

# Florida Department of Environmental Regulation

Twin Towers Office Bldg. • 2600 Blair Stone Road • Tallahassee, Florida 32399-2400

Bob Martinez, Governor

Dale Twachtmann, Secretary

John Shearer, Assistant Secretary

June 21, 1990

Ms. Jewell A. Harper  
Enforcement Chief  
Air Branch  
345 Courtland Street, NE  
Atlanta, GA 30365

Dear Ms. Harper:

Re: Proposed Test Burn of Orimulsion at Florida Power and  
Light Company Sanford Unit #4/State Implementation Plan  
Revision

As you are aware, the Florida Department of Environmental Regulation (Department) is reviewing a proposal submitted by Florida Power & Light Company (FPL) to allow a temporary test at the above-referenced generating unit. The proposed test would involve the experimental combustion of a liquid fossil fuel and related pollution control equipment. The test will require the temporary revision of the State air Operating permit for the source, relief from the current State existing source emission limitations for particulate matter, sulfur dioxide and opacity, and a temporary revision of the State Implementation Plan (SIP) by parallel processing.

Our records show that FPL was granted a variance to the existing source particulate matter emission limitation and a variance to the existing source opacity limitation in August, 1979. These changes were approved as an SIP revision by the Environmental Protection Agency (EPA) in 1980. See, 45 Fed. Reg. 13455 (February 29, 1980). The 1980 SIP revision had no time limit. See, 48 Fed. Reg. 33866 (July 26, 1983). In 1981, the 1980 unit-specific SIP revision was temporarily modified to allow FPL to conduct a test burn of coal-oil mixtures at Sanford Unit #4. The test was conducted and that temporary further relaxation of the particulate matter and opacity provisions of the SIP expired and reverted to the earlier limits approved in 1980.

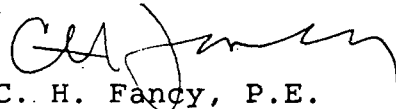
Ms. Jewell A. Harper  
Page Two  
June 21, 1990

FPL has pointed out that the 1980 particulate matter emission limits for the Sanford Unit #4--specifically a steady-state emission limitation of 0.3 lb/MMBtu heat input and an excess emissions provision allowing 0.6 lb/MMBtu heat input, all averaging 0.34 lb/MMBtu heat input on a 24-hour basis--is still in effect. It is true that the Department has not revised the 1980 limits by any subsequent unit-specific changes to the SIP, other than those relating to testing which have since expired. We seek your concurrence that the 1980 "0.3/0.6" particulate matter emission limits for Sanford Unit #4 are still in effect. Of course, FPL will still need relief from the sulfur dioxide and opacity limitations of the sip in order to conduct the test.

FPL is seeking approval for the test under Florida's Testing and Research Rule found at Section 17-103.120, Florida Administrative Code. This provision was disapproved on the basis that it could allow the Department to make revisions to Florida's SIP without EPA's review. See, 48 Fed. Reg. (52302 (November 17, 1983)). However, it appears that the Department can still use this rule to revise its SIP as long as it follows EPA SIP revision notice and procedural requirements, and then submits the SIP revision to EPA for final approval as it would for any other revision. The other alternative would be to follow the State's variance procedure which, though providing adequate legal authority for rule relief in Florida, is not as finely tuned as the Testing and Research Rule appears to be for the proposal at hand. Thus, FPL believes, and we tend to agree, that the Testing and Research is the preferable vehicle for preparing the SIP revision for your ultimate approval. We seek your concurrence on this point.

Your early response to these issues would be greatly appreciated. If you need any additional information prior to that time, please let me know, or contact Cindy Phillips of my staff at (904)488-1344.

Sincerely,



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

CHF/CP/t

cc: W. Smith