrometer	+/-0.001" mean of at least three readings Max. deviation between readings .004"
Dry Gas Meter and Orifice Meter	1. Full Scale: When received, When 5% change observed, Annually 2. One Point: Semiannually 3. Check after each test series	Spirometer or calibrated wet test or dry gas test meter	2%
		Comparison check	5%

(e) Allowed Modification to EPA Method 5. When EPA Method 5 is required, the following modification is allowed: the heated filter may be separated from the impingers by a flexible tube. [Rule 62-297.310(4), F.A.C.]

A.26. Required Stack Sampling Facilities. When a mass emissions stack test is required, the permittee shall comply with the requirements contained in Appendix SS-1, Stack Sampling Facilities, attached to this permit. [Rule 62-297.310(6), F.A.C.]

A.27. Frequency of Compliance Tests. The following provisions apply only to those emissions units that are subject to an emissions limiting standard for which compliance testing is required.

(a) General Compliance Testing.

2. For excess emission limitations for particulate matter specified in Rule 62-210.700, F.A.C., a compliance test shall be conducted annually while the emissions unit is operating under soot blowing conditions in each federal fiscal year during which soot blowing is part of normal emissions unit operation, except that such test shall not be required in any federal fiscal year in which a fossil fuel steam generator does not burn liquid fuel for more than 400 hours other than during startup.

3. The owner or operator of an emissions unit that is subject to any emission limiting standard shall conduct a compliance test that demonstrates compliance with the applicable emission limiting standard prior to obtaining a renewed operation permit. Emissions units that are required to conduct an annual compliance test may submit the most recent annual compliance test to satisfy the requirements of this provision. In renewing an air operation permit pursuant to Rule 62-210.300(2)(a)3.b., c., or d., F.A.C., the Department shall not require submission of emission compliance test results for any emissions unit that, during the year prior to renewal:

a. Did not operate; or

b. In the case of a fuel burning emissions unit, burned liquid fuel for a total of no more than 400 hours.

4. During each federal fiscal year (October 1 - September 30), unless otherwise specified by rule, order, or permit, the owner or operator of each emissions unit shall have a formal compliance test conducted for:

a. Visible emissions, if there is an applicable standard;

b. Each of the following pollutants, if there is an applicable standard, and if the emissions unit emits or has the potential to emit: 5 tons per year or more of lead or lead compounds measured as elemental lead; 30 tons per year or more of acrylonitrile; or 100 tons per year or more of any other regulated air pollutant; and

c. Each NESHAP pollutant, if there is an applicable emission standard.

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.

9. The owner or operator shall notify the Department, at least 15 days prior to the date on which each formal compliance test is to begin, of the date, time, and place of each such test, and the test contact person who will be responsible for coordinating and having such test conducted for the owner or operator.

10. An annual compliance test conducted for visible emissions shall not be required for units exempted from permitting at Rule 62-210.300(3)(a), F.A.C., or units permitted under the General Permit provisions at Rule 62-210.300(4), F.A.C.

(b) Special Compliance Tests. When the Department, after investigation, has good reason (such as complaints, increased visible emissions or questionable maintenance of control equipment) to believe that any applicable emission standard contained in a Department rule or in a permit issued pursuant to those rules is being violated, it may require the owner or operator of the emissions unit to conduct compliance tests which identify the nature and quantity of pollutant emissions from the emissions unit and to provide a report on the results of said tests to the Department.

(c) Waiver of Compliance Test Requirements. If the owner or operator of an emissions unit that is subject to a compliance test requirement demonstrates to the Department, pursuant to the procedure established in Rule 62-297.620, F.A.C., that the compliance of the emissions unit with an applicable weight emission limiting standard can be adequately determined by means other than the designated test procedure, such as specifying a surrogate standard of no visible emissions for particulate matter sources equipped with a bag house or specifying a fuel analysis for sulfur dioxide emissions, the Department shall waive the compliance test requirements for such emissions units and order that the alternate means of determining compliance be used, provided, however, the provisions of Rule 62-297.310(7)(b), F.A.C., shall apply.
[Rule 62-297.310(7), F.A.C.; and, SIP approved]

A.28. Florida Department of Environmental Protection Order dated January 2, 1986 granted annual particulate matter testing with a 40% opacity limit. Compliance testing shall be conducted on an annual basis on or within 120 days before the date of June 1 of each year. The Florida Power and Light Company may request an extension of the June 1 deadline on a yearly case-by-case basis. For good cause shown, the Department may extend the deadline for a reasonable time. A timely request to extend the deadline shall automatically extend the time for compliance testing for 30 days or until the request is acted upon by the Department, whichever is earlier. In the event a compliance test cannot be conducted due to an unplanned unit outage, the compliance test shall be conducted within 30 days of the date the unit is returned to service. If the emissions unit(s) fails to comply with the Order conditions, then the emissions unit(s) will resume particulate matter (steady-state) testing either annually with a 20% opacity limit or quarterly with a 40% opacity limit. Visible emissions testing will be conducted annually regardless of the option selected. If a quarterly schedule is selected, the permittee shall advise the Department's Central District Office in writing of the quarterly test date schedule.
[AO05-217321, Specific Condition No. 4; AO05-252219, Specific Condition No. 4; Order dated 01/02/1986]

A.29. By this permit, annual emissions compliance testing for visible emissions is not required for these emissions units while burning:

- a. only gaseous fuel(s); or
- b. gaseous fuel(s) in combination with any amount of liquid fuel(s) for less than 400 hours per year; or
- c. only liquid fuel(s) for less than 400 hours per year.

[Rule 62-297.310(7)(a)4., F.A.C.]

A.30. Annual and permit renewal compliance testing for particulate matter emissions is not required for these emissions units while burning:

- a. only gaseous fuel(s); or
- b. gaseous fuel(s) in combination with any amount of liquid fuel(s) for less than 400 hours per year; or
- c. only liquid fuel(s) for less than 400 hours per year.

[Rules 62-297.310(7)(a)3. & 5., F.A.C.; and, ASP Number 97-B-01.]

A.31. Not federally enforceable. Compliance Testing Related Requirements. Should the Florida Power and Light Company (FPL) decide to pursue routine use of a magnesium based fuel additive, then all future compliance testing for particulate matter and visible emissions shall include use of the additive at an injection rate consistent with normal operation.

In the event FPL exceeds the tested additive injection rate by 10 percent or more, FPL shall notify the Department's Central District Office in writing within 14 days of the date that the higher rate was initiated. The notification shall include the date the higher injection rate began, the magnitude of the higher rate, and the approximate date by which the higher rate would cease. [AO05-217321, Specific Condition No. 5; AO05-252219, Specific Condition No. 5]

A.32. Operating Conditions During Testing - Particulate Matter and Visible Emissions.

Compliance testing during soot blowing and steady-state operation for particulate matter and visible emissions shall be conducted at least once annually, if liquid fuel is fired for more than 400 hours. A visible emissions test shall be conducted during one run of each particulate matter test. Testing shall be conducted as follows:

- a. When Burning Fuel Oil Up To 2.5% Sulfur. When only fuel oil containing less than or equal to 2.5% sulfur, by weight, is fired (or co-fired with natural gas) in an emissions unit, particulate matter and visible emissions tests during soot blowing and steady-state operation shall be performed on such emissions unit while firing solely fuel oil containing at least 90% of the average sulfur content of the fuel oils fired in the previous 12 month period, except that such test shall not be required to be performed during any year that testing is performed in accordance with specific condition **A.32.b.**
- b. When Burning Fuel Oil Greater Than 2.5% Sulfur. If fuel oil containing greater than 2.5% sulfur, by weight, is co-fired with natural gas in an emissions unit, particulate matter and visible emissions tests during soot blowing and steady-state operation shall be performed as soon as practicable, but in no event more than 60 days after firing such

fuel oil, while co-firing such oil with the appropriate proportion of natural gas required to maintain SO₂ emissions between 90 to 100% of the SO₂ emission limit (corresponding to 2.475 and 2.75 lb/mmBtu, respectively). Following successful completion of such particulate matter and visible emissions testing, further particulate matter and visible emissions testing shall not be required during the remaining federal fiscal year unless fuel oil is fired that contains greater than 0.20% sulfur above the percentage sulfur concentration fired during the most recent co-firing test. If fuel oil is co-fired containing greater than 0.20% sulfur above the percentage sulfur concentration fired during the most recent co-firing test, additional particulate matter and visible emissions tests shall be performed as described above as soon as practicable, but in no event more than 60 days after firing such higher sulfur fuel oil. If any additional particulate matter and visible emissions tests are imposed after completion of any required annual compliance tests, then the frequency testing base date shall be reset to 12-months after the date of completion of the last tests.

[Rules 62-4.070(3), 62-213.440, 62-296.405(1)(c)3. and 62-297.310(7)(a)9., F.A.C.]

Recordkeeping and Reporting Requirements

A.33. Fuel Records. The owner or operator shall create and maintain for each emission unit hourly records of the amount of each fuel fired, the ratio of fuel oil to natural gas if co-fired, and the heating value and sulfur content of each fuel fired. These records must be of sufficient detail to identify the testing requirements of specific condition A.32, and, when applicable, demonstrate compliance with the requirements of condition A.14, paragraphs b and c, of this permit. Fuel oil heating value and sulfur content shall be determined by taking a daily sample of the fuel fired, combining those samples into a monthly composite, and analyzing a representative sample of the composite. Analysis for sulfur content shall be performed using one of ASTM D2622-94, ASTM D4294-90(95), ASTM D1552-95, ASTM D1266-91, or both ASTM D4057-88 and ASTM D129-95 or the latest editions. Comparison of the as-fired fuel oil sulfur content shall be made and recorded monthly upon receipt of each monthly composite analysis.

[Rules 62-4.070(3), 62-213.410, 62-213.440 and 62-296.405(1)(c)3., F.A.C.]

A.34. Records shall be kept of each delivery of "on-specification" used oil with a statement of the origin of the used oil and the quantity delivered/stored for firing. In addition, monthly records shall be kept of the quantity of "on-specification" used oil fired in these emissions units. The above records shall be maintained in a form suitable for inspection, retained for a minimum of five years, and be made available upon request. See specific conditions A.10., A.16. and A.35.

[Rule 62-213.440(1)(b)2.b., F.A.C.; and, 40 CFR 279.61 and 761.20(e)]

A.35. The permittee shall include in the "Annual Operating Report for Air Pollutant Emitting Facility" a summary of the "on-specification" used oil analyses for the calendar year and a statement of the total quantity of "on-specification" used oil fired in Fossil Fuel Fired Steam Generators Nos. 1 and 2 during the calendar year. See specific conditions A.10., A.16. and A.34.

[Rule 62-213.440(1)(b)2.b., F.A.C.]

A.36. Quarterly reports containing monthly summaries of the quantities of used oil burned and the sampling and analysis results shall be submitted to the Department's Central District office. Used oil burned in one month within a calendar quarter triggers the quarterly reporting requirement.

[AO05-217321, Specific Condition No. 8; AO05-252219, Specific Condition No. 8]

A.37. In the case of excess emissions resulting from malfunctions, each owner or operator shall notify the Department in accordance with Rule 62-4.130, F.A.C. A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Department.

[Rule 62-210.700(6), F.A.C.]

A.38. Submit to the Department a written report of emissions in excess of emission limiting standards as set forth in Rule 62-296.405(1), F.A.C., for each calendar quarter. The nature and cause of the excess emissions shall be explained. This report does not relieve the owner or operator of the legal liability for violations. All recorded data shall be maintained on file by the Source for a period of five years.

[Rules 62-213.440 and 62-296.405(1)(g), F.A.C.]

A.39. Test Reports.

(a) The owner or operator of an emissions unit for which a compliance test is required shall file a report with the Department on the results of each such test.

(b) The required test report shall be filed with the Department as soon as practical but no later than 45 days after the last sampling run of each test is completed.

(c) The test report shall provide sufficient detail on the emissions unit tested and the test procedures used to allow the Department to determine if the test was properly conducted and the test results properly computed. As a minimum, the test report, other than for an EPA or DEP Method 9 test, shall provide the following information:

1. The type, location, and designation of the emissions unit tested.
2. The facility at which the emissions unit is located.
3. The owner or operator of the emissions unit.
4. The normal type and amount of fuels used and materials processed, and the types and amounts of fuels used and material processed during each test run.
5. The means, raw data and computations used to determine the amount of fuels used and materials processed, if necessary to determine compliance with an applicable emission limiting standard.
6. The type of air pollution control devices installed on the emissions unit, their general condition, their normal operating parameters (pressure drops, total operating current and GPM scrubber water), and their operating parameters during each test run.
7. A sketch of the duct within 8 stack diameters upstream and 2 stack diameters downstream of the sampling ports, including the distance to any upstream and downstream bends or other flow disturbances.
8. The date, starting time and duration of each sampling run.

9. The test procedures used, including any alternative procedures authorized pursuant to Rule 62-297.620, F.A.C. Where optional procedures are authorized in this chapter, indicate which option was used.
10. The number of points sampled and configuration and location of the sampling plane.
11. For each sampling point for each run, the dry gas meter reading, velocity head, pressure drop across the stack, temperatures, average meter temperatures and sample time per point.
12. The type, manufacturer and configuration of the sampling equipment used.
13. Data related to the required calibration of the test equipment.
14. Data on the identification, processing and weights of all filters used.
15. Data on the types and amounts of any chemical solutions used.
16. Data on the amount of pollutant collected from each sampling probe, the filters, and the impingers, are reported separately for the compliance test.
17. The names of individuals who furnished the process variable data, conducted the test, analyzed the samples and prepared the report.
18. All measured and calculated data required to be determined by each applicable test procedure for each run.
19. The detailed calculations for one run that relate the collected data to the calculated emission rate.
20. The applicable emission standard, and the resulting maximum allowable emission rate for the emissions unit, plus the test result in the same form and unit of measure.
21. A certification that, to the knowledge of the owner or his authorized agent, all data submitted are true and correct. When a compliance test is conducted for the Department or its agent, the person who conducts the test shall provide the certification with respect to the test procedures used. The owner or his authorized agent shall certify that all data required and provided to the person conducting the test are true and correct to his knowledge.

[Rule 62-297.310(8), F.A.C.]

Section IV. This section is the Acid Rain Part.

Operated by: Florida Power and Light Company
ORIS code: 0609

Subsection A. This subsection addresses Acid Rain, Phase II.

The emissions units listed below are regulated under Acid Rain Part, Phase II.

<u>E.U. ID</u>	<u>EPA ID</u>	<u>Brief Description</u>
No. -001	PCC1	Fossil Fuel Fired Steam Generator #1
-002	PCC2	Fossil Fuel Fired Steam Generator #2

1. The Phase II permit application submitted for this facility, as approved by the Department, is a part of this permit. The owners and operators of these Phase II acid rain units must comply with the standard requirements and special provisions set forth in the application listed below:

a. DEP Form No. 62-210.900(1)(a), dated 07/01/95.

[Chapter 62-213, F.A.C. and Rule 62-214.320, F.A.C.]

2. Sulfur dioxide (SO₂) allowance allocations for each Acid Rain unit are as follows:

E.U. ID No.	EPA ID	Year	2000	2001	2002
-001	PCC1	SO₂ allowances, under Table 2 or 3 of 40 CFR Part 73	4183*	4183*	4183*
-002	PCC2	SO₂ allowances, under Table 2 or 3 of 40 CFR Part 73	4915*	4915*	4915*

*The number of allowances held by an Acid Rain source in a unit account may differ from the number allocated by the USEPA under Table 2 or 3 of 40 CFR 73.

3. Emission Allowances. Emissions from sources subject to the Federal Acid Rain Program (Title IV) shall not exceed any allowances that the source lawfully holds under the Federal Acid Rain Program. Allowances shall not be used to demonstrate compliance with a non-Title IV applicable requirement of the Act.

1. No permit revision shall be required for increases in emissions that are authorized by allowances acquired pursuant to the Federal Acid Rain Program, provided that such increases do not require a permit revision pursuant to Rule 62-213.400(3), F.A.C.

2. No limit shall be placed on the number of allowances held by the source under the Federal Acid Rain Program.

3. Allowances shall be accounted for under the Federal Acid Rain Program.

[Rule 62-213.440(1)(c), F.A.C.]

4. Statement of Compliance. The annual statement of compliance pursuant to Rule 62-213.440(3), F.A.C., shall be submitted within 60 (sixty) days after the end of the calendar year.

{See condition No. 51., Appendix TV-1, Title V Conditions.}

[Rule 62-214.420(11), F.A.C.]

5. Comments, notes, and justifications: None.

Appendix E-1. List of Exempt Emissions Units and/or Activities.

The facilities, emissions units, or pollutant-emitting activities listed in Rule 62-210.300(3)(a), F.A.C., Full Exemptions, are exempt from the permitting requirements of Chapters 62-210 and 62-4, F.A.C.; provided, however, that exempt emissions units shall be subject to any applicable emission limiting standards and the emissions from exempt emissions units or activities shall be considered in determining whether a facility containing such emissions units or activities would be subject to any applicable requirements. Emissions units and pollutant-emitting activities exempt from permitting under Rule 62-210.300(3)(a), F.A.C., are also exempt from the permitting requirements of Chapter 62-213, F.A.C., provided such emissions units and activities also meet the exemption criteria of Rule 62-213.430(6)(b), F.A.C. The below listed emissions units and/or activities are hereby exempt pursuant to Rule 62-213.430(6), F.A.C.

Emissions Unit	Description
1	Natural Gas Metering Area Relief Valves
2	Hydrazine Mixing Tank and Relief Valves
3	Ammonia Hydroxide Mixing Tank and Relief Valves
4	Lube Oil Tank Vents and Extraction Vents
5	Oil Separation Basin (Oily Waste Separator)
6	Miscellaneous Mobile Vehicle Operation
7	Diesel Fuel Tank - 2" Vent
8	Evaporation of Boiler Chemical Cleaning Waste

Appendix U-1. List of Unregulated Emissions Units and/or Activities.

Unregulated Emissions Units and/or Activities. An emissions unit which emits no “emissions-limited pollutant” and which is subject to no unit-specific work practice standard, though it may be subject to regulations applied on a facility-wide basis (e.g., unconfined emissions, odor, general opacity) or to regulations that require only that it be able to prove exemption from unit-specific emissions or work practice standards.

The below listed emissions units and/or activities are neither ‘regulated emissions units’ nor ‘exempt emissions units’.

Emissions Unit	Description
-xxx	Painting and Solvent Cleaning
-xxx	Internal Combustion Engines which drive Compressors and Water Pumps and Similar Equipment
-xxx	Emergency Diesel Generators

Table 1-1, Summary of Air Pollutant Standards and Terms

Florida Power and Light Company
Cape Canaveral Plant

DRAFT Permit No.: 0090006-001-AV
Facility ID No.: 0090006

This table summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.

E.U. ID Nos.		Brief Description		Allowable Emissions			Equivalent Emissions**		Regulatory Citation(s)	See permit condition(s)
				Standard(s)	lbs./hour	TPY	lbs./hour	TPY		
-001		Fossil Fuel Fired Steam Generator								
-002		Fossil Fuel Fired Steam Generator								
Pollutant Name	Fuel(s)	Hours/Year	Standard(s)	lbs./hour	TPY	lbs./hour	TPY	Regulatory Citation(s)	See permit condition(s)	
Particulate Matter Steady State Soot Blowing or Load Changing	gas/oil	8760	0.1 lb/MMBtu			400	1,533	Rule 62-296.405(1)(b), F.A.C. Rule 62-210.700(3), F.A.C.	A.7 A.8	
	gas/oil		0.3 lb/MMBtu			1,200	657			
						500***	2190***			
Sulfur Dioxide	oil	8760	2.75 lb/MMBtu			11,000	48,180	Rule 62-296.405(1)(c)1.j., F.A.C.	A.9	
Visible Emissions Steady State Soot Blowing or Load Changing	gas/oil	8760	40% Opacity					Rule 62-296.405(1)(b), F.A.C. Rule 62-210.700(3), F.A.C.	A.5 A.6	
	gas/oil		60% Opacity							
Arsenic	used oil*		5.0 ppm					40 CFR 279.11	A.10	
Cadmium	used oil*		2.0 ppm					40 CFR 279.11	A.10	
Chromium	used oil*		10.0 ppm					40 CFR 279.11	A.10	
Lead	used oil*		100.0 ppm					40 CFR 279.11	A.10	
Total Halogens	used oil*		1,000.0 ppm					40 CFR 279.11	A.10	
PCB	used oil*		50.0 ppm					40 CFR 279.11	A.10	

Notes:
 *The total quantity of on-specification used oil to be fired at this facility shall not exceed 1,500,000 gallons per year.
 ** The "Equivalent Emissions" listed are for informational purposes only.
 *** Values computed using the ratio of 3/21 for soot blowing/steady state per 24 hour day.

Table 2-1, Summary of Compliance Requirements

Florida Power and Light Company
Cape Canaveral Plant

DRAFT Permit No.: 0090006-001-AV
Facility ID No.: 0090006

This table summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.

E.U. ID No.		Brief Description					
-001		Fossil Fuel Fired Steam Generator					
-002		Fossil Fuel Fired Steam Generator					
Pollutant Name or Parameter	Fuels	Compliance Method	Testing Time Frequency	Frequency Base Date *	Min. Compliance Test Duration	CMS**	See permit condition(s)
Particulate Matter							
Steady State	Gas/Oil	EPA Method 5 or 17	Annual	1-Oct	3 Hour		A.20
Soot blowing or Load Changing	Gas/Oil	EPA Method 5 or 17 ***	Annual	1-Oct			A.20
Sulfur Dioxide	Gas/Oil	CMS	Continuous			Yes	A.14
Nitrogen Oxides	Gas/Oil		Continuous			Yes	
Carbon Dioxide	Gas/Oil		Continuous			Yes	
Volumetric Flow Rate	Gas/Oil		Continuous			Yes	
Opacity	Gas/Oil		Continuous			Yes	A.17
Steady State	Gas/Oil	DEP Method 9	Annual	1-Oct	1 Hour		A.18
Soot blowing or Load Changing	Gas/Oil	DEP Method 9	Annual	1-Oct	1 Hour		A.18
Arsenic	Used Oil	Fuel Analysis	Batch				A.10, A.34
Cadmium	Used Oil	Fuel Analysis	Batch				A.10, A.34
Chromium	Used Oil	Fuel Analysis	Batch				A.10, A.34
Lead	Used Oil	Fuel Analysis	Batch				A.10, A.34
PCB	Used Oil	Fuel Analysis	Batch				A.10, A.34
Total Halogens	Used Oil	Fuel Analysis	Batch				A.10, A.34
Flash Point	Used Oil	Fuel Analysis	Batch				A.10, A.34

Notes:

*Frequency base date established for planning purposes only; see Rule 62-297.310, F.A.C.

**CMS [=] Continuous Monitoring System

***EPA Method 17 may be used only if the stack gas exit temperature is less than 375 degrees F.

Appendix H-1. Permit History/ID Number Changes

Permit History (for tracking purposes):

<u>E.U. ID No.</u>	<u>Description</u>	<u>Permit No.</u>	<u>Issue Date</u>	<u>Expiration Date</u>	<u>Extended Date^{1,2}</u>	<u>Revised Date(s)</u>
-001	Fossil Fuel Steam Generator #1	AO05-132054	12/16/87			08/23/90
		AO05-217321	03/10/93	02/25/98		02/12/97
-002	Fossil Fuel Steam Generator #2	AO05-163421	07/07/89			
		AO05-252219	07/24/94	07/19/99		02/12/97

ID Number Changes (for tracking purposes):

From: Facility ID No.: 30ORL050006

To: Facility ID No.: 0090006

Notes:

1 - AO permit(s) automatic extension(s) in Rule 62-210.300(2)(a)3.a., F.A.C., effective 03/21/96.

2 - AC permit(s) automatic extension(s) in Rule 62-213.420(1)(a)4., F.A.C., effective 03/20/96.

{Rule 62-213.420(1)(b)2., F.A.C., effective 03/20/96, allows Title V Sources to operate under existing valid permits}

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BEFORE THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

In the Matter of:)
)
Petition for Reduction in)
Quarterly Particulate)
Emissions Compliance Testing,)
Cape Canaveral Unit 1;)
FLORIDA POWER & LIGHT COMPANY)
)
Petitioner.)

OGC Case No.: 85-1417.

ORDER

On December 26, 1984, the Petitioner, Florida Power & Light Company, filed a Petition for Reduction in Quarterly Particulate Emissions Compliance Testing pursuant to Florida Administrative Code Rule 17-2.600(5)(b)1. for the following fossil fuel steam generating unit:

Cape Canaveral Unit No. 1

Pursuant to Florida Administrative Code Rule 17-2.600(5)(b)1., Petitioner has conducted quarterly particulate emission compliance tests. Florida Administrative Code Rule 17-2.600(5)(b)1. provides that the Department may reduce the frequency of particulate testing upon a demonstration that the particulate standard of 0.1 pounds per million Btu heat input has been regularly met. The petition and supporting documentation submitted by Petitioner indicate that, since July 12, 1983, Petitioner has regularly met the particulate standard. It is therefore,

ORDERED that the Petition for Reduction in Quarterly Particulate Emissions Compliance Testing is GRANTED. Petitioner may immediately commence testing on an annual basis. Test results from the first regularly scheduled compliance test conducted in FY 86 (October 1, 1985 - September 30, 1986), provided the results of that test meet the particulate standard and the 40% opacity standard, shall be accepted as results from the first annual test. Failure of Cape Canaveral Unit No. 1 to meet either the particulate standard or the 40% opacity standard in the future shall constitute grounds for revocation of this authorization.

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Persons whose substantial interests are affected by the above proposed agency action have a right, pursuant to Section 120.57, Florida Statutes, to petition for an administrative determination (hearing) on the proposed action. The Petition must conform to the requirements of Chapters 17-103 and 28-5, Florida Administrative Code, and must be filed (received) with the Department's Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32301, within fourteen (14) days of publication of this notice. Failure to file a petition within the fourteen (14) days constitutes a waiver of any right such person has to an administrative determination (hearing) pursuant to Section 120.57, Florida Statutes.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the proposed agency action. Persons whose substantial interests will be affected by any decision of the Department have the right to intervene in the proceeding. A petition for intervention must be filed pursuant to Model Rule 28-5.207, Florida Administrative Code, at least five (5) days before the final hearing and be filed with the Hearing Officer if one has been assigned at the Division of Administrative Hearings, Department of Administration, 2009 Apalachee Parkway, Tallahassee, Florida 32301. If no Hearing Officer has been assigned, the petition is to be filed with the Department's Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32301. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such person has to an administrative determination (hearing) under Section 120.57, Florida Statutes.

DONE AND ORDERED this 2 day January, 1986, in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL REGULATION

Victoria J. Tschinkel
 VICTORIA J. TSCHINKEL
 Secretary

Twin Towers Office Building
 2600 Blair Stone Road
 Tallahassee, Florida 32301
 Telephone: (904) 488-4801

FILED AND ACKNOWLEDGEMENT
 Made on this date, pursuant to §120.52 (2), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.
Paige J. Brown 1/30/86
 Clerk Date

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing ORDER has been furnished by United States Mail to Peter C. Cunningham, Esquire, Hopping, Boyd, Green & Sams, Post Office Box 6526, Tallahassee, Florida 32314, on this 3 day of January, 1986, in Tallahassee, Florida.


K. GARY EARLY
Assistant General Counsel

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32301
(904) 488-9730

Phase II Permit Application

For more information, see instructions and refer to 40 CFR 72.30 and 72.31 and Chapter 214, F.A.C.

This submission is: New Revised

STEP 1
Identify the source by plant name, State, and ORIS code from NADB

Cape Canaveral Plant	FL	609
Plant Name	State	ORIS Code

Compliance Plan

STEP 2
Enter the boiler ID# from NADB for each affected unit, and indicate whether a repowering plan is being submitted for the unit by entering "yes" or "no" at column c. For new units, enter the requested information in columns d and e

a	b	c	d	e
Boiler ID#	Unit Will Hold Allowances in Accordance with 40 CFR 72.9(c)(1)	Repowering Plan	New Units Commence Operation Date	New Units Monitor Certification Deadline
PCC1	Yes	N/A	N/A	N/A
PCC2	Yes	N/A	N/A	N/A
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			

STEP 3
Check the box if the response in column c of Step 2 is "Yes" for any unit

For each unit that will be repowered, the Repowering Extension Plan form is included and the Repowering Technology Petition form has been submitted or will be submitted by June 1, 1997.

Plant Name (from Step 1)

STEP 4

Read the standard requirements and certification, enter the name of the designated representative, and sign and date

Standard RequirementsPermit Requirements.

- (1) The designated representative of each Acid Rain source and each Acid Rain unit at the source shall:
 - (i) Submit a complete Acid Rain part application (including a compliance plan) under 40 CFR part 72, Rules 62-214.320 and 330, F.A.C. in accordance with the deadlines specified in Rule 62-214.320, F.A.C.; and
 - (ii) Submit in a timely manner any supplemental information that the permitting authority determines is necessary in order to review an Acid Rain part application and issue or deny an Acid Rain permit;
- (2) The owners and operators of each Acid Rain source and each Acid Rain unit at the source shall:
 - (i) Operate the unit in compliance with a complete Acid Rain part application or a superseding Acid Rain part issued by the permitting authority; and
 - (ii) Have an Acid Rain Part.

Monitoring Requirements.

- (1) The owners and operators and, to the extent applicable, designated representative of each Acid Rain source and each Acid Rain unit at the source shall comply with the monitoring requirements as provided in 40 CFR part 75, and Rule 62-214.420, F.A.C.
- (2) The emissions measurements recorded and reported in accordance with 40 CFR part 75 shall be used to determine compliance by the unit with the Acid Rain emissions limitations and emissions reduction requirements for sulfur dioxide and nitrogen oxides under the Acid Rain Program.
- (3) The requirements of 40 CFR part 75 shall not affect the responsibility of the owners and operators to monitor emissions of other pollutants or other emissions characteristics at the unit under other applicable requirements of the Act and other provisions of the operating permit for the source.

Sulfur Dioxide Requirements.

- (1) The owners and operators of each source and each Acid Rain unit at the source shall:
 - (i) Hold allowances, as of the allowance transfer deadline, in the unit's compliance subaccount (after deductions under 40 CFR 73.34(c)) not less than the total annual emissions of sulfur dioxide for the previous calendar year from the unit; and
 - (ii) Comply with the applicable Acid Rain emissions limitations for sulfur dioxide.
- (2) Each ton of sulfur dioxide emitted in excess of the Acid Rain emissions limitations for sulfur dioxide shall constitute a separate violation of the Act.
- (3) An Acid Rain unit shall be subject to the requirements under paragraph (1) of the sulfur dioxide requirements as follows:
 - (i) Starting January 1, 2000, an Acid Rain unit under 40 CFR 72.6(a)(2); or
 - (ii) Starting on the later of January 1, 2000 or the deadline for monitor certification under 40 CFR part 75, an Acid Rain unit under 40 CFR 72.6(a)(3).
- (4) Allowances shall be held in, deducted from, or transferred among Allowance Tracking System accounts in accordance with the Acid Rain Program.
- (5) An allowance shall not be deducted in order to comply with the requirements under paragraph (1)(i) of the sulfur dioxide requirements prior to the calendar year for which the allowance was allocated.
- (6) An allowance allocated by the Administrator under the Acid Rain Program is a limited authorization to emit sulfur dioxide in accordance with the Acid Rain Program. No provision of the Acid Rain Program, the Acid Rain permit application, the Acid Rain permit, or the written exemption under 40 CFR 72.7 and 72.8 and no provision of law shall be construed to limit the authority of the United States to terminate or limit such authorization.
- (7) An allowance allocated by the Administrator under the Acid Rain Program does not constitute a property right.

Nitrogen Oxides Requirements. The owners and operators of the source and each Acid Rain unit at the source shall comply with the applicable Acid Rain emissions limitation for nitrogen oxides.

Excess Emissions Requirements.

- (1) The designated representative of an Acid Rain unit that has excess emissions in any calendar year shall submit a proposed offset plan, as required under 40 CFR part 77.
- (2) The owners and operators of an Acid Rain unit that has excess emissions in any calendar year shall:
 - (i) Pay without demand the penalty required, and pay upon demand the interest on that penalty, as required by 40 CFR part 77; and
 - (ii) Comply with the terms of an approved offset plan, as required by 40 CFR part 77.

Recordkeeping and Reporting Requirements.

- (1) Unless otherwise provided, the owners and operators of the source and each Acid Rain unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 5 years, in writing by the Administrator or permitting authority:
 - (i) The certificate of representation for the designated representative for the source and each Acid Rain unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation, in accordance with Rule 62-214.350, F.A.C.; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation changing the designated representative;
 - (ii) All emissions monitoring information, in accordance with 40 CFR part 75;
 - (iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the Acid Rain Program; and,

Plant Name (from Step 1)

Recordkeeping and Reporting Requirements (cont.)

(iv) Copies of all documents used to complete an Acid Rain part application and any other submission under the Acid Rain Program or to demonstrate compliance with the requirements of the Acid Rain Program.

(2) The designated representative of an Acid Rain source and each Acid Rain unit at the source shall submit the reports and compliance certifications required under the Acid Rain Program, including those under 40 CFR part 72 subpart I and 40 CFR part 75.

Liability.

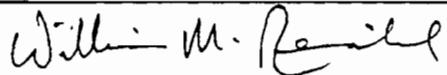
- (1) Any person who knowingly violates any requirement or prohibition of the Acid Rain Program, a complete Acid Rain part application, an Acid Rain part, or a written exemption under 40 CFR 72.7 or 72.8, including any requirement for the payment of any penalty owed to the United States, shall be subject to enforcement pursuant to section 113(c) of the Act.
- (2) Any person who knowingly makes a false, material statement in any record, submission, or report under the Acid Rain Program shall be subject to criminal enforcement pursuant to section 113(c) of the Act and 18 U.S.C. 1001.
- (3) No permit revision shall excuse any violation of the requirements of the Acid Rain Program that occurs prior to the date that the revision takes effect.
- (4) Each Acid Rain source and each Acid Rain unit shall meet the requirements of the Acid Rain Program.
- (5) Any provision of the Acid Rain Program that applies to an Acid Rain source (including a provision applicable to the designated representative of an Acid Rain source) shall also apply to the owners and operators of such source and of the Acid Rain units at the source.
- (6) Any provision of the Acid Rain Program that applies to an Acid Rain unit (including a provision applicable to the designated representative of an Acid Rain unit) shall also apply to the owners and operators of such unit. Except as provided under 40 CFR 72.44 (Phase II repowering extension plans), and except with regard to the requirements applicable to units with a common stack under 40 CFR part 75 (including 40 CFR 75.16, 75.17, and 75.18), the owners and operators and the designated representative of one Acid Rain unit shall not be liable for any violation by any other Acid Rain unit of which they are not owners or operators or the designated representative and that is located at a source of which they are not owners or operators or the designated representative.
- (7) Each violation of a provision of 40 CFR parts 72, 73, 75, 77, and 78 by an Acid Rain source or Acid Rain unit, or by an owner or operator or designated representative of such source or unit, shall be a separate violation of the Act.

Effect on Other Authorities. No provision of the Acid Rain Program, an Acid Rain part application, an Acid Rain part, or a written exemption under 40 CFR 72.7 or 72.8 shall be construed as:

- (1) Except as expressly provided in title IV of the Act, exempting or excluding the owners and operators and, to the extent applicable, the designated representative of an Acid Rain source or Acid Rain unit from compliance with any other provision of the Act, including the provisions of title I of the Act relating to applicable National Ambient Air Quality Standards or State Implementation Plans;
- (2) Limiting the number of allowances a unit can hold; *provided*, that the number of allowances held by the unit shall not affect the source's obligation to comply with any other provisions of the Act;
- (3) Requiring a change of any kind in any State law regulating electric utility rates and charges, affecting any State law regarding such State regulation, or limiting such State regulation, including any prudence review requirements under such State law;
- (4) Modifying the Federal Power Act or affecting the authority of the Federal Energy Regulatory Commission under the Federal Power Act; or,
- (5) Interfering with or impairing any program for competitive bidding for power supply in a State in which such program is established.

Certification

I am authorized to make this submission on behalf of the owners and operators of the Acid Rain source or Acid Rain units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment. (There are no attachments to this document)

Name	William M. Reichel	
Signature		Date 12/4/95

STEP 5 (optional)
Enter the source AIRS
and FINDS Identification
numbers, if known

AIRS
FINDS



Certificate of Representation

For more information, see instructions and refer to 40 CFR 72.24

This submission is: New Revised

STEP 1
Identify the source by
plant name, State, and
ORIS code from NADB

Plant Name	Cape Canaveral Power Plant	State	FL	ORIS Code	609
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STEP 2
Enter requested
information for the
designated
representative

Name	William Muly Reichel, Manager, Operation Services				
Address	P.O. Box 14000 700 Universe Blvd. Juno Beach, Florida 33408				
Phone Number	407-691-2870	Fax Number	407-691-2855		

STEP 3
Enter requested
information for the
alternate designated
representative
(optional)

Name	Antonio Rodriguez, Vice President, Operations				
Address	P.O. Box 14000 700 Universe Blvd. Juno Beach, Florida 33408				
Phone Number	407-691-2900	Fax Number	407-691-2606		

STEP 4
Complete Step 5, read
the certifications and
sign and date

I certify that I was selected as the designated representative or alternate designated representative, as applicable, by an agreement binding on the owners and operators of the affected source and each affected unit at the source.

I certify that I have given notice of the agreement, selecting me as the designated representative or alternate designated representative, as applicable for the affected source and each affected unit at the source identified in this certificate of representation, daily for a period of one week in a newspaper of general circulation in the area where the source is located or in a State publication designed to give general public notice.

I certify that I have all necessary authority to carry out my duties and responsibilities under the Acid Rain Program on behalf of the owners and operators of the affected source and of each affected unit at the source and that each such owner and operator shall be fully bound by my actions, inactions, or submissions.

I certify that I shall abide by any fiduciary responsibilities imposed by the agreement by which I was selected as designated representative or alternate designated representative, as applicable.

I certify that the owners and operators of the affected source and of each affected unit at the source shall be bound by any order issued to me by the Administrator, the permitting authority, or a court regarding the source or unit.

NP Where there are multiple holders of a legal or equitable title to, or a leasehold interest in, an affected unit, or where a utility or industrial customer purchases power from an affected unit under life-of-the-unit, firm power contractual arrangements, I certify that:

NP I have given a written notice of my selection as the designated representative or alternate designated representative, as applicable, and of the agreement by which I was selected to each owner and operator of the affected source and of each affected unit at the source; and

NA Allowances and the proceeds of transactions involving allowances will be deemed to be held or distributed in proportion to each holder's legal, equitable, leasehold, or contractual reservation or entitlement or, if such multiple holders have expressly provided for a different distribution of allowances by contract, that allowances and the proceeds of transactions involving allowances will be deemed to be held or distributed in accordance with the contract.

NA The agreement by which I was selected as the alternate designated representative includes a procedure for the owners and operators of the source and affected units at the source to authorize the alternate designated representative to act in lieu of the designated representative.

Cape Canaveral Power Plant
Plant Name (from Step 1)

Certification

I am authorized to make this submission on behalf of the owners and operators of the affected source or affected units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment.

Signature (designated representative) <i>William H. Rishel</i>	Date <i>Oct. 29</i> , 1993
Signature (alternate) <i>C. Anthony</i>	Date <i>Nov. 2</i> , 1993

STEP 5
Provide the name of every owner and operator of the source and each affected unit at the source. Identify the units they own and/or operate by boiler ID# from NADB. For owners only, identify each state or local utility regulatory authority with jurisdiction over each owner

Name <u>Florida Power & Light Company</u>						<input type="checkbox"/> Owner	<input type="checkbox"/> Operator
ID# PCC 1	ID# PCC 2	ID#	ID#	ID#	ID#	ID#	ID#
ID#	ID#	ID#	ID#	ID#	ID#	ID#	ID#
Regulatory Authorities							

Name						<input type="checkbox"/> Owner	<input type="checkbox"/> Operator
ID#	ID#	ID#	ID#	ID#	ID#	ID#	ID#
ID#	ID#	ID#	ID#	ID#	ID#	ID#	ID#
Regulatory Authorities							

Name						<input type="checkbox"/> Owner	<input type="checkbox"/> Operator
ID#	ID#	ID#	ID#	ID#	ID#	ID#	ID#
ID#	ID#	ID#	ID#	ID#	ID#	ID#	ID#
Regulatory Authorities							

Name						<input type="checkbox"/> Owner	<input type="checkbox"/> Operator
ID#	ID#	ID#	ID#	ID#	ID#	ID#	ID#
ID#	ID#	ID#	ID#	ID#	ID#	ID#	ID#
Regulatory Authorities							

CAPE PUBLICATIONS, INC.

The Times

Published Weekly on Wednesday

THE TRIBUNE

Published Weekly on Wednesday

STAR-ADVOCATE

Published Weekly on Wednesday



Published Daily

STATE OF FLORIDA
COUNTY OF BREVARD

Before the undersigned authority personally appeared Sandra N. Thomas who on

oath says that she is Legal Advertising Clerk

of the FLORIDA TODAY, a newspaper published in Brevard County,

Florida; that the attached copy of advertising being a LEGAL NOTICE

in the matter of

Florida Power & Light /for Cape Canaveral Power Plant

in the Court

was published in the FLORIDA TODAY NEWSPAPER

in the issues of NOVEMBER 3, 4, 5, 6, 7, 8, 9, 1993

Affiant further says that the said FLORIDA TODAY NEWSPAPER

is a newspaper published in said Brevard County, Florida, and that the said newspaper has

heretofore been continuously published in said Brevard County, Florida, regularly as stated above,

and has been entered as second class mail matter at the post office in MELBOURNE

said Brevard County, Florida, for a period of one year next preceeding the first publication of the

attached copy of advertisement; and affiant further says that she 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.

Handwritten signature of Sandra N. Thomas

(Signature of Affiant)

Sworn to and subscribed before me this 9 day of NOVEMBER

1993

Handwritten signature of Kimberly Annette Robedeau

(Signature of Notary Public)

Notary Public, State of Florida
KIMBERLY ANNETTE ROBEDEAU
My Comm. Exp. Sept. 13, 1996
Comm. No. CC 227330

KIMBERLY ANNETTE ROBEDEAU

(Name of Notary Typed, Printed or Stamped)



Personally Known or Produced Identification

Type of Identification Produced

90-702459-7T-11/3-9,1993,
Wed-Tues.
NOTICE
Notice is hereby given that Florida Power & Light Company has appointed William M. Reichel as the designated representative for Cape Canaveral Power Plant, replacing John M. Lindsay. As the designated representative, William M. Reichel has all the necessary authority to carry out the responsibilities of designated representative on behalf of Florida Power & Light Company, pursuant to the acid rain program of the Clean Air Act Amendments of 1990. This notice was made in accordance with the Clean Air Act Amendments of 1990, 42 USC F.5.740 et. seq., and applicable regulations of the United States Environmental Protection Agency.