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BUREAU OF AIR REGULATION

July 31, 2002

Mr. Scott Sheplak, P.E.  
Florida Department of Environmental Protection  
Bureau of Air Regulations, Title V Section  
Mail Station #5505  
2600 Blair Stone Road  
Tallahassee, FL 32399-2400

Re: AVON PARK, HIGGINS, AND INTERCESSION CITY'S ACID RAIN FORMS

Dear Mr. Sheplak:

I have enclosed the needed Acid Rain applications and certificates of representation required for the completion of the review of the Avon Park, Higgins, and Intercession City Title V renewal applications.

Please contact me (727) 826-4152 if you have any questions.

Sincerely,

Matt Lydon  
Associate Environmental Specialist

Enclosures

# Phase II Acid Rain Part Application

For more information, see instructions and refer to 40 CFR 72.30 and 72.31 and Chapter 62-214, F.A.C.

This submission is:  New  Revised

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

Plant Name <b>Higgins</b>	State <b>FL</b>	ORIS Code <b>0630</b>
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**STEP 2** Enter the unit ID# for each affected unit and indicate whether a unit is being repowered and the repowering plan being renewed by entering "yes" or "no" at column c. For new units, enter the requested information in columns d and e.

a Unit ID#	b Unit will hold allowances in accordance with 40 CFR 72.9(c)(1)	c Compliance Plan Repowering Plan	d New Units Commence Operation Date	e New Units Monitor Certification Deadline
001	Yes	No		
002	Yes	No		
003	Yes	No		
	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 is being repowered, the Repowering Extension Plan form is included.

Plant Name (from Step 1) **Higgins**

**STEP 4**  
Read the standard requirements and certification, enter the name of the designated representative, and sign and date

**Standard Requirements**

Acid Rain Part 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 and 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 Department determines is necessary in order to review an Acid Rain part application and issue or deny an Acid Rain part;
- (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 Department; 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 part application, the Acid Rain part, or an exemption under 40 CFR 72.7, 72.8, or 72.14 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 EPA or the Department:
  - (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, provided that to the extent that 40 CFR part 75 provides for a 3-year period for recordkeeping, the 3-year period shall apply;
  - (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) **Higgins**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 an exemption under 40 CFR 72.7, 72.8 or 72.14, 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 40 CFR 76.11 (NO<sub>x</sub> averaging 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, 76, 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 an exemption under 40 CFR 72.7, 72.8, or 72.14 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,

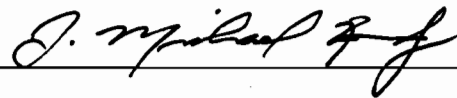
(5) Interfering with or impairing any program for competitive bidding for power supply in a State in which such program is established.

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.

Name **J. Michael Kennedy, QEP**

Signature



Date

7/30/02



# Certificate of Representation

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

This submission is:  New  Revised (revised submissions must be complete; see instructions)

This submission includes combustion or process sources under 40 CFR part 74

### STEP 1

Identify the source by plant name, State, and ORIS code.

Plant Name <b>Higgins</b>	State <b>FL</b>	ORIS Code <b>0630</b>
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### STEP 2

Enter requested information for the designated representative.

Name <b>J. Michael Kennedy, QEP</b>	
Address <b>Carolina Power &amp; Light Company</b> Harris Energy & Environmental Center Route 1, Box 327 New Hill, NC 27562	
Phone Number <b>(727) 826-4334</b>	Fax Number <b>(727) 826-4216</b>
E-mail address (if available) <b>j-michael.kennedy@pgnmail.com</b>	

### STEP 3

Enter requested information for the alternate designated representative, if applicable.

Name <b>Victoria K. Will</b>	
Phone Number <b>(919) 362-3580</b>	Fax Number <b>(919) 362-3266</b>
E-mail address (if available) <b>vicky.will@pgnmail.com</b>	

### STEP 4

Complete Step 5, read the certifications, and sign and date. For a designated representative of a combustion or process source under 40 CFR part 74, the references in the certifications to "affected unit" or "affected units" also apply to the combustion or process source under 40 CFR part 74 and the references to "affected source" also apply to the source at which the combustion or process source is located.

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' for the affected source and each affected unit at the source identified in this certificate of representation, 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.

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:

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

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.

The agreement by which I was selected as the alternate designated representative, if applicable, 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.

Plant Name (from Step 1) <b>Higgins</b>
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Certificate - Page 2  
Page 2 of 2

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.

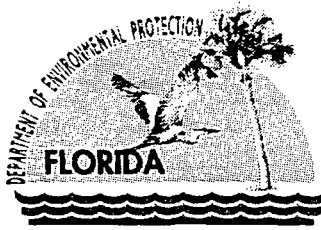
Signature (designated representative) <i>J. Michael J...</i>	Date 7/30/02
Signature (alternate designated representative) <i>Victoria K. Hill</i>	Date 8/2/02

**STEP 5**  
Provide the name of every owner and operator of the source and identify each affected unit (or combustion or process source) they own and/or operate.

<b>Florida Power</b>					<input checked="" type="checkbox"/> Owner <input checked="" type="checkbox"/> Operator	
Name						
001	002	003				
ID#	ID#	ID#	ID#	ID#	ID#	ID#
ID#	ID#	ID#	ID#	ID#	ID#	ID#

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

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



Jeb Bush  
Governor

# Department of Environmental Protection

Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400  
Certified Mail – Return Receipt Requested

David B. Struhs  
Secretary

July 25, 2002

Mr. Michael Lentz  
Plant Manager and Responsible Official  
Florida Power / Progress Energy  
100 Central Avenue, Mail Code BP44  
St. Petersburg, Florida 33701

Re: Title V Air Operation Permit Renewal Application  
**Higgins Power Plant**  
Facility ID: 1030012; ORIS Code: 0630

Dear Mr. Lentz:

Thank you for your recent submission of a Title V Air Operation Permit Renewal Application for the referenced plant. However, we must deem your application *incomplete*, due to the omission of an updated Phase II Acid Rain Part Application. Please be advised that Department Rule 62-214.320(1)(i), F.A.C. requires that, "the designated representative of any Title V source having a Title V permit with an Acid Rain Part shall submit a complete application for renewal of the Title V permit with the Acid Rain Part for each Acid Rain unit at the source."

Also, please check if there are any changes to the Designated Representative for the facility, and submit an updated Certificate of Representation if necessary.

When we receive this information we will continue processing your application. If you have any questions, please contact Edward J. Svec at 850/921-8985.

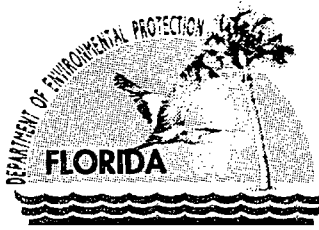
Sincerely,

Scott M. Sheplak, P.E.  
Administrator  
Title V Section

Cc: Kennard Kosky, P.E., Golder Associates  
Gerald Kissel, P.E., DEP SWD

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Jeb Bush  
Governor

# Department of Environmental Protection

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

David B. Struhs  
Secretary

Certified Mail – Return Receipt Requested

July 25, 2002

Mr. Michael Lentz  
Plant Manager and Responsible Official  
Florida Power / Progress Energy  
100 Central Avenue, Mail Code BP44  
St. Petersburg, Florida 33701

Re: Title V Air Operation Permit Renewal Application  
**Higgins Power Plant**  
Facility ID: 1030012; ORIS Code: 0630

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Administrator  
Title V Section

Cc: Kennard Kosky, P.E., Golder Associates  
Gerald Kissel, P.E., DEP SWD

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**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

Mr. Michael Lentz  
 Plant Manager and Responsible Official  
 Florida Power/Progress Energy  
 100 Central Avenue, Mail Code BP44  
 St. Petersburg, Florida 33701

## 2. Article Number (Copy from service label)

7000 0600 0021 6524 3479

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) B. Date of Delivery

Dana Clark 7/29/02

C. Signature

X *Dana Clark*  Agent  AddresseeD. Is delivery address different from item 1?  YesIf YES, enter delivery address below:  No

## 3. Service Type

- Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

## 4. Restricted Delivery? (Extra Fee)

 Yes

U.S. Postal Service	
CERTIFIED MAIL RECEIPT	
(Domestic Mail Only; No Insurance Coverage Provided)	
Article Sent To:	
Mr. Michael Lentz	
Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$</b>
Name (Please Print Clearly) (to be completed by mailer)	
Mr. Michael Lentz	
Street, Apt. No.; or PO Box No.	
100 Central Avenue, Mail Code BP44	
City, State, ZIP+4	
St. Petersburg, Florida 33701	
PS Form 3800, July 1999	See Reverse for Instructions

7000 0600 0021 6524 3479

Postmark  
Here



**Florida Power**  
A Progress Energy Company

Received By  
my ob  
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OCT 30 2002

**RECEIVED**

NOV 04 2002

BUREAU OF AIR REGULATION

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October 25, 2002

Mr. Scott Sheplak, P.E.  
Florida Department of Environmental Protection  
Bureau of Air Regulation, Title V Section  
Mail Station #5505  
2600 Blair Stone Road  
Tallahassee, FL 32399-2400

Re: Comment on Draft Title V Air Operation Permit No. 1030012-002-AV  
Higgins Plant

Dear Mr. Sheplak:

Florida Power wishes to express a comment on the above referenced draft permit. Florida Power requests a change in the language of permit condition B.13. to read:

Operating Rate During Testing. *Testing of emissions shall be conducted with the 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.]

This language is consistent with the Department's guidance document, *Guidance on Rate of Operation during Compliance Testing*, issued on March 1, 2001.

Please contact Matt Lydon at (727) 826-4152 if you have any questions or need additional information.

Sincerely,

Michael Lentz  
Plant Manager



E-MAIL  
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OCT 30 2002

BUREAU OF AIR REGULATION

October 25, 2002

Mr. Scott Sheplak, P.E.  
Florida Department of Environmental Protection  
Bureau of Air Regulation, Title V Section  
Mail Station #5505  
2600 Blair Stone Road  
Tallahassee, FL 32399-2400

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Higgins Plant

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

This language is consistent with the Department's guidance document, *Guidance on Rate of Operation during Compliance Testing*, issued on March 1, 2001.

Please contact Matt Lydon at (727) 826-4152 if you have any questions or need additional information.

Sincerely,

Michael Lentz  
Plant Manager



**Florida Power**

A Progress Energy Company

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OCT 28 2002

October 17, 2002

BUREAU OF AIR REGULATION

Mr. Scott Sheplak, P.E.  
Florida Department of Environmental Protection  
Bureau of Air Regulation, Title V Section  
Mail Station #5505  
2600 Blair Stone Road  
Tallahassee, FL 32399-2400

Re: Comment on Draft Title V Air Operation Permit No. 1030012-002-AV  
Higgins Plant

Dear Mr. Sheplak:

Florida Power wishes to express several comments on the above referenced draft permit.  
Florida Power requests to include the following language in permit condition A.2.:

*The heat input limitations have been placed in each permit to identify the capacity of each unit for the purposes of confirming that emissions testing is conducted within 90 to 100 percent of the unit's rated capacity (or to limit future operation to 110 percent of the test load), to establish appropriate emission limits and to aid in determining future rule applicability. This is not a limit, therefore regular record keeping is not required for heat input. Instead, the owner or operator is expected to determine heat input whenever emission testing is required, to demonstrate at what percentage of the rated capacity that the unit was tested. Rule 62-297.310(5), F.A.C., included in the permit, requires measurement of the process variables for emission tests. Such heat input determination may be based on measurements of fuel consumption by various methods including but not limited to fuel flow metering or tank drop measurements, using the heat value of the fuel determined by the fuel vendor or the owner or operator, to calculate average hourly heat input during the test. [Rules 62-4.160(2), 62-210.200(PTE) and 62-296.405, F.A.C.]*

Please revise the permitting note corresponding to permit conditions A.5. – A.9. to read:

*{Permitting note: Unless otherwise specified, the averaging time for conditions A.5. - A.9. are based on the specified averaging time of the applicable test method.}*

Florida Power requests a change in the language of permit condition A.29. to read:

*In the case of malfunctions resulting in excess emissions greater than two hours in a 24 hour period, the owner or operator shall notify the Air Quality Division of the Pinellas County Department of Environmental Management 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 Air Quality Division of the Pinellas County Department of Environmental Management. [Rule 62-210.700(6), F.A.C.]*

Florida Power requests a change in the language of permit condition B.1.:

*Permitted Capacity. CTP 1 and CTP 2 each have a maximum heat input of 566 MMBtu/hour at 59° F and each powers a generator rated at 37.0 MW (megawatts of electricity). CTP 3 and CTP 4 each have a maximum heat input of 631 MMBtu/hour at 59° F and each powers a generator rated at 42.9 MW. At other ambient temperatures, the units shall be operated in accordance with established performance curves, which will be made available at the site during compliance testing. The heat input limitations have been placed in each permit to identify the capacity of each unit for the purposes of confirming that emissions testing is conducted within 90 to 100 percent of the unit's rated capacity (or to limit future operation to 110 percent of the test load), to establish appropriate emission limits and to aid in determining future rule applicability. This is not a limit, therefore regular record keeping is not required for heat input. Instead, the owner or operator is expected to determine heat input whenever emission testing is required, to demonstrate at what percentage of the rated capacity that the unit was tested. Rule 62-297.310(5), F.A.C., included in the permit, requires measurement of the process variables for emission tests. Such heat input determination may be based on measurements of fuel consumption by various methods including but not limited to fuel flow metering or tank drop measurements, using the heat value of the fuel determined by the fuel vendor or the owner or operator, to calculate average hourly heat input during the test. [Rules 62-4.160(2) and 62-210.200(PTE), F.A.C.; and, AO 52-216420, AO 52-216421, AO 52-216422, AO 52-216423.]*

Please revise the permitting note corresponding to permit condition B.5. to read:

*{Permitting note: Unless otherwise specified, the averaging time for condition A.5. is based on the specified averaging time of the applicable test method.}*

Florida Power requests a change in the language of permit condition B.9. to read:

*The permittee shall demonstrate compliance with the sulfur content limit with a fuel analysis provided by the vendor or permittee upon each fuel delivery.*

Florida Power requests a change in the language of permit condition B.12. to read:

*The fuel sulfur content, percent by weight, provided by the vendor or permittee of liquid fuels shall be evaluated using either ASTM D2622-94, ASTM D4294-90, both ASTM D4057-88 and ASTM D129-91, or the latest edition(s).  
[Rules 62-213.440 and 62-297.440, F.A.C.]*

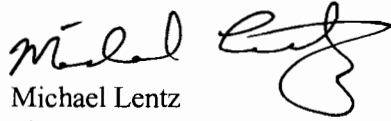
Florida Power requests a change in the language of permit condition B.17. to read:

*In the case of malfunctions resulting in excess emissions greater than two hours in a 24 hour period, the owner or operator shall notify the Air Quality Division of the Pinellas County Department of Environmental Management 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 Air Quality Division of the Pinellas County Department of Environmental Management. [Rule 62-210.700(6), F.A.C.]*

Mr. Scott Sheplak  
October 17, 2002  
Page 3

Please contact Matt Lydon at (727) 826-4152 if you have any questions or need additional information.

Sincerely,

  
Michael Lentz  
Plant Manager

THE STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

RECEIVED  
OCT 03 2002  
BUREAU OF AIR REGULATION

In the Matter of an  
Application for Permit by:

OGC CASE NO.: \_\_\_\_\_

FDEP Draft Permit No.: 1030012-002-AV

Florida Power Corporation  
Higgins Power Plant  
Pinellas County, Florida

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**REQUEST FOR ENLARGEMENT OF TIME**

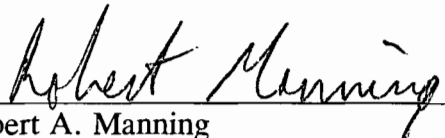
By and through undersigned counsel, Florida Power Corporation ("FPC") hereby requests, pursuant to Florida Administrative Code Rule 62-110.106(4), an enlargement of time, to and including November 8, 2002, in which to file a Petition for Administrative Proceedings in the above-styled matter. As good cause for granting this request, FPC states the following:

1. On or about September 26, 2002, FPC received from the Department of Environmental Protection ("Department") by Certified Mail an "Intent to Issue Title V Air Operation Permit Renewal" (Draft Permit No. 1030012-002-AV) for the Higgins Power Plant, located in Pinellas County, Florida. Along with the Intent to Issue, FPC received a Draft Title V Permit Renewal and "Public Notice of Intent to Issue Title V Air Operation Permit Renewal."
2. Based on FPC's review, the Draft Permit and associated documents contain several provisions that warrant clarification or corrections.
3. This request is filed simply as a protective measure to avoid waiver of FPC's right to challenge certain conditions contained in the Draft Title V 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. In the event all issues are resolved prior to November 8, 2002, FPC will withdraw this Request.

WHEREFORE, FPC 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 for Permit No. 1030012-002-AV be formally extended to and including November 8, 2002.

RESPECTFULLY SUBMITTED this 2nd day of October, 2002.

By:   
Robert A. Manning  
Florida Bar ID No. 0035173  
Hopping Green & Sams, P.A.  
123 South Calhoun Street  
Post Office Box 6526  
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Attorneys for FLORIDA POWER CORPORATION

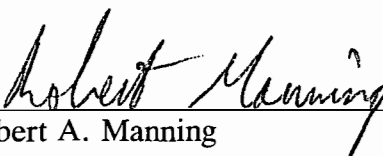


CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to the following by U.S. Mail this 2nd day of October, 2002:

Scott Sheplak, P.E. Administrator  
Bureau of Air Regulation  
Department of Environmental Protection  
2600 Blair Stone Road, MS 5505  
Tallahassee, FL 32399-2400

W. Douglas Beason  
Office of the General Counsel  
Department of Environmental Protection  
3900 Commonwealth Blvd., Room 353-A  
Tallahassee, FL 32399-2600

  
\_\_\_\_\_  
Robert A. Manning

10/4/02 cc: Ed Svec  
Scott Sheplak

HOPPING GREEN & SAMS  
PROFESSIONAL ASSOCIATION  
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TALLAHASSEE, FLORIDA 32314



Scott Sheplak, P.E. Administrator  
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32399-2400 