



Florida Department of Environmental Protection

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Tallahassee, Florida 32399-2400

Rick Scott
Governor

Jennifer Carroll
Lt. Governor

Herschel T. Vinyard Jr.
Secretary

July 15, 2011

Electronic Mail – Received Receipt Requested

Roy.Belden@GE.com

Mr. Roy S. Belden, Vice President
Shady Hills Power Company, LLC
120 Long Ridge Road
Stamford, Connecticut 06927

Re: **Request for Additional Information No. 2 - Reminder**
Project No. 1010373-011-AC, PSD-FL-402A
Shady Hills Generating Station
Revised BACT Determination for Project PSD-FL-402

Dear Mr. Belden:

The Florida Department of Environmental Protection sent you a second request for additional information on March 9, 2011, regarding air construction permit application No. 1010373-011-AC (PSD-FL-402A). That second request for additional information asked you to resubmit a VISCREEN Level 2 analysis of visibility impacts to the nearby Class I area after making modifications to your modeling procedures as requested by the federal land manager (Fish and Wildlife Service). That request for additional information also noted that “there is the possibility that a PLUVUE [modeling] analysis may be required if the revised Screening Level 2 analysis fails.”

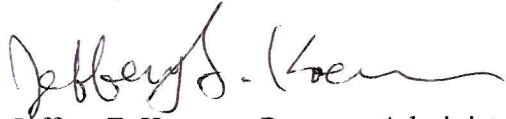
The Department received your revised VISCREEN modeling on May 19, 2011. The Department’s completeness review of your May 19th response was originally due June 18th. However, on June 17th, you submitted a written waiver authorizing an additional 30 days (i.e., until July 18th) for the Department to review the analysis provided and work through the visibility impact issue with the Fish and Wildlife Service. We held several teleconferences to resolve this issue, but the Fish and Wildlife Service determined that the Screening Level 2 analysis did fail and that the PLUVUE modeling analysis is required. As we discussed in a teleconference earlier today, this is a courtesy letter recognizing that while you performed and submitted the required VISCREEN modeling, the results of that modeling are such that the additional information specified in the second request (i.e., the PLUVUE modeling) is required to satisfy the Fish and Wildlife Service.

Subsection 62-4.055(1) of the Florida Administrative Code requires that the applicant submit additional information 90 days after the Department mails a request. The Department considers your May 19th submittal a partial response for the requested information. The Department recognizes that you have provided written notifications regarding the circumstances of this permit application and that we have had frequent discussions on this issue. It has not become clear until recently that the Fish and Wildlife Service would require the time-intensive PLUVUE modeling analysis. Given the complexities and unanticipated time involved with responding to the Fish and Wildlife Service’s review and with running the PLUVUE model itself, the Department finds that you are making a diligent effort to obtain the

additional information. Accordingly, the application shall be held in active status until October 13, 2011 (i.e., 90 additional days from this notification).

Please submit the required additional information by that date. You may request additional time if needed. You are reminded that the permit processing time clock has stopped for this project until we receive the additional information. However, the Department will continue to work with you on the draft permit language so as to not unduly delay permit issuance following our receipt of the PLUVUE modeling results. If you have any questions regarding this matter, please contact me at 850/717-9083 or jeff.koerner@dep.state.fl.us.

Sincerely,



Jeffery F. Koerner, Program Administrator
Office of Permitting and Compliance
Division of Air Resource Management

This letter was sent to the following people by electronic mail with received receipt requested.

Mr. Roy S. Belden, Shady Hills Power Company, LLC (Roy.Belden@GE.com)
Mr. Scott Osbourn, P.E., Golder Associates, Inc. (sosbourn@golder.com)
Ms. Cindy Zhang-Torres, P.E., DEP-SWD (cindy.zhang-Torres@dep.state.fl.us)
Ms. Kathleen Forney, EPA Region 4 (forney.kathleen@epa.gov)
Ms. Catherine Collins, Fish and Wildlife Service (catherine_collins@fws.gov)
Ms. Meredith Bond, Fish and Wildlife Service (meredith_bond@fws.gov)
Ms. Lynn Scarce, DEP OPC Reading File (lynn.scarce@dep.state.fl.us)

JFK/gpd