

Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

February 10, 1997

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Gregory A. DeMuth
Director, Environmental Division
Orlando Utilities Commission
500 South Orange Avenue
Orlando, Florida 32802

Re: Modification of Air Operation Permit No. AO05-176531 — 351
Combustion Turbines A and B - Indian River Plant

Dear Mr. DeMuth:

The Department has reviewed Orlando Utilities Commission December 6, 1996 letter requesting a modification to the above referenced permit to change the annual compliance testing date required in Specific Condition No. 11 as previously amended on October 2, 1990. The change in Specific Condition No. 11 is also related to Specific Condition No. 14. This request is acceptable and the Specific Conditions are changed as shown below:

Specific Condition 11:

FROM:

The required compliance tests shall be conducted at yearly intervals from the date of February 20, 1990.

TO:

The required compliance tests shall be conducted during each federal fiscal year (October 1 - September 30).

Specific Condition 14:

FROM:

This plant is required to operate within 90 to 100 percent of permitted capacity during the compliance tests.


Mr. Gregory A. DeMuth
February 10, 1997
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TO:

Testing of emissions shall be conducted with the source operating at capacity. Capacity is defined as 95-100 percent of the manufacturer's rated heat input achievable for the average ambient (or conditioned) air temperature during the test. If it is impracticable to test at capacity, then sources may be tested at less than capacity. In such cases, the entire heat input vs. inlet temperature curve will be adjusted by the increment equal to the difference between the design heat input value and 105 percent of the value reached during the test. Data, curves, and calculations necessary to demonstrate the heat input rate correction at both design and test conditions shall be submitted to the Department with the compliance test report.

A copy of this letter shall be filed with the referenced permit and shall become part of the permit.

Sincerely,



Howard L. Rhodes, Director
Division of Air Resources
Management

HLD/hh

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF PERMIT MODIFICATION ISSUANCE

In the Matter of an
Application for Permit Modification

Mr. Gregory A. DeMuth
Orlando Utilities Commission
500 South Orange Avenue
Orlando, Florida 32802

DEP File No. AO05-176531 ⁵ 351
Combustion Turbines A and B - Indian River Plant

Enclosed is a letter that modifies Permit Number AO05-176531 to change the annual compliance testing date required in the above referenced operating permit.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57 F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, telephone: 904/488-9730, fax: 904/487-4938, within fourteen days of receipt of the permit modification. A petitioner must 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 28-5.207 of the Florida Administrative Code.

A petition must contain the following information: (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Permit File Number and the county in which the project is proposed; (b) A statement of how and when each petitioner received notice of the Department's action or proposed action; (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action; (d) A statement of the material facts disputed by petitioner, if any; (e) A statement of the facts that the petitioner contends warrant reversal or modification of the Department's action or proposed action; (f) A statement identifying the rules or statutes that the petitioner contends require reversal or modification of the Department's action or proposed action; and (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the Department to take with respect to the action or proposed action addressed in this modification.

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 modification. 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.

This permit modification is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition and conforms to Rule 62-103.070, F.A.C. Upon timely filing of a petition or a request for an extension of time this permit will not be effective until further Order of the Department.

When the Order (permit modification) is final, any party to the order has the right to seek judicial review of the Order pursuant to Section 120.68, F.S., by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Legal Office; 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 30 (thirty) days from the date this Notice is filed with the Clerk of the Department.

Executed in Tallahassee, Florida.



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

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this permit modification was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on 2-12-97 to the person(s) listed:

Mr. Gregory A. Demuth, Orlando Utilities Commission *
Mr. Len Koslov, CD

Clerk Stamp



FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to §120.52(7), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Kuni Johnson
(Clerk)

2-12-97
(Date)

Florida Department of
Environmental Protection

Memorandum

TO: Howard L. Rhodes
THRU: Clair Fancy 
FROM: Al Linero 
DATE: February 10, 1997
SUBJECT: Modification of Air Operation Permit No. AO05-176351 OUC Indian River

Attached for approval and signature is a letter that will modify the emission unit test date for the above referenced permit as requested by Orlando Utilities Commission. It allows them to test anytime of the year instead on or about February 20. This is consistent with our guidance on the subject which we are incorporating into this permit.

I recommend your approval and signature.

CHF/aal/hh

Attachment

is your RETURN ADDRESS completed on the reverse side?

Print your name and address on this form so that we can return this card to you.

Attach this form to the front of the mailpiece, or on the back if space does not permit.

Write "Return Receipt Requested" on the mailpiece below the article number.

The Return Receipt will show to whom the article was delivered and the date delivered.

3. Article Addressed to
*Gregory A. DeMuth
 Director, Envr. Div.
 Orlando Utilities Comm.
 500 S. Orange Ave.
 Orlando, FL 32802*

4a. Article Number
P 265 659 165

4b. Service Type
 Registered Insured
 Certified COD
 Express Mail Return Receipt for Merchandise

7. Date of Delivery

5. Signature (Addressee)
[Signature]

6. Signature (Agent)
[Signature]

7. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, D
 U.S. GPO: 1993-362-714

DOMESTIC RETURN RECEIPT

also wish to receive the following services (for an extra fee):

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

Thank you for using Return Receipt Service.

P 265 659 165

US Postal Service
Receipt for Certified Mail

No Insurance Coverage Provided.
 Do not use for International Mail (See reverse)

Sent to	<i>Greg DeMuth</i>
Street & Number	<i>O.U.C.</i>
Post Office, State, & ZIP Code	<i>Orlando, FL</i>
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	<i>2-12-97</i>
	<i>A005-176531</i>
	<i>C.T.: A & B Indian River</i>

PS Form 3800 April 1995