



# Florida Department of Environmental Protection

Bob Martinez Center  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Charlie Crist  
Governor

Jeff Kottkamp  
Lt. Governor

Michael W. Sole  
Secretary

August 26, 2008

*Electronically Sent – Received Receipt Requested.*

Mr. Juan Nasiff, Plant General Manager ([Juan\\_Nasiff@fpl.com](mailto:Juan_Nasiff@fpl.com))  
Florida Power and Light Company  
4300 SW 42 Street  
Fort Lauderdale, Florida 33414

Re: DEP File No. 0110037-005-AV  
Title V Air Operation Permit Renewal  
Request for Additional Information

Dear Mr. Nasiff:

The Florida Department of Environmental Protection has reviewed your application for a renewal of the Title V Air Operation Permit for the Lauderdale Plant. However, we must deem your application *incomplete*, because we need further information relative to the following item:

1. Please provide an assessment as to the applicability of the following federal regulations with regard to the emergency generators at the plant:
  - 40 CFR 60, Subpart III—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines.
  - 40 CFR 60, Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines.
  - 40 CFR 63, Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

When we receive this information, we will continue processing your application. If you have any questions, please contact Project Engineer Tom Cascio at 850-921-9526. Rule 62-4.050(3), F.A.C., requires that all applications for a Department permit must be certified by a professional engineer registered in the State of Florida. This requirement also applies to responses to Department requests for additional information of an engineering nature. Permit applicants are advised that Rule 62-4.055(1), F.A.C., requires applicants to respond to requests for information within 90 days, unless the applicant has requested in writing, and has been granted, additional time within 90 days.

Sincerely,

Jonathan K. Holtom, P.E., CPM  
Acting Program Administrator  
Title V Section

Cc: Mr. Kennard Kosky, Golder Associates: [kkosky@golder.com](mailto:kkosky@golder.com)  
Ms. Daniela Banu, Broward County: [dbanu@co.broward.fl.us](mailto:dbanu@co.broward.fl.us)  
Ms. Katy Forney, EPA Region 4: [forney.kathleen@epa.gov](mailto:forney.kathleen@epa.gov)

**Friday, Barbara**

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**To:** Juan\_Nasiff@fpl.com  
**Cc:** 'KKosky@Golder.com'; 'dbanu@co.broward.fl.us'; Forney.Kathleen@epamail.epa.gov; Cascio, Tom  
**Subject:** DEP File No.: 0110037-005-AV - Florida Power and Light Company - Lauderdale Plant  
**Attachments:** JuanNasiffRAI0110037-005-AV.pdf

Dear Sir/Madam:

Please send a "reply" message verifying receipt of the attached document(s); this may be done by selecting "Reply" on the menu bar of your e-mail software and then selecting "Send". We must receive verification of receipt and your reply will preclude subsequent e-mail transmissions to verify receipt of the document(s).

The document(s) may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible.

The document is in Adobe Portable Document Format (pdf). Adobe Acrobat Reader can be downloaded for free at the following internet site: <<http://www.adobe.com/products/acrobat/readstep.html> <<http://www.adobe.com/products/acrobat/readstep.html>> > .

The Bureau of Air Regulation is issuing electronic documents for permits, notices and other correspondence in lieu of hard copies through the United States Postal System, to provide greater service to the applicant and the engineering community. Please advise this office of any changes to your e-mail address or that of the Engineer-of-Record.

Thank you,

DEP, Bureau of Air Regulation

8/26/2008

## Friday, Barbara

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**From:** Exchange Administrator  
**Sent:** Tuesday, August 26, 2008 1:26 PM  
**To:** Friday, Barbara  
**Subject:** Delivery Status Notification (Relay)

**Attachments:** ATT213168.txt; DEP File No.: 0110037-005-AV - Florida Power & Light Company -  
Lauderdale Plant



ATT213168.txt  
(286 B)



DEP File No.:  
0110037-005-AV -...

This is an automatically generated Delivery Status Notification.

Your message has been successfully relayed to the following recipients, but the requested delivery status notifications may not be generated by the destination.

Juan\_Nasiff@fpl.com

## Friday, Barbara

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**From:** Nasiff, Juan [Juan.Nasiff@fpl.com]  
**To:** Friday, Barbara  
**Sent:** Tuesday, August 26, 2008 1:26 PM  
**Subject:** Read: DEP File No.: 0110037-005-AV - Florida Power & Light Company - Lauderdale Plant

Your message

To: Juan.Nasiff@fpl.com  
Subject:

was read on 8/26/2008 1:26 PM.

## Friday, Barbara

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**From:** Mail Delivery System [MAILER-DAEMON@mseive01.rtp.epa.gov]  
**Sent:** Tuesday, August 26, 2008 1:26 PM  
**To:** Friday, Barbara  
**Subject:** Successful Mail Delivery Report

**Attachments:** Delivery report; Message Headers



Delivery report.txt  
(498 B)

Message  
Headers.txt (2 KB)

This is the mail system at host mseive01.rtp.epa.gov.

Your message was successfully delivered to the destination(s) listed below. If the message was delivered to mailbox you will receive no further notifications. Otherwise you may still receive notifications of mail delivery errors from other systems.

The mail system

<Forney.Kathleen@epamail.epa.gov>: delivery via 127.0.0.1[127.0.0.1]:10025: 250  
OK, sent 48B43CA0\_31662\_636\_1 C661144430

## Friday, Barbara

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**From:** Mail Delivery System [MAILER-DAEMON@sophos.golder.com]  
**Sent:** Tuesday, August 26, 2008 1:26 PM  
**To:** Friday, Barbara  
**Subject:** Successful Mail Delivery Report

**Attachments:** Delivery report; Message Headers



Delivery report.txt  
(470 B)



Message  
Headers.txt (2 KB)

This is the mail system at host sophos.golder.com.

Your message was successfully delivered to the destination(s) listed below. If the message was delivered to mailbox you will receive no further notifications. Otherwise you may still receive notifications of mail delivery errors from other systems.

The mail system

<KKosky@Golder.com>: delivery via 127.0.0.1[127.0.0.1]:10025: 250 OK, sent  
48B43C9A\_19739\_16\_1 E26841170DEC

**Friday, Barbara**

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**From:** Exchange Administrator  
**Sent:** Tuesday, August 26, 2008 1:26 PM  
**To:** Friday, Barbara  
**Subject:** Delivery Status Notification (Relay)

**Attachments:** ATT213170.txt; DEP File No.: 0110037-005-AV - Florida Power & Light Company -  
Lauderdale Plant



ATT213170.txt  
(289 B)

DEP File No.:  
0110037-005-AV -...

This is an automatically generated Delivery Status Notification.

Your message has been successfully relayed to the following recipients, but the requested delivery status notifications may not be generated by the destination.

dbanu@co.broward.fl.us

## Friday, Barbara

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**From:** System Administrator  
**To:** Cascio, Tom  
**Sent:** Tuesday, August 26, 2008 1:26 PM  
**Subject:** Delivered:DEP File No.: 0110037-005-AV - Florida Power & Light Company - Lauderdale Plant

### Your message

**To:** 'Juan\_Nasiff@fpl.com'  
**Cc:** 'KKosky@Golder.com'; 'dbanu@co.broward.fl.us'; 'Forney.Kathleen@epamail.epa.gov'; Cascio, Tom  
**Subject:** DEP File No.: 0110037-005-AV - Florida Power & Light Company - Lauderdale Plant  
**Sent:** 8/26/2008 1:26 PM

was delivered to the following recipient(s):

Cascio, Tom on 8/26/2008 1:26 PM



SUN-SENTINEL

Published Daily

Fort Lauderdale, Broward County, Florida

Boca Raton, Palm Beach County, Florida

Miami, Miami-Dade County, Florida

PLACE COPY OF LEGAL NOTICE HERE

STATE OF FLORIDA

COUNTY OF BROWARD/PALM BEACH/MIAMI-DADE

Before the undersigned authority personally appeared James H. Croteau who on oath says that he/she is a duly authorized representative of the Classified Department of the Sun-Sentinel, daily newspaper published in Broward/Palm Beach/Miami-Dade County, Florida, that the attached copy of advertisement, being, a Public Notice in the matter of Intent to Issue Title V Air Operation Permit in the paper October 3, 2008 Affiant further says that the said Sun-Sentinel is a newspaper published in said Broward/Palm Beach/ Miami-Dade County, Florida, and that the said newspaper has heretofore been continuously published in said Broward/Palm Beach/Miami-Dade County, Florida, each day, and has entered as second class matter at the post office in Fort Lauderdale, in said Broward County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant says that he/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.

James H Croteau

(Signature of Affiant) October 3, 2008

Julieann C Rossi

(Signature of Notary Public)

(Name of Notary typed, printed or stamped) \_\_\_\_\_ Personally

Known  or Produced Identification \_\_\_\_\_

NOTARY PUBLIC-STATE OF FLORIDA  
Julieann C. Rossi  
Commission # DD-38343  
Expires: APR. 18, 2009  
Bonded Thru Atlantic Bonding Co., Inc.

10/03/2008 11:10 FAX 9544251701

CLASSIFIED LEGALS

002

VA-43-08 / LUF-42-4-B  
NOTICE OF PUBLIC HEARING  
CITY OF DANIA BEACH

NOTICE IS HEREBY GIVEN that a public hearing will be held before the City Commission on Tuesday, October 14, 2008 at 7:00 p.m. or as soon thereafter as possible in the Dania Beach City Commission Room, Administrative Center, 100 West Dania Beach Blvd., Dania Beach, Florida 33004, for the purpose of hearing any comments which might be made to the following request:

Request by Scott Backman, Esquire representing Joan Leto Trustee, Joan Leto Revocable Trust for property generally located on the north side of Stirling Road approximately 1/4 mile northwest of the I-95 / Stirling Road exit, in the City of Dania Beach for the following items:

- VA-43-08: Variance request to allow:
  - To allow one (1) loading berth; (Chapter 28, Zoning Article 6.22 Off-Street Loading regulations four (4))
  - To allow the building height to be 6-5-stories/55 feet; (Chapter 28, Zoning, Article 6.20 Height Regulations allows a maximum of 5-stories/62 foot height)

LUF-42-08  
Allocation of Flex to allow industrial land to be used for commercial (hotel) use.

This request is in conjunction with the plan request SP-41-08 for the proposed construction of a 130-room, 6-story Town Place Suites Hotel.

Property is legally described as: That portion of Tract "A" of Leto Park as recorded in Plat Book 118, Page 39 of the Public Records of Broward County, Florida, being more fully described as follows: Commence at the Northwest corner of said Tract "A", thence S 00 deg 00 min 00 seconds 7333.84 Feet to the point of beginning; thence N 89 deg 19 min 33 sec 3304.04 feet to the West right-of-way line of SW 19th Street; thence along said West line S 10 deg 00 min 00 sec W 333.84 feet; thence S 89 deg 19 min 32 sec W 304.94 feet; thence N 00 deg 00 min 00 sec E 333.84 feet to the point of beginning, said lands situated, lying and being in Broward County, Florida, containing 101,813 square feet more or less.

Copies of the proposed request are available for viewing in the Community Development Department, 100 West Dania Beach Blvd., Dania Beach, Florida between the hours of 8:00 a.m. and 4:00 p.m., Monday - Friday, please call (954) 921-6805 x3643 for more information. Interested parties may appear at the public hearing and be heard with respect to the proposed petition.

In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk's office, 100 West Dania Beach Blvd., Dania Beach, FL 33004, (954) 921-6800 x3623, at least 48 hours prior to the meeting.

Any person who wishes to appeal any decision made by the Planning and Zoning Advisory Board or the City Commission with regard to any matter considered at a meeting or hearing will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Lou Ann Petellaro  
Planning Associate  
October 3, 2008

LEGAL AD

CITY OF HOLLYWOOD

NOTICE IS HEREBY GIVEN in accordance with Section 166.041 Florida Statute that the City Commission of the City of Hollywood, Florida, in a Regular City Commission Meeting, on WEDNESDAY, October 15, 2008, in the City Commission Chambers, Room 219, General Joseph W. Watson Circle, Hollywood, Florida, proposes to consider on second and final readings the following proposed ordinance(s):

Proposed Ordinance - PO-2004-2: beginning at: 2:00 PM, or as soon thereafter as same can be heard;

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, VACATING THAT PORTION OF THE UNDEVELOPED RIGHT OF WAY FOR MCINTOSH ROAD, AS ESTABLISHED IN THE PLAT OF PORT EVERGLADES INDUSTRIAL PARK SECTION THREE (148-2) AND THE PLAT OF PORT EVERGLADES INDUSTRIAL PARK SECTION FOUR (148-3) AS RECORDED IN THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, AND MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE; PROVIDING FOR A SEVERABILITY CLAUSE; A REPEALER PROVISION; AND AN EFFECTIVE DATE. (VA-03-03)

Proposed Ordinance - PO-2008-19 beginning at: 2:00 PM, or as soon thereafter as same can be heard;

AN ORDINANCE OF THE CITY OF HOLLYWOOD, FLORIDA, AMENDING THE ZONING AND LAND DEVELOPMENT REGULATIONS AND THE CODES OF ORDINANCES, ADOPTING PROCEDURES FOR THE CONSIDERATION OF VARIANCES AND SITE PLAN MODIFICATIONS AS NECESSARY FOR THE CURE OF NON-CONFORMITIES CREATED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION ACQUISITION OF RIGHT-OF-WAY PARCELS FOR A US 441/SR 7 CORRIDOR IMPROVEMENT PROJECT (08-7-42)

Proposed Ordinance - PO-2008-20 beginning at: 2:30 PM, or as soon thereafter as same can be heard;

AN ORDINANCE OF THE CITY OF HOLLYWOOD, FLORIDA, WAIVING THE 10 ACRE MINIMUM ACREAGE REQUIREMENT FOR A PLANNED DEVELOPMENT; CHANGING THE ZONING DESIGNATION OF THE PROPERTY GENERALLY LOCATED AT 4111 S OCEAN DRIVE FROM C-1 (COMMERCIAL LOW DENSITY) TO PD (PLANNED DEVELOPMENT DISTRICT) ALLOCATING UP TO 238 BONUS HOTEL DENSITY ROOMS FROM THE HOLLYWOOD BEACH HOTEL ROOM PD; APPROVING THE PLANNED DEVELOPMENT PD MASTER DEVELOPMENT PLAN FOR THE SUBJECT PROPERTY (HEREINAFTER KNOWN AS "BEACH ONE RESORT PLANNED DEVELOPMENT MASTER PLAN"); AND AMENDING THE CITY ZONING MAP TO REFLECT THE CHANGE IN ZONING DESIGNATION. (05-7-21)

The proposed ordinance(s) may be inspected by the public in the office of the City Clerk, Room 221, General Joseph W. Watson Circle, Hollywood, Florida, between the hours of 8:00 AM and 4:45 PM on any regular working day. Interested parties may appear at the aforesaid time and place and be heard with respect to the proposed ordinance(s).

NOTE: Any person who wishes to appeal any decision made by the City Commission with respect to any matter considered at this meeting will need a record of the proceedings, and it will be their responsibility to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Please call 954-921-3211 for any questions regarding the above matter.

Persons with disabilities who require reasonable accommodation to participate in City programs and/or services may call the Office of the City Manager five business days in advance at 954-921-3111 (voice) if an individual is hearing or speech impaired, please call 800-955-8771 (V-TDD).  
Dated this 3rd day of October, 2008.  
October 3, 2008

PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT

Florida Department of Environmental Protection  
Division of Air Resource Management, Bureau of Air Regulation  
Draft Permit No. D110637-005-AV  
Florida Power and Light Company, Lauderdale Plant  
Broward County, Florida

Applicant: The applicant for this project is Florida Power and Light Company. The applicant's responsible official and mailing address is: Mr. Juan Nasif, Plant General Manager, Florida Power and Light Company, Lauderdale Plant, 4300 SW 42 Street, Fort Lauderdale, Florida 33414.

Facility Location: The applicant operates the existing Lauderdale Plant, which is located in Broward County, 2 miles West of Ravenswood Road, in Fort Lauderdale, Florida.

Project: The applicant applied on June 27, 2008 to the Department for a Title V air operation permit renewal. This is a renewal of Title V air operation permit No. 0110007-003-AV. The existing facility consists of two combined-cycle generating units (Unit 4 and Unit 5), two banks of twelve simple cycle gas turbine units, and eight fuel storage tanks. Each combined-cycle unit consists of two combustion turbines (CT) which each exhaust through a separate heat recovery steam generator (HRSG). Each HRSG converts the heat from the CT exhaust into steam. The steam produced from the two HRSG units drives one-day reheat turbine generators. Each combined cycle unit has a net summer continuous capability of 430 megawatts (MW). Each bank of simple cycle gas turbines has a net capability of 504 MW.

Also included in the permit is a regulated unit for solvent usage; in addition, there are miscellaneous unregulated/insignificant emissions units and/or activities.

Permitting Authority: Applications for Title V air operation permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, 62-213 and 62-214, of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and a Title V air operation permit is required to operate the facility. The Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination for this project. The Permitting Authority will issue a proposed Title V permit and subsequent final Title V permit in accordance with the conditions of the draft permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S., or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

Project File: A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays) at the address indicated above for the Permitting Authority. The complete project file includes the Draft Permit, the Statement of Basis, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may view the draft Permit by visiting the following website: <http://www.floridadep.gov/air/programs/air/ops/default.asp?app=detail> entering the permit number shown above. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address or phone number listed above.

Notice of Intent to Issue Air Permits: The Permitting Authority gives notice of its intent to issue an air permit to the applicant for the project described above. The applicant has provided reasonable assurance that continued operation of existing equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-214, 62-265 and 62-297, F.A.C. The Permitting Authority will issue a proposed Title V permit and subsequent final Title V permit in accordance with the conditions of the draft permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S., or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

Comments: The Permitting Authority will accept written comments concerning the Draft Title V Permit for a period of 30 days from the date of publication of the Public Notice. Written comments must be received by the close of business (5:00 p.m.) on or before the end of the 30-day period by the Permitting Authority at the above address. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will schedule the time, date, and location in the public determination meeting (PDM).

If a public meeting is requested within the 30-day comment period and conducted by the Permitting Authority, any oral and written comments received during the public meeting will also be considered by the Permitting Authority. If timely received, written comments or comments received at a public meeting result in a significant change to the Draft Permit, the Permitting Authority shall issue a Revised Draft Permit and require, if applicable, another Public Notice. Subsequent comments on the Title V and Title V parts of the renewal permit may be submitted if comments are received on the Title V portion of the draft permit. All comments filed will be made available for public inspection. For additional information, contact the Permitting Authority at the above address or phone number.

Petitions: 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 with (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection at 3800 Commonwealth Boulevard, Mail Station #36, Tallahassee, Florida 32309-0000. Petitions filed by any persons other than those entitled to written notice under Section 120.6003, F.S. must be filed within 14 days of publication of the Public Notice or receipt of a written notice, whichever occurs first. Under Section 120.593(3), F.S., however, any person who asked the Permitting Authority for notice of a public hearing may file a petition within 14 days of that notice, regardless of the date of publication. A petitioner shall 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 in a proceeding initiated by another party will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.26, F.A.C.

A petition that disputes the material facts upon which the Permitting Authority's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address and telephone number of the petitioner; the name, address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial rights will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency action or proposed decision; (d) A statement of all disputed issues of material fact; if there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action including an explanation of how the alleged facts relate to the specific rules or statutes; and, (g) A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the agency to take with respect to the agency's proposed action. A petition that does not dispute the material facts upon which the Permitting Authority's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

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 Public Notice or in the Draft Permit. 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.

Mediation: Mediation is not available for this proceeding.

Objections: Finally, pursuant to 42 United States Code (U.S.C.) Section 7602(d)(2), any person may petition the Administrator of the EPA within 60 days of the final action of the Administrator or the Administrator's 45-day review period as established at 42 U.S.C. Section 7601(d)(7)(1), to object to the issuance of any Title V air operation permit. Any petition shall be based only on objections to the Permit that were raised with reasonable specificity during the 30-day public comment period provided in the Public 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 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 7601(d)(2)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 101 M Street, S.W., Washington, D.C. 20460. For more information regarding EPA review and objections, visit EPA's Region 4 web site at <http://www.epa.gov/region4air/permits/index.htm>.

DP081003

OCT 10 2008

OFFICE OF  
GENERAL COUNSEL

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

FLORIDA POWER & LIGHT CO.,

Petitioner,

vs.

FLORIDA DEPARTMENT OF  
ENVIRONMENTAL PROTECTION,

Respondent.

OGC No.  
DEP Draft Permit No. 0110037-005-AV

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**REQUEST FOR ENLARGEMENT OF TIME**

By and through undersigned counsel, Florida Power & Light Company (FPL) hereby requests, pursuant to Florida Administrative Code Rule 62-110.106(4), an enlargement of time, to and including November 10, 2008, in which to file a Petition for Administrative Proceedings in the above-styled matter. As good cause for granting this request, FPL states the following:

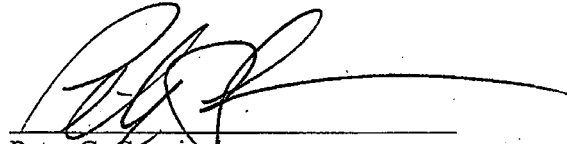
1. On or about September 26, 2008, FPL received from the Department of Environmental Protection ("Department") a "Written Notice of Intent to Issue Title V Air Operation Permit" and accompanying "Draft Permit" (Air Permit No. 0110037-005-AV), for FPL's Lauderdale Plant, which is located 2 miles west of Ravenswood Road, Fort Lauderdale, in Broward County, Florida.
2. Based on FPL's initial review, the Draft Permit and associated documents contain several provisions that warrant clarification or correction.
3. Mr. Kevin Washington of FPL's Environmental Services Department has advised Mr. Tom Cascio of the Department's Bureau of Air Regulation concerning this Request and Mr. Cascio has indicated no objection to the enlargement of time requested herein.

4. Representatives of FPL intend to discuss possible resolutions to the issues needing clarification or correction with representatives of the Department in the near future.

5. This request is filed simply as a protective measure to avoid waiver of FPL's right to challenge certain provisions of the Draft Permit. Grant of this request will not prejudice either party, but will further their mutual interest and hopefully avoid the need to file a Petition and proceed to a formal administrative hearing.

WHEREFORE, FPL respectfully requests that the time for filing of a Petition for Administrative Proceedings in regard to the Department's Intent to Issue Title V Air Operation Permit No.0110037-005-AV be formally extended to and including November 10, 2008.

RESPECTFULLY SUBMITTED this 10<sup>th</sup> day of October, 2008.



Peter C. Cunningham  
Florida Bar No. 0321907  
Hopping, Green & Sams, P.A.  
123 S. Calhoun Street  
Tallahassee, Florida 32301  
Telephone: (850) 222-7500  
Facsimile (850) 224-8551

Attorneys for Petitioner  
Florida Power & Light Company

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that the original and one copy of the foregoing REQUEST FOR ENLARGEMENT OF TIME has been filed by hand delivery with the Agency Clerk, Department of Environmental Protection, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, and a true and correct copy of the foregoing REQUEST FOR ENLARGEMENT OF TIME has been furnished by hand delivery to Ronda L. Moore, Assistant General Counsel, Department of Environmental Protection, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000 and Tom Cascio Department of Environmental Protection, 111 S. Magnolia Drive, Tallahassee, Florida on this 10<sup>th</sup> day of October, 2008.

  
\_\_\_\_\_  
Attorney

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

FLORIDA POWER & LIGHT COMPANY,

Petitioner,

vs.

OGC No. 08-2512

DEP Permit No. 0110037-005-AV

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION,

Respondent.

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**ORDER GRANTING REQUEST FOR  
EXTENSION OF TIME TO FILE PETITION FOR HEARING**


This cause has come before the State of Florida Department of Environmental Protection (Department) upon receipt of a request made by Petitioner, Florida Power & Light Company (Petitioner), to grant an extension of time to file a petition for administrative hearing to allow time to discuss with the Department several specific permit conditions for its facility in Broward County, Florida. Because the request shows good cause for the extension of time,

IT IS ORDERED:

The request for an extension of time to file a petition for administrative proceeding is GRANTED. Petitioner shall have until **November 6, 2008**, to file a petition in this matter. Filing shall be complete upon receipt by the Office of General Counsel, Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

DONE AND ORDERED on this 28<sup>th</sup> day of October, 2008, in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

  
\_\_\_\_\_  
JACK CHISOLM, Deputy General Counsel  
3900 Commonwealth Boulevard - MS 35  
Tallahassee, Florida 32399-3000  
850/245-2242 facsimile 850/245-2302

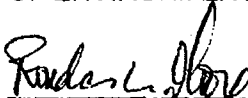
**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing, Order Granting Request for Extension of Time to File Petition for Hearing, was furnished via facsimile ONLY on this 20<sup>th</sup> day of October, 2008, to:

Peter Cunningham  
Hopping, Green & Sams, P.A.  
123 S. Calhoun Street  
Tallahassee, Florida 32301

facsimile: 850/224-8551

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION



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RONDA L. MOORE  
Assistant General Counsel  
3900 Commonwealth Boulevard - MS 35  
Tallahassee, Florida 32399-3000  
phone 850/245-2193  
facsimile 850/245-2302  
Florida Bar No. 0676411

cc via electronic mail:

Trina Vielhauer, DEP BAR Chief - [Trina.Vielhauer@dep.state.fl.us](mailto:Trina.Vielhauer@dep.state.fl.us)  
Tom Cascio, Project Engineer - [Tom.Cascio@dep.state.fl.us](mailto:Tom.Cascio@dep.state.fl.us)



October 24, 2008

Trina L. Vielhauer, Chief  
Bureau of Air Regulation  
State of Florida  
Department of Environmental Protection  
2600 Blair Stone Road  
Mail Station #5505  
Tallahassee, FL 32399-2400

RECEIVED

NOV 05 2008

BUREAU OF AIR REGULATION

**Re: Comments to Draft Air Operating Permit; Lauderdale Power Plant, Permit No. 0110037-005-AV**

Dear Trina,

As an initial matter, FPL requests that the Department involve major stakeholders in the development of permitting format changes to avoid extended delays in permit review. FPL specifically requests confirmation from FDEP that these formatting changes are not intended to, and in fact do not, result in any changes to the substantive requirements applicable to this facility. Also, the size of the permit for such a simple facility as Lauderdale has grown unwieldy especially in this day of conservation, and moving specific requirements into Appendices makes it much more difficult to determine precisely what requirements are applicable. We are anticipating permits plus attachments to exceed 1000 plus pages for some of our facilities if this trend is continued.

Regarding the Draft Title V Permit referenced above, FPL has the following comments:

- Statement of Basis: Please provide a list of all changes made in the draft permit no. 0110037-005-AV as compared to the current air operating permit no. 0110037-004-AV.
- Page 3,  
Subsection C. Applicable Regulations: FPL requests that the Table indicating Regulation and EU No(s) be removed from the permit. It is cumbersome and may create confusion for the permit users.



- Page 4,

**FW1. Appendices.** FPL requests that the word “all” be replaced by “the applicable”

- Page 5,

**FW10. Clean Air Interstate Rule (CAIR) Applicable Units .....**” FPL requests that the last sentence beginning with “*If, and at such time that, .....*” be deleted from this condition. There is no requirement that an applicant to be held to conditions in an application that are not contained in a valid operating permit.

- Page 6,

{*Permitting note: These emissions units are regulated under Acid Rain.....*}. FPL requests that the citation above be removed and replaced with the Permitting note of the same nature found on Page 7 of the existing title V Permit no. 0110037-004-AV.

- Page 7,

Specific Condition No.A.1 Permitted Capacity:

**A.1. Permitted Capacity.** The maximum operation heat input rate is as follows: (see specific condition **A.32.**):.....  
{Table}

[Rules 62-4.160(2), 62-204.800, and 62-210.200(PTE), F.A.C.; and Permit PSD-FL-145, Specific Condition 1.]

FPL requests the condition be revised to reflect the following.

Specific Condition No.A.1 Permitted Capacity:

**A.1. Permitted Capacity.** The maximum operation heat input rate is as follows: (see specific condition **A.33.**).

{Insert Table}

The maximum operation heat input rate is limited for Emission Units 035, 036, 037, and 038 in accordance with a 3-hour block average that is limited at any given ambient temperature. The ambient temperature for heat input calculation or look up curves is equivalent to the compressor inlet temperature.

The heat input will be demonstrated annually in accordance with the 3-hour run time of the performance test and will be provided as a part of the test submittal.

The CEMs Data Handling & Acquisition System (DAHS) calculated heat input shall not be used for compliance purposes.

*(An estimated “real time” heat input value can be calculated for agency compliance inspectors upon request. The averaging time for the estimated heat input will be a 3-hour block that may utilize*

*fuel flow or tank drop data to determine the fuel usage which will be multiplied by the last available heating value of the fuel. If sampling is needed to determine the current heat input value, the adjusted heat input value will be provided to the inspector after test results are received for the heat value of the fuel and a corrected fuel heat input is calculated.)*

Heat input is not required to be recorded other than the instances as addressed previously in this condition.

[Rules 62-4.160(2), 62-204.800, and 62-210.200(PTE), F.A.C.; and Permit PSD-FL-145, Specific Condition 1.]

- Page 9,  
Rule 62-210.700. FPL requests that the word “any” be replaced by “an applicable”.
  
- Page 9  
**A.21.** Water to Fuel Monitor – FPL requests that this Condition be deleted as the facility will use CEMs for monitoring of operations
  
- Page 10,  
**A.24. CEMS Requirements.** FPL requests that the language be replaced by Specific Condition A.25 from the existing Title V Permit 0110037-004-AV, with the exception that the last sentence beginning with, “*Compliance shall.....*” be omitted. The existing Specific Condition A.25 is more explicit as to the requirements of a Part 75 CEM
  
- Page 10,  
**A.25. Test Methods.** FPL requests that the table and language be deleted in its entirety and be replaced by Specific Condition A.20 from the existing Title V Permit 0110037-004-AV, with the exception that the capacity range be changed from “95-100 percent” to “90-100 percent”.
  
- Page 11,  
**A.25. Test Methods.** FPL requests that the table be expanded to include O<sub>2</sub> and CO<sub>2</sub> with EPA Reference Method 3A applicable to each fuel as shown below.

	<b>EPA Reference Method</b>	<b>Gas</b>	<b>Oil</b>
O <sub>2</sub>	3A	X	X
CO <sub>2</sub>	3A	X	X

- Page 11,

**A.29. Compliance Tests Prior To Permit Renewal.** FPL requests that the language be changed to reflect the current compliance requirements. The reference to PM should be replaced by “NOx”. A requirement to test for PM only applies if a unit was operated on liquid fuel for more than 400 hours. The reference to VOC should be deleted. The requirement to test for VOC was deleted from the Lauderdale permit long ago. Table 2 Summary of Compliance Requirements accurately reflects that VOCs are not tested.

- Page 12,

**A.31. NSPS Subpart A Requirements.** FPL requests that the language be deleted in its entirety and the subsequent Specific Conditions be renumbered. Reporting Requirements are adequately covered by Specific Conditions **A.32.**, **A.33.**, **A.34.**, and **A.35.** Specific Condition **A.31.** is rendered superfluous by the other aforementioned conditions.

- Page 13

FPL requests that the first Permitting note from Page 19 the existing Title V permit 00110037-004-AV which begins, “*These emissions units are regulated.....*” be inserted in its entirety before “**Essential Potential to Emit (PTE) Parameters**” of the Draft permit 0011037-005-AV..

- Page 13

**B.2. Permitted Capacity.** FPL requests that the second Permitting note from Page 19 the existing Title V permit 00110037-004-AV which begins, “*The heat input limitations....*” be inserted in its entirety at the end of **B2.**

- Page 14,

**B.13. Test Methods.** FPL requests that the Specific Condition be deleted in its entirety as the required test methods are specified in subsequent Specific Conditions **B15.** through **B.22.**, and that the subsequent Specific Conditions be renumbered.

- Page 14,

**B.14. Annual Compliance Tests.** FPL requests that the Specific Condition be deleted in its entirety as the required testing is specified in subsequent Specific Conditions **B15.** through **B.22.**, and that the subsequent Specific Conditions be renumbered.

- Page 14,

**B.15. Compliance Tests Prior To Permit Renewal.** FPL requests that the testing requirement to test for PM and CO be deleted which is consistent with the existing Title V permit 00110037-004-AV. In addition, a requirement to test for NOx should be added to this Specific Condition..

- Page 17,  
**Subsection C.** FPL requests that the reference to **EU No. 032, Unleaded Fuel Storage Tank (4,000 gallon, Gasoline)** be deleted as there is no unleaded fuel stored on the facility's grounds.

- Page 17,  
**C.1. Volatile Organic Compounds.** FPL requests that the reference to **EU No. 030, "No. 2 fuel oil"** be revised as follows: "*Jet A/No. 2 fuel oil*".

- Page 23,  
**Section V, Appendices:** FPL requests revision to the statement "**The Following Appendices Are Enforceable Parts of This Permit:**"

*Some of the Appendices listed are an attachment of regulations. All appendices in the list that contain copies of rules should be labeled for "convenience purposes". These regulations do not have a "blanket" applicability as the statement implies..*

FPL suggests modifying the statement to: "**The Following Appendices Are Supporting Documents for the Air Operating Permit and are Enforceable as allowed by rule applicability.**"

Thanks for your consideration in this matter, and, if you should have any questions, please do not hesitate to contact Kevin Washington at (561) 691-2877.

Sincerely,



Dwayne Harper  
Plant General Manager  
Lauderdale Power Plant  
Florida Power and Light Company

Cc: Tom Cascio, FDEP;  
District Office, FDEP