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SAM J. SMITH
CHERYL G. STUART

April 17, 1990

OF COUNSEL

W. ROBERT FOKES

RECEIVED

APR 17 1990

DER-BAQM

BY HAND DELIVERY

Clair Fancy, P.E.
Chief, Bureau of Air Regulation
Florida Department of Environmental
Regulation
2600 Blair Stone Road, Room 338
Tallahassee, Florida 32399-2400

Re: Florida Power & Light Company
Sanford Power Plant

Dear Clair:

I am writing on behalf of Florida Power & Light Company (FPL) regarding a project intended to allow Sanford Plant Unit No. 5 to fully utilize its inherent natural gas burning capability. Specifically, FPL hereby requests a determination from the Department that the project will not trigger New Source Performance Standards (NSPS) or Prevention of Significant Deterioration (PSD) review. Background information concerning the Sanford Plant and Unit No. 5, along with a description of the project and discussion of regulatory considerations, are provided below.

BACKGROUND

FPL's Sanford Plant, located in Volusia County, comprises three fossil fuel fired steam electric generating units designated Units No. 3, 4 and 5. Unit No. 3 is a 160 megawatt class unit placed in service in 1959 and Units No. 4 and 5 are 400 megawatt class units placed in service in 1972 and 1973, respectively. A natural gas pipeline has served the Sanford Plant since 1962, and Unit No. 3 has utilized natural gas since then.

Sanford Unit No. 5 includes a Foster-Wheeler steam generator originally designed to fire residual oil and natural gas. (See Foster-Wheeler "Steam Generator Data" sheet reflecting original specifications provided as Attachment "A" hereto.) While the steam generator design provides for gas firing, FPL has to date chosen to use residual oil in Unit No. 5, except that natural gas or distillate oil are sometimes fired to preheat the boiler prior to ignition of residual oil. Operation of Unit No. 5 is authorized under Department air permit No. AO64-132060, which lists natural gas as one of the "Permitted Fuels" under Specific Condition (2). The unit is classified as an "existing fossil fuel steam generator" and is subject to the emission limiting standards set forth at Florida Administrative Code Rule 17-2.600(5)(a).

THE PROJECT

FPL intends to make certain changes to the existing burners and the existing gas supply system at the Sanford Plant to realize the full natural gas firing capability of Unit No. 5. Specifically, each of the 18 existing burners will be equipped with natural gas firing "spuds". No other changes to the burners or to the Unit No. 5 boiler are needed. Gas piping and related appurtenances will be constructed to upgrade the existing connection between Unit No. 5 and the existing gas yard at the Plant.

This project will provide additional fuel flexibility for Unit No. 5 and will allow FPL and its customers to benefit from the advantages of an inherently "cleaner burning" fuel that is presently available at lower cost than residual oil.

NSPS APPLICABILITY

As an "existing" generating unit constructed prior to August 17, 1971, Sanford Unit No. 5 is not now subject to the federal NSPS codified at 40 CFR Part 60, Subpart D, nor the subsequently promulgated NSPS codified at 40 CFR Part 60, Subpart Da. The project described herein does not constitute a "modification" as defined at 40 CFR §60.14 because it does not involve a "physical or operational change which results in an increase in the [Kg/hr] emission

rate to the atmosphere" for any of the pollutants regulated under the Subpart D or Da NSPS (i.e., sulfur dioxide, particulate matter, nitrogen oxides). Moreover, the project involves the use of an "alternate fuel" which Unit No. 5 was "designed to accommodate" prior to 1971. Consequently, the project is specifically exempted from being considered to be a "modification" regardless of changes in emission rates, pursuant to 40 CFR §60.14(e)(4).

For these reasons, FPL is confident that the project does not constitute a "modification" for NSPS purposes. FPL requests a determination from the Department confirming this point pursuant to 40 CFR §60.5.

PSD APPLICABILITY

The Sanford Plant is a "major facility" as that term is defined at Florida Administrative Code Rule 17-2.100(118). Under the Department's PSD rules, certain physical and operational changes to an existing facility are specifically exempted from triggering PSD review. In particular, Florida Administrative Code Rule 17-2.500(2)(c) provides in relevant part as follows:

(c) Alternative Fuel or Raw Material Exemption. A modification that is to occur for any of the following reasons shall not be subject to the NSR requirements of this section:

* * *

4. Use of an alternative fuel or raw material which the facility was capable of accommodating before January 6, 1975, unless such change would be prohibited under any federally enforceable permit condition which was established after January 6, 1975.

The "facility" of interest in connection with any PSD applicability question concerning the Unit No. 5 project is the Sanford Plant. See definition of "facility" at Florida Administrative Code Rule 17-2.100(79). With respect to the above-quoted alternate fuel exemption, it is apparent that the Sanford Plant was "capable of accommodating" natural gas before January 6, 1975, as the facility has been served by a

Clair Fancy, P.E.
April 17, 1990
Page 4

natural gas pipeline since 1962 and gas has been burned at the Plant since 1962. In addition, firing of natural gas in Unit No. 5 is not prohibited under any federally enforceable permit condition; in fact, natural gas is listed as one of the "Permitted Fuels" in the Department air permit for Unit No. 5. Consequently, regardless of whether the project might be viewed as "resulting in" a significant net increase in emissions of any regulated pollutant, the project is exempted from PSD review.


Based on the alternate fuel exemption, FPL is confident that the project proposed herein should not be subject to PSD review. FPL requests a determination by the Department confirming this position.

CONCLUSION

The energy flexibility, cost and environmental benefits of firing natural gas in lieu of residual oil at Sanford Unit No. 5 are clear. The project described herein will allow FPL and its customers to realize these benefits by utilizing the full natural gas burning capability of Unit No. 5. Before work is initiated, FPL seeks confirmation that the Department agrees the project will not subject Unit No. 5 to NSPS or to PSD review. An expeditious response from the Department will facilitate FPL's ability to maintain the project schedule.

Thank you in advance for your consideration in this matter. Should you or members of your staff have any questions, please contact Mike Martin (407/640-2024) or me.

Sincerely,


Peter C. Cunningham

FPLPSNLtr:PCC/gbb

cc: M. A. Smith
M. J. Martin

Attachments



STEAM GENERATOR DATA
FOR
FLORIDA POWER & LIGHT CO.
SANFORD STEAM PLANT - UNITS NO. 4 & 5
SANFORD, FLORIDA

This natural-circulation reheat type steam generator with welded finned tube casing will have a capacity of 2,640,000 lb per hour superheated steam at 2590 psig and 1005 F at the outlet and 2,074,000 lb per hour reheated steam at 532 psig and 1005 F at the outlet.

The unit is fired by oil and natural gas.

FIGURE 1 - 1

Attachment "A"



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April 17, 1991

Mr. A. Alexander, P.E.
Deputy Assistant Secretary
Florida Department of Environmental Regulation
Central District
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767

Dear Mr. Alexander:

This letter is in response to your correspondence of April 10 concerning stack test data from the Orimulsion test program at Sanford Power Plant. As a consequence of your letter and a meeting with Mr. Chuck Collins and Ms. Carolyn Shine of your staff, I am forwarding emission calculations based on available heat input data as an addendum to the Orimulsion particulate stack test report previously submitted in February. This information is being provided to assist both the District and FPL in obtaining additional understanding of Orimulsion fuel. We are prepared to submit similar calculations as supporting documentation for future compliance stack tests conducted pursuant to Specific Condition 6(a) of the Orimulsion test burn permit.

As I mentioned to Chuck on the telephone, however, our technical people believe that using heat input as a substitute for the F-Factor introduces its own uncertainties in determining particulate emissions, both in terms of heat value of the fuel and fuel flow rate. While we are using state-of-the-art equipment and techniques to obtain such data, Orimulsion is an experimental emulsified fuel with unique characteristics, and our consultants feel this approach is actually less reliable than using the F-Factor which they have recommended based upon review of available fuel analysis data. It therefore remains Florida Power & Light Company's position that the F-Factor approach is valid for demonstrating compliance with air emission requirements related to the Orimulsion test project now being conducted at Sanford Power Plant, and that an F-Factor of 9190 is a reasonable and appropriate value for purposes of the short-term test, as discussed in the March 14 communication from Mr. Walter Smith and Mr. Roger Shigehara of Entropy, Inc.

Mr. A. Alexander, P.E.


April 17, 1991

Page 2

As a further consequence of the meeting with Mr. Collins, I have instructed my staff to take additional measures for the purpose of confirming the F-Factor, including preliminary contacts with EPA as appropriate, towards the objective of formally establishing a factor for Orimulsion in EPA regulations as soon as possible after the conclusion of the test.

The Company is continuing to learn more about the physical as well as chemical properties of the fuel as the test proceeds, including calculation of values like heat input and F-Factor. We earnestly request that the District likewise continue to recognize we are in a "test mode" and keep a reasonable perspective on regulatory parameters which must themselves be derived from our as yet incomplete knowledge of the fuel. Thank you for your consideration and for your support of our Orimulsion test program.

Sincerely,


for Martin A. Smith, Ph.D.
Manager
Environmental Permitting & Programs

MAS/er
Enclosures

cc: Mr. Charles Collins, FDER
Mr. Steve Smallwood, FDER
Ms. Carolyn Shine, FDER

PARTICULATE EMISSION RATE FOR PSN4

TEST DATE: 1-18-91
BASIS: FUEL FLOW

RUN # 1
THE EMISSIONS DATA IS AS FOLLOWS:

GAS FLOW (DSCF/M).....	810883.9
GAS FLOW (DSCF/HR).....	4.865303E+07
FUEL FLOW(KLB/HR).....	291
GCV (BTU/LB).....	12886
SAMPLE WEIGHT (GRAMS).....	.3887
SAMPLE VOLUME (DSCF).....	44.523
HEAT INPUT (MBTU/HR).....	3749.83
EMISSION RATE (LB/HR).....	934.46
EMISSION RATE (LB/MBTU).....	0.249

RUN # 2
THE EMISSIONS DATA IS AS FOLLOWS:

GAS FLOW (DSCF/M).....	805087.7
GAS FLOW (DSCF/HR).....	4.830526E+07
FUEL FLOW(KLB/HR).....	0 FUEL FLOW NOT AVAILABLE FOR THIS RUN
GCV (BTU/LB).....	12886
SAMPLE WEIGHT (GRAMS).....	.4091
SAMPLE VOLUME (DSCF).....	43.217
HEAT INPUT (MBTU/HR).....	0.00
EMISSION RATE (LB/HR).....	1005.99
EMISSION RATE (LB/MBTU).....	1.701412E+38

RUN # 3
THE EMISSIONS DATA IS AS FOLLOWS:

GAS FLOW (DSCF/M).....	795783.5
GAS FLOW (DSCF/HR).....	4.774701E+07
FUEL FLOW(KLB/HR).....	287
GCV (BTU/LB).....	12886
SAMPLE WEIGHT (GRAMS).....	.4158
SAMPLE VOLUME (DSCF).....	43.485
HEAT INPUT (MBTU/HR).....	3698.28
EMISSION RATE (LB/HR).....	1004.42
EMISSION RATE (LB/MBTU).....	0.272

NOTE: THE ACCURACY OF THE FUEL FLOW DATA MAY BE LESS THAN NEEDED FOR PROPER EMISSION RATE DETERMINATION

bcc: Mr. Clair H. Fancy, FDER
Ms. Cindy Phillips, FDER
Mr. Walter Smith, President, Entropy

MEMORANDUM

TO: Chuck Collins, Central District
FROM: Clair Fancy, Bureau of Air Regulation
DATE: December 11, 1990
RE: Florida Power & Light Company
Sanford Plant - Unit No. 4 Natural Gas Improvements

Florida Power & Light Company (FPL) has inquired as to whether proposed enhancements to allow full natural gas capability at its Sanford Power Plant Unit No. 4 would be subject to NSPS or PSD.

Earlier this year, based on a recommendation by the Environmental Protection Agency, the Bureau concluded that these same activities for Sanford Power Plant, Unit No. 5, would not be subject to new source regulations because the units were already capable of burning gas prior to any of the proposed changes being made. Because Units No. 4 and 5 are identical, the Bureau now concludes that new source review will not be necessary for the proposed natural gas enhancements at Sanford Unit No. 4.

FPL will be submitting a request for revision of the air operating permits for Sanford Units No. 4 and 5, in the near future. Based on the above, you may proceed to modify FPL's operating permits to accommodate these changes. Because the proposed changes at Units No. 4 and 5 are insignificant, a letter amendment to their air operating permits will be acceptable.

We are separately advising FPL that it may immediately proceed with the minimal work needed.

HOPPING BOYD GREEN & SAMS

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W. ROBERT FOKES

November 8, 1990

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Mr. Clair Fancy
Division of Air Resources Management
Bureau of Air Quality Management
Department of Environmental Regulation
2600 Blair Stone Road
Tallahassee, FL 32399-2400

RE: Florida Power & Light Company/Sanford Units No. 4
and 5

Dear Clair:

As you know, Florida Power & Light Company (FPL) requested guidance from the Department earlier this year concerning its plans to make minor changes at Sanford Unit No. 5 to allow the Plant to fully utilize its natural gas-burning capability. A copy of its request dated April 17, 1990, is attached. Your office forwarded FPL's request to the Environmental Protection Agency (EPA) which responded by letter dated May 8, 1990. EPA concluded that neither a Prevention of Significant Deterioration (PSD) permit nor New Source Performance Standards (NSPS) were applicable to those minimal changes. A copy of EPA's letter is also attached.

As noted in the April 17 letter referenced above, Sanford Unit No's. 4 and 5 are identical. Both units, constructed in the 1970's, include a Foster-Wheeler steam generator that is designed to fire a variety of fuels, including both residual oil and natural gas. (See original design specifications attached to the April 17 letter). Consequently, the changes needed to fully utilize the gas-burning capability of Unit No. 5 are identical to the changes needed to fully utilize the gas-burning capability of Unit No. 4. In light of this circumstance, FPL believes that it would be prudent to make the same changes to Sanford Unit No. 4 in order to maintain maximum fuel flexibility.

Mr. Clair Fancy
November 8, 1990
Page 2

FPL plans to make such changes to the existing burners on Sanford Unit No. 4 and to the existing gas supply system at the plant during the period when Unit No. 4 is brought off-line to prepare for the Orimulsion test burn. Taking advantage of that scheduled outage opportunity will preclude the necessity of an additional outage, possibly during a peak energy demand period.

Accordingly, FPL respectfully requests your confirmation that the PSD and NSPS non-applicability determination related to the changes needed to fully utilize natural gas at Sanford Unit No. 5 also apply to the corresponding changes at Sanford Unit No. 4. Because Sanford Unit No. 4 is scheduled to be brought off-line in approximately three weeks, your early consideration of this matter would be greatly appreciated.

We thank you for your continued guidance and assistance in this matter.

Sincerely,



William H. Green
Attorney for Florida Power &
Light Company

WHG/wrn
Enclosures
cc: Dr. Martin A. Smith
Ms. Elsa Bishop
Ms. Jewell Harper

HOPPING BOYD GREEN & SAMS

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OF COUNSEL
W. ROBERT FOKES

October 16, 1990

Ms. Cindy Phillips
Bureau of Air Regulation
Department of Environmental Regulation
2600 Blair Stone Road, Third Floor
Tallahassee, FL 32399-2400


Re: Florida Power & Light Company
Orimulsion Test Burn -- Sanford Unit No. 4

Dear Cindy:

This letter is to confirm that on Friday, October 12, 1990, we received from your office the original SIP revision package for the above-referenced matter. On Saturday, October 13, 1990, the original and five copies of the SIP revision package were sent via Federal Express to EPA in Atlanta. We received a telephone call from Kay Prince on Monday, October 15, 1990, confirming that EPA had received the SIP revision package. Ten copies of the SIP revision package were delivered to your offices on this date.

I want to take this opportunity to again thank you for your cooperation, support, and patience during this entire process. Your devotion to the project was certainly responsible for the timeliness with which it was completed.

Sincerely,



Angela R. Morrison

ARM/bjh

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October 16, 1990

BY FEDERAL EXPRESS

Ms. Kay Prince, Chief
Southern Planning Unit
U. S. Environmental Protection Agency,
Region IV
345 Courtland Street, N.E.
Atlanta, Georgia 30365

Re: FPL Sanford Unit No. 4
Orimulsion Test Burn

Dear Kay:

Enclosed are six copies of the transcript from the public hearing held on September 6, 1990, in DeBary, Florida. This hearing transcript may be useful to you in your review of the SIP revision package forwarded to you on October 13.

Thank you again for your expedited review in this matter. If you have any questions, please give me a call.

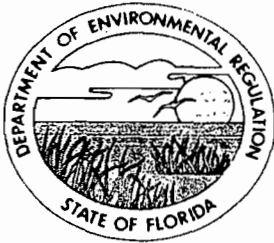
Sincerely,



Angela R. Morrison

bjh
Enclosures

cc: Ms. Cindy Phillips



Florida Department of Environmental Regulation

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

Bob Martinez, Governor

Dale Twachtman, Secretary

John Shearer, Assistant Secretary

September 13, 1990

Ms. Kay Prince
Chief
Southern Planning Unit
USEPA Region IV
345 Courtland Street, N.E.
Atlanta, Georgia 30365

Dear Ms. Prince:

Re: Florida Power & Light Co. Orimulsion Test Burn
PSD Construction Permit/SIP Revision

It is the practice of this Department to postpone issuing construction permits that involve SIP revisions until the SIP has been revised. However, Florida Power & Light Co. has requested that the Department issue the PSD construction permit for their test project before the SIP is revised so that they may begin the construction of equipment necessary for the testing of Orimulsion fuel. The construction permit would allow construction but would be conditioned to prohibit the firing of Orimulsion fuel until such time that the SIP is revised. FP&L is willing to accept exclusive financial risk should the SIP not be revised for some reason.

What is EPA's position on this request? May the Department issue the PSD construction permit before the SIP is revised? What specific conditions must be included in the permit to address the fact that the SIP has not been revised?

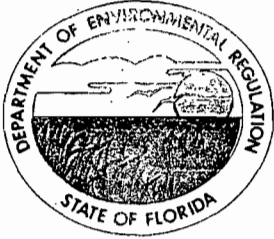
Attached is a copy of the specific conditions the Department proposes to include in the construction permit. Specific Condition No. 12 addresses the fact that the SIP has not been revised.

A quick (FAXed) response to these questions would be greatly appreciated. If you need additional information, please call me at (904)488-1344. Our FAX number is (904)922-6979.

Sincerely,

Cindy L. Phillips
Engineer
Bureau of Air Regulation

c: David Schwartz, Esq.
C. H. Fancy, P.E.



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

September 20, 1990

Thomas A. Cloud, Esquire
Gray, Harris & Robinson, P.A.
Suite 1200
Southeast Bank Building
201 East Pine Street
Post Office Box 3068
Orlando, FL 32802-3068

Dear Mr. Cloud:

This letter is in response to your letter of September 14, 1990 regarding the testing of Orimulsion at FPL Sanford Unit No. 4. Regarding any past requests to receive notice, the request must identify a particular project for which an application has been filed. The Department is not required to hold requests for notice pending future applications. The Department has no record of any request to receive any notice pertaining to the Orimulsion project. However, your letter of September 14, 1990 will be considered such a request for any current and future agency action pertaining to this particular project.

As a courtesy to your firm and client, I have enclosed a copy of the Department's Intent to Issue a Prevention of Significant Deterioration (PSD) construction permit for the project. As to your request for other documents, our records are available for inspection between 8:00 A.M. and 5:00 P.M., and arrangements can be made to copy documents at your expense.

Sincerely,

David C. Schwartz
Assistant General Counsel

HOPPING BOYD GREEN & SAMS

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December 19, 1990

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Ms. Cindy Phillips
Department of Environmental Regulation
2600 Blair Stone Road, Third Floor
Tallahassee, FL 32399-2400

RE: Florida Power & Light Company
Sanford Unit No. 4, Permit #AC64-180842
Orimulsion Test Burn

Dear Cindy:

This is to confirm our telephone conversation of this date. Specific condition 8(f) of the construction/operating permit for the Orimulsion test burn at Sanford Unit No. 4 requires a copy of stack emission test results no later than 45 days after the last run when a 3-run test is completed. Florida Power & Light Company's vendor will be on-site during a ten-to-twelve day period to conduct the tests. Because there are a number of tests (41), the report containing a summary of the tests will be submitted within 45 days of the last test. We understand that this arrangement is satisfactory to the Department.

At this time, FPL plans to conduct a compliance test for oil at Sanford Unit No. 4 on January 7 or 8, 1991. They plan to begin burning Orimulsion on January 9th. The first compliance test for Orimulsion is scheduled for January 17th.

Thank you, as always, for your consideration and cooperation. Have a very merry Christmas!

Sincerely,



Angela R. Morrison

ARM:phillips

GRAY, HARRIS & ROBINSON

PROFESSIONAL ASSOCIATION
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WRITER'S DIRECT DIAL

PLEASE REPLY TO:

Orlando

September 14, 1990

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MELISSA ARONY
MALCOLM R. KIRSCHENBAUM
OF COUNSEL

Ms. Patty Adams, Planner
Bureau of Air Regulation
Department of Environmental Regulation
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

**RE: Request for Notice of Any Present or Future Pending
Department Matters and Request for Documents Submitted
Regarding Florida Power and Light Sanford Unit #4 Power
Plant**

Dear Ms. Adams:

I want to thank you again for all the help you provided me on Wednesday of this week regarding the orimulsion test permit matter involving the Sanford Unit #4 Power Plant. By providing the information you did when you did, you enabled my client to deal with his concerns directly with FP & L. We are hopeful that these concerns were addressed in this matter.

Back in 1982, when Mr. Gray dealt with FP & L over a variance request before the ERC, I vaguely remember requesting that we receive notice of any documents or pending proceedings then or in the then future regarding this power plant. As we discussed on the phone, it would be best for me to make a written request to receive written notice and copies of any written documents submitted by FP & L regarding the Sanford Unit #4 Power Plant. By this letter, I am now making that request for all current and future matters or proceedings involving the plant. You may send these documents directly to our firm in Orlando.

GRAY, HARRIS & ROBINSON

PROFESSIONAL ASSOCIATION

ATTORNEYS AT LAW

POST OFFICE BOX 3068

ORLANDO, FLORIDA 32802-3068



**Ms. Patty Adams, Planner
Bureau of Air Regulation
Department of Environmental Regulation
2600 Blair Stone Road
Tallahassee, Florida 32399-2400**

GRAY, HARRIS & ROBINSON
PROFESSIONAL ASSOCIATION

Ms. Patty Adams, Planner
September 14, 1990
Page 2

Again, I want to thank you for your courtesy and assistance Wednesday morning. Your efforts have probably resulted in a savings of both time and cost both for my client and the Department.

Sincerely yours,



Thomas A. Cloud, Esquire

GRAY, HARRIS & ROBINSON, P.A.

TAC/jm

cc: Dale Twachtmann
Dan Thompson



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IV

345 COURTLAND STREET, N.E.
ATLANTA, GEORGIA 30365

SEP 14 1990

4APT/APB

Mr. C. H. Fancy, P.E,
Bureau of Air Regulation
Air Resources Management Division
Florida Department of Environmental Regulation
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Dear Mr. Fancy:

We received the letter of September 13, 1990, from Cindy Phillips of your staff regarding issuance of the PSD Construction Permit for Florida Power & Light Company which will address the testing of Orimulsion fuel. Region IV has no objection to Florida's issuing of the permit prior to approval of the SIP revision providing the permit contains Specific Condition No. 12 as written in the enclosure.

If any additional information or discussion is necessary, please do not hesitate to call Kay Prince of my staff at (404) 347-2864.

Sincerely,

Thomas J. Hansen, P.E., Chief
Southern Planning & Air
Toxics Section
Air Programs Branch
Air, Pesticides & Toxics
Management Division

Enclosure

cc: C. Phillips
B. Andrews
C. Collins, C. Dist
K. Prince

RECEIVED

SEP 20 1990

DER-BAQM

DRAFT**PERMITTEE:**
Fla. Power & Light Co.**Permit No. AC 64-180842**
PSD-FL-150
Expiration Date: June 30, 1992**SPECIFIC CONDITIONS:****10. Test Length:**

The testing of Orimulsion fuel shall be allowed for 90 full-capacity equivalent burn days. With permission from the Department, an additional 30 full-capacity equivalent burn days may be allowed to complete testing if necessary.

11. Permit Renewal:

While effective, this permit supercedes existing permit No. AO 64-132055. This permit shall expire on June 30, 1992, or at the end of the Orimulsion test burn project, whichever comes first. This permit shall not be renewed or extended. When it expires only permit AO 64-132055 shall be effective.

12. By accepting this permit, the permittee recognizes that it will not constitute a federal PSD permit until such time as the proposed revision of the State Implementation Plan (SIP) is authorized by the U.S. EPA. Any construction undertaken by the permittee prior to the approval of the proposed SIP revision is understood to be at the exclusive financial risk of the permittee. No Orimulsion fuel shall be fired until the permittee receives written notice from the Department that the SIP has been revised to allow the firing of Orimulsion fuel.

Issued this _____ day
of _____, 1990

**STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION**

Dale Twachtman, Secretary