

THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

In the matter of:)
)
Petition for Reduction in) OGC File No. 87-1261
Quarterly Particulate)
Emissions Compliance Testing)
)
FLORIDA POWER CORPORATION,)
Bartow Unit 2,)
)
Petitioner)
_____)

ORDER

On May 4, 1987, the Petitioner, Florida Power Corporation, filed a Petition for Reduction in the Frequency of Particulate Matter Emissions Compliance Testing pursuant to Florida Administrative Code Rule 17-2.600(5)(b)1. for the following fossil fuel-fired steam generating unit:

BARTOW UNIT 2

Pursuant to Florida Administrative Code Rule 17-2.600(5)(b)1., Petitioner has conducted semi-annual particulate matter emissions compliance tests. Florida Administrative Code Rule 17-2.600(5)(b)1. provides that the Department may reduce the frequency of particulate matter testing upon a demonstration that the particulate matter 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 December 21, 1982, Petitioner has regularly met the particulate matter standard. It is therefore,

ORDERED that the Petition for Reduction in the Frequency of Particulate Matter Emissions Compliance Testing is GRANTED, and that:

1. Petitioner's generating unit Bartow Unit 2 shall be

required to conduct one steady-state particulate matter emissions compliance test annually and one particulate matter emissions compliance test annually under soot blowing conditions.

2. Bartow Unit 2 shall be subject to a steady-state visible emissions limiting standard of forty (40) percent opacity (number 2 of the Ringelmann Chart).
3. This order supercedes all conflicting conditions relating to frequency of particulate matter emissions compliance testing contained in operating permit A052-56650 for Bartow Unit 2.
4. The Department, or its designee, if after investigation, has good reason (such as complaints, increased visible emissions or questionable maintenance of control equipment) to believe that any applicable emissions standard in Chapter 17-2 or in a permit issued pursuant to Chapter 17-2 is being violated, may require additional tests for particulate matter emissions pursuant to Florida Administrative Code Rule 17-2.700(2)(b).

Persons whose substantial interests are affected by the Department's above proposed agency action may petition for an administrative determination (hearing) in accordance with Section 120.57, Florida Statutes. The petition must conform to the requirements of Chapters 17-103 and 28-5, Florida Administrative Code, and must be filed (received) in the Department's Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within twenty-one (21) days of publication of this notice. Failure to file a petition within the twenty-one (21) 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. Therefore, persons who may not desire to file a petition may want to intervene in the proceeding. A petition for intervention must be filed pursuant to Rule 28-5.207, Florida Administrative Code, at least five (5) days before the final hearing and must 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 32399-2400. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, Florida Statutes.

DONE AND ORDERED this 12th day of October, 1987, in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL REGULATION

FILING AND ACKNOWLEDGEMENT

FILED, on this date, pursuant to S120.52 Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

C. Hutchins

Clerk

10-13-87

Date



DALE TWACHTMANN
Secretary

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