



Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

July 30, 1998

DEPARTMENT OF
ENVIRONMENTAL PROTECTION
AUG 03 1998

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Gregory M. Nelson, P.E.
Administrator, Air Programs
Tampa Electric Company
Post Office Box 111
Tampa, Florida 33601-0111

Re: Modification of DEP File PSD-FL-194B
Polk Power Station


Dear Mr. Nelson:

Enclosed is one copy of the Draft PSD Permit Modification for the Integrated Gasification Combined Cycle facility located at 9895 State Road 37, Mulberry, Polk County. The Department's Intent to Issue PSD Permit Modification and the "PUBLIC NOTICE OF INTENT TO ISSUE PSD PERMIT MODIFICATION" are also included.

The "PUBLIC NOTICE OF INTENT TO ISSUE PSD PERMIT MODIFICATION" must be published in a newspaper of general circulation in Polk County. Proof of publication, i.e., newspaper affidavit, must be provided to the Department's Bureau of Air Regulation 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 Department's proposed action to A. A. Linero, P.E., Administrator, New Source Review Section at the above letterhead address. If you have any other questions, please call Mr. Syed Arif at 850/921-9528.

Sincerely,


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

CHF/sa

Enclosures

In the Matter of an
Application for Permit Modification by:

Mr. Gregory M. Nelson, P.E.
Administrator, Air Programs
Tampa Electric Company
Post Office Box 111
Tampa, Florida 33601-0111

DEP File PSD-FL-194B
Polk Power Station
Polk County

INTENT TO ISSUE PSD PERMIT MODIFICATION

The Department of Environmental Protection (Department) gives notice of its intent to issue a permit modification (copy of DRAFT Permit Modification attached) for the proposed action, as detailed in the application specified above, for the reasons stated below.

The applicant, Tampa Electric Company, applied on February 27, 1998 to the Department for a permit modification to extend the demonstration period for gas cleaning technology from two to three years at its Integrated Gasification Combined Cycle facility located at 9895 Sate Road 37 South, Mulberry, Polk County.

The Department has permitting jurisdiction under the provisions of Chapter 403, Florida Statutes (F.S.), the Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, and 62-212, and 40CFR52.21(u). The above actions are not exempt from permitting procedures. The Department has determined that a modification of the permit issued pursuant to the Prevention of Significant Deterioration (PSD Permit) is required to extend the demonstration period described above.

The Department intends to issue this PSD Permit modification based on the belief that reasonable assurances have been provided to indicate that operation of these emission units will not adversely impact air quality, and the emission units will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C.

Pursuant to Section 403.815, F.S., and Rule 62-110.106(7)(a)1., F.A.C., you (the applicant) are required to publish at your own expense the enclosed "Public Notice of Intent to Issue PSD Permit Modification." The notice shall be published one time only 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 modification. If you are uncertain that a newspaper meets these requirements, please contact the Department at the address or telephone number listed below. The applicant shall provide proof of publication to the Department's Bureau of Air Regulation, at 2600 Blair Stone Road, Mail Station 5505, Tallahassee, Florida 32399-2400 (Telephone: 850/488-0114; Fax 850/ 922-6979). The Department suggests that you publish the notice within thirty days of receipt of this letter. You must provide proof of publication within seven days of publication, pursuant to Rule 62-110.106(5), F.A.C. No permitting action for which published notice is required shall be granted until proof of publication of notice is made by furnishing a uniform affidavit in substantially the form prescribed in Section 50.051, F.S. to the office of the Department issuing the permit modification or other authorization. Failure to publish the notice and provide proof of publication may result in the denial of the permit modification pursuant to Rules 62-110.106(9) & (11), F.A.C.

The Department will issue the final permit modification with the attached conditions unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed permit modification issuance action for a period of 30 (thirty) days from the date of publication of "Public Notice of Intent to Issue PSD Permit Modification." Written comments should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, FL 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the proposed permit modification and require, if applicable, another Public Notice.

The Department will issue the permit modification with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57 F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below. Mediation is not available in this proceeding.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3) of the Florida Statutes must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under Section 120.60(3), however, any person who asked the Department for notice of agency action may file a petition within fourteen days of receipt 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 will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205 of the Florida Administrative Code.

A petition that disputes the material facts on which the Department'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 interests will be affected by the agency determination; (c) A statement of how and when petitioner received notice of the agency action or proposed action; (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, as well as the rules and statutes which entitle the petitioner to relief; and (f) A demand for relief.

A petition that does not dispute the material facts upon which the Department'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.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

**NOTICE Y BE PUBLISHED
IN THE NEWSPAPER**

PUBLIC NOTICE OF INTENT TO ISSUE PSD PERMIT MODIFICATION

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

DEP File PSD-FL-194B

Polk Power Station Integrated Gasification Combined Cycle Project
Polk County

The Department of Environmental Protection (Department) gives notice of its intent to issue a PSD Permit Modification to Tampa Electric Company (TEC) to extend the demonstration period for gas cleaning technology from two to three years at its Integrated Gasification Combined Cycle Facility (Polk Power Station) located at 9895 State Road 37 South, Mulberry, Polk County. A Best Available Control Technology determination was not required pursuant to Rule 62-212.400, F.A.C. or 40CFR52.21, Prevention of Significant Deterioration (PSD). The applicant's name and address are: Tampa Electric Company, Post Office Box 111, Tampa, Florida 333601-0111.

The present permit provides for a two year period to demonstrate hot gas cleanup technology at the 260 megawatt Polk Power Station that was built with joint funding by TEC and the Department of Energy (DOE). The request will defer the hot gas cleanup demonstration until the sorbent becomes more commercially viable. TEC and DOE will focus instead on other sulfur dioxide and carbon dioxide reduction activities, thus extending the demonstration period to three years. This revised period will end on September 30, 1999. The ending date for a subsequent period to demonstrate compliance with the nitrogen oxides limit of 25 ppm while operating the facility using cold gas cleanup will be extended to April 2001. A revised BACT will be issued by the Department by June 2001.

The extra year of demonstration will permit the facility to emit sulfur dioxide and nitrogen oxides emissions at higher rates than ultimately allowed by the present permit. This amount is equal to approximately 1860 tons of nitrogen oxides and 700 tons of sulfur dioxide.

The Department will issue the final permit modification with the attached conditions unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed permit modification issuance action for a period of 30 (thirty) days from the date of publication of "Public Notice of Intent to Issue PSD Permit Modification." Written comments should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station 5505, Tallahassee, FL 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the proposed permit modification and require, if applicable, another Public Notice.

The Department will issue the permit modification with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57 F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below. Mediation is not available in this proceeding.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. Petitions filed by any persons other than

NOTICE TO BE PUBLISHED IN THE NEWSPAPER

those entitled to written notice under Section 120.60(3) of the Florida Statutes must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under Section 120.60(3), however, any person who asked the Department for notice of agency action may file a petition within fourteen days of receipt 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 will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205 of the Florida Administrative Code.

A petition that disputes the material facts on which the Department'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 interests will be affected by the agency determination; (c) A statement of how and when petitioner received notice of the agency action or proposed action; (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, as well as the rules and statutes which entitle the petitioner to relief; and (f) A demand for relief.

A petition that does not dispute the material facts upon which the Department'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

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

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:

Polk County Public Works	Dept. of Environmental Protection	Dept. of Environmental Protection
Department - Air Program	Bureau of Air Regulation	Southwest District
4189 Ben Durrance Road	111 S. Magnolia Drive, Suite 4	3804 Coconut Palm Drive
Bartow, Florida 33830	Tallahassee, Florida 32301	Tampa, Florida 33619-8218
Telephone: 941/534-7377	Telephone: 850/488-0114	Telephone: 813/744-6100
Fax: 941/534-7374	Fax: 850/922-6979	Fax: 813/744-6084

The complete project file includes the Draft Permit Modification, the application, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Administrator, New Resource Review Section at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/488-0114 for additional information.

September XX, 1998

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Gregory M. Nelson, P.E.
Administrator, Air Programs
Tampa Electric Company
Post Office Box 111
Tampa, Florida 33601-0111

Re: Modification of DEP File PSD-FL-194A
Polk Power Station

Dear Mr. Nelson:

The Department reviewed your letter and application dated February 24, 1998 and additional information on June 11, 1998 requesting an extension of the demonstration period for integrated coal gasification and combined-cycle system, as well as changing dates to correlate with the extension. This request is acceptable to the Department. Following publication of the Public Notice of the Intent to Issue dated August XX, and the Department's review of comments received, the referenced permit (relevant pages attached) is hereby modified as follows:

SPECIFIC CONDITION H.2.

The maximum allowable emissions from the IGCC combustion turbine, when firing syngas and No. 2 fuel oil during the ~~two~~ three year demonstration period (until September 30, 1999), shall not exceed the following:

(Note that the rest of this condition is related to applicable emissions and is not changed by this action)

SPECIFIC CONDITION H.6.

The combustion turbine will be operated for 12-18 months after the demonstration period (estimated to be from ~~Mid 1998~~ October 1, 1999 until ~~December 31, 1999~~ April 1, 2001).

(Note that the rest of this condition is related to testing requirements and is not changed by this action)

SPECIFIC CONDITION H.7.

One month after the test period ends (estimated to be by ~~February 2000~~ June 1, 2001), the permittee will submit to the Department a NO_x recommended BACT Determination as if it were a new source using data gathered on this facility, other similar facilities and the manufacturer's research. The Department will make a determination on the BACT for NO_x only and adjust the NO_x emission limits accordingly.

A copy of this letter shall be filed with the referenced permit and shall become part of the permit. This permit modification is issued pursuant to Chapter 403, Florida Statutes. Any party to this order (permit modification) has the right to seek judicial review of it under Section 120.68, F.S., 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 of Environmental Protection in the Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, 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 (thirty) days after this Notice is filed with the Clerk of the Department.

Sincerely,

Howard L. Rhodes, Director
Bureau of Air Regulation

HLR/sa

Enclosures