

Jeb Bush  
Governor

# Department of Environmental Protection

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

David B. Struhs  
Secretary

December 5, 2003

## CERTIFIED MAIL

Mr. John Lindsay, Plant General Manager  
Florida Power & Light Company - Martin Plant  
P.O. Box 176  
Indiantown, FL 34956

Re: FPL Martin Power Plant  
Current Air Permit No. 0850001-007-AV  
Combustion Turbine 4B – Excess Emissions Authorization for Rotor Blade Replacements

Dear Mr. Lindsay:

On November 25, 2003, the Department received a request for the authorization of excess emissions resulting from Full Speed No Load (FSNL) testing. Although damaged rotor blades in Unit 4B were replaced in December of 2002, recent inspections indicate additional cracking on numerous rotor blades in this unit. FPL plans to replace damaged rotor blades during December of this year. General Electric requires FSNL testing following such a repair, which involves an extended period of startup to heat-soak and balance the rotor. The FSNL testing is currently scheduled to occur sometime during the period of December 15, 2003 through January 3, 2004. A similar request was granted for Unit 4B in December of last year and for Units 3A, 3B, and 4A in September of this year. In accordance with Rule 62-210.700(5), F.A.C., the Department authorizes excess emissions due to rotor blade repair and FSNL testing provided:

- The operator adheres to best operational practices to minimize emissions and the duration of excess emissions shall not exceed 10 hours for the entire period of FSNL testing.
- The operator notifies the Department's Southeast District Office on each day that FSNL testing is performed.
- Before February 15, 2004, the owner or operator submits a report to the Department's Southeast District Office and the Bureau of Air Regulation summarizing the hourly NO<sub>x</sub> emissions during the FSNL testing, the current condition of rotor blades for each combustion turbine on site, and the general repair strategy.

This determination is issued pursuant to Chapter 403, Florida Statutes. A person whose substantial interests are affected by the proposed agency action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57 of the Florida Statutes (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 at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida, 32399-3000. Petitions filed by the applicant or any of the parties listed below must be filed within fourteen (14) 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), F.S., must be filed within fourteen (14) days of publication of the public notice or within fourteen (14) days of receipt of this notice of intent, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Department for notice of agency action may file a petition within fourteen (14) 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

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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 (F.A.C.) 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, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

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, F.A.C. 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. Mediation is not available in this proceeding.

This determination 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 pursuant to Rule 62-110.106, F.A.C., and the petition conforms to the content requirements of Rules 28-106.201 and 28-106.301, F.A.C. Upon timely filing of a petition or a request for extension of time, this action will not be effective until further order of the Department.

Any party to this order has the right to seek judicial review of it under Section 120.68, F.S., by filing 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 must be filed within thirty (30) days after this order is filed with the clerk of the Department.

If you have any questions regarding this matter, please contact Jeff Koerner at 850/921-9536.

Executed in Tallahassee, Florida.



Trina Vielhauer, Chief  
Bureau of Air Regulation

cc: Mr. John C. Hampp, FPL  
Mr. Tom Tittle, SED  
Mr. Gregg Worley, EPA Region 4

U.S. Postal Service  
**CERTIFIED MAIL RECEIPT**  
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 John Lindsay  
 -----  
*Street, Apt. No.; or PO Box No.*  
 PO Box 176  
 -----  
*City, State, ZIP+ 4*  
 Indiantown, FL 34956  
 PS Form 3800, May 2000 See Reverse for Instructions

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) *T. Lindsey* B. Date of Delivery *12-11-03*

C. Signature *J. Lindsey*  Agent  Addressee

D. Is delivery address different from item 1?  Yes  No  
 If YES, enter delivery address below:

■ Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
 John Lindsay, Plant General Manager  
 Florida Power & Light Company - Martin Plant  
 Post Office Box 176  
 Indiantown, FL 34956

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number (Copy from service label)  
 7000 2870 0000 7028 3581



**FPL**

Monday, November 24, 2003

Trina Vielhauer, Chief  
Bureau of Air Regulation  
Division of Air Resources Management Department of  
Environmental Protection  
2600 Blair Stone Road, MS#5505  
Tallahassee, FL 32399-2400

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NOV 25 2003

BUREAU OF AIR REGULATION

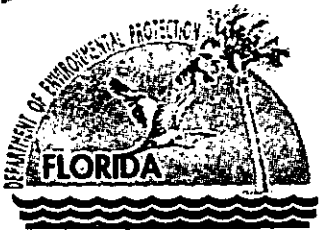
Dear Ms. Vielhauer,

Florida Power & Light Company is requesting an authorization of an extended excess emission period for the Martin Plant Combustion Turbine 4B following the rotor changeout expected to occur during December of this year. The turbine manufacturer has identified that this necessitates a Full Speed No Load (FSNL) operation following rotor changeout as part of the required break-in period. The extended startup period is scheduled to occur sometime during the period of December 15, 2003 through January 3, 2004. On September 18, 2003 the Department's Bureau of Air Regulation granted a similar request for the rotor changeout on Unit's 3A, 3B, and 4A. Similar approvals had been granted previously in accordance with the manufacturer's warranty and operational requirements.

During the FSNL tests for these turbines FPL will operate these units following best operational practices to minimize emissions. The attached document contains the approval for excess emissions from the Unit 4B rotor replacement for your convenience in drafting the requested approval. Should you have any question, or need any additional information, please contact me at your earliest convenience.

Sincerely,

John C. Hampp  
Sr. Regulatory Specialist  
Florida Power & Light Company  
JES-JB  
700 Universe Blvd.  
Juno Beach, FL 33408  
Email: john\_hampp@fpl.com



# Department of Environmental Protection

Jeb Bush  
Governor

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

David B. Struhls  
Secretary

September 18, 2003

## CERTIFIED MAIL

Mr. John Lindsay, Plant General Manager  
Florida Power & Light Company - Martin Plant  
P.O. Box 176  
Indiantown, FL 34956

Re: FPL Martin Power Plant  
Current Air Permit No. 0850001-007-AV  
Combustion Turbines 3A, 3B, and 4A – Excess Emissions Authorization for Rotor Blade Replacements

Dear Mr. Lindsay:

The Southeast District Office forwarded your recent request for excess emissions resulting from Full Speed No Load (FSNL) testing to the Bureau of Air Regulation. Recent inspections indicate cracking on numerous rotor blades in each of the three units. FPL plans to replace damaged rotor blades during September and October. General Electric requires FSNL testing following such a repair, which involves an extended period of startup of approximately five hours to heat soak and balance the rotor. The FSNL testing is currently scheduled to occur sometime during the period of September 15 through October 31 of this year. The target date for the first unit is September 20, 2003. Similar requests have previously been granted for these units. In accordance with Rule 62-210.700(5), F.A.C., the Department authorizes excess emissions due to rotor blade repair and FSNL testing provided:

- The operator adheres to best operational practices to minimize emissions.
- The operator minimizes the duration of excess emissions, which shall not exceed 15 hours for the entire period of FSNL testing.
- The operator notifies the Department's Southeast District Office for each day that FSNL testing is performed.
- The owner or operator submits a report to the Department's Southeast District Office summarizing the hourly NOx emissions during the FSNL testing.

This determination is issued pursuant to Chapter 403, Florida Statutes. A person whose substantial interests are affected by the proposed agency action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57 of the Florida Statutes (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 at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida, 32399-3000. Petitions filed by the applicant or any of the parties listed below must be filed within fourteen (14) 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), F.S., must be filed within fourteen (14) days of publication of the public notice or within fourteen (14) days of receipt of this notice of intent, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Department for notice of agency action may file a petition within fourteen (14) 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

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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 (F.A.C.) 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, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

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, F.A.C.

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.

Mediation is not available in this proceeding.

In addition to the above, a person subject to regulation has a right to apply for a variance from or waiver of the requirements of particular rules, on certain conditions, under Section 120.542, F.S. The relief provided by this state statute applies only to state rules, not statutes, and not to any federal regulatory requirements. Applying for a variance or waiver does not substitute or extend the time for filing a petition for an administrative hearing or exercising any other right that a person may have in relation to the action proposed in this notice of intent.

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. The petition must specify the following information: (a) The name, address, and telephone number of the petitioner; (b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any; (c) Each rule or portion of a rule from which a variance or waiver is requested; (d) The citation to the statute underlying (implemented by) the rule identified in (c) above; (e) The type of action requested; (f) The specific facts that would justify a variance or waiver for the petitioner; (g) The reason why the variance or waiver would serve the purposes of the underlying statute (implemented by the rule); and (h) A statement whether the variance or waiver is permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

The Department will grant a variance or waiver when the petition demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of those terms is defined in Section 120.542(2), F.S., and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner.

Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable by the Administrator of the EPA and by any person under the Clean Air Act unless and until the Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.


This determination 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 pursuant to Rule 62-110.106, F.A.C., and the petition conforms to the content requirements of Rules 28-106.201 and 28-106.301, F.A.C. Upon timely filing of a petition or a request for extension of time, this action will not be effective until further order of the Department.

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If you have any questions regarding this matter, please contact Jeff Koerner at 850/921-9536.

Executed in Tallahassee, Florida.



Trina Vielhauer, Chief  
Bureau of Air Regulation

cc: Mr. John C. Hampp, FPL  
Mr. Tom Tittle, SED  
Mr. Gregg Worley, EPA Region 4

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**John Lindsay**  
 Street, Apt. No.,  
 or **PO Box 176**  
 City, State, ZIP+4  
**Indiantown, FL 34956**

**SENDER: COM**

PS Form 3800, January 2001

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- 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. John Lindsay  
 Plant General Manager  
 Florida Power & Light Company - Martin Plant  
 Post Office Box 176  
 Indiantown, FL 34956

A. Received by (Please Print Clearly) <b>Tanny Lindsay</b>	B. Date of Delivery <b>9-22</b>
C. Signature <i>Tanny Lindsay</i>	<input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee
D. Is delivery address different from item 1? If YES, enter delivery address below:	<input type="checkbox"/> Yes <input type="checkbox"/> No

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<input type="checkbox"/> Registered	<input type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Insured Mail	<input type="checkbox"/> C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

2. **7001 0320 0001 3692 6099**