



# Florida Department of Environmental Protection

Bob Martinez Center  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Charlie Crist  
Governor

Jeff Kottkamp  
Lt. Governor

Michael W. Sole  
Secretary

February 17, 2010

*Sent by Electronic Mail – Received Receipt Requested*

Mr. William Reichel, Plant General Manager  
Florida Power & Light Company – Martin Power Plant  
Post Office Box 176  
Indiantown, Florida 34956-0176

Re: Exemption from the Requirement to Obtain an Air Construction Permit  
Florida Power & Light Company (FP&L) Martin Power Plant, Martin Solar Power Energy Center  
Project No. 0850001-024-AC  
Exemption to Install a Ullage System with Flare

Dear Mr. Reichel:

On January 20, 2010, FP&L submitted a request to install a ullage system with a vent flare on the Martin Solar Power Energy Center. The ullage system will operate as a batch system. The solar power plant uses a heat transfer fluid (HTF) to collect solar energy and convert it to thermal energy. The ullage system uses a low pressure expansion vessel, filled with nitrogen gas, and an associated distillation process to remove low pressure contaminants from the HTF as it breaks down over time. The expansion vessel is used to bleed-off these low pressure contaminants, which are called low boilers (LB), through the displacement of the nitrogen gas and collected in what is called the ullage space. These LB are volatile organic compounds (VOC) and include some hazardous air pollutants such as benzene and phenol. Approximately once per week, it is expected that the system pressure in the expansion vessel will be sufficiently high to automatically discharge the gas mixture in the ullage space to the associated distillation process. Any uncondensed VOC released during the distillation process shall be treated using a vent flare. Uncontrolled VOC emissions are estimated to be 6.2 tons per year. The vent flare has a design VOC destruction efficiency of 98 percent and an estimated height of approximately 60 feet. The igniter gas for the vent flare will be natural gas. Based on this frequency and the preliminary design, VOC emissions will be reduced to less than 250 pounds per year. The existing Martin Power Plant is located seven miles North of Indiantown on State Road 710 in Martin County, Florida. Pursuant to Rule 62.4.040(1)(b) of the Florida Administrative Code (F.A.C.), the project is exempt from the requirement to obtain an air construction permit and you are authorized to install a ullage system on the Martin Solar Power Energy Center and shall install an associated vent flare.

**Determination:** A complete review of this project is summarized in the attached Technical Evaluation. Pursuant to Rule 62.4.040(1)(b), F.A.C., and for the reasons stated in the Technical Evaluation, the Bureau of Air Regulation determines that the activity will not emit air pollutants, "... in sufficient quantity, with respect to its character, quality or content, and the circumstances surrounding its location, use and operation, as to contribute significantly to the pollution problems within the State, so that the regulation thereof is not reasonably justified." Therefore, the project is exempt from the requirement to obtain an air construction permit. This determination may be revoked if the proposed activity is substantially modified or the basis for the exemption is determined to be materially incorrect. A copy of this letter shall be maintained at the site of the proposed activity. This permitting decision is made pursuant to Chapter 403 of the Florida Statutes (F.S.).

**Permitting Authority:** Applications for air construction permits are subject to review in accordance with the provisions of Chapter 403, F.S., and Chapters 62-4, 62-210 and 62-212, F.A.C. The Permitting Authority

## EXEMPTION FROM AIR CONSTRUCTION PERMITTING

---

responsible for making a permit determination for this project is the Bureau of Air Regulation in the Department of Environmental Protection's Division of Air Resource Management. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, Tallahassee, Florida 32301. The Permitting Authority's mailing address is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/488-0114.

**Petitions:** A person whose substantial interests are affected by the 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 with (received by) the agency clerk in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/245-2241). Petitions must be filed within 21 days of receipt of this exemption from air permitting requirements. 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 (in a proceeding initiated by another party) will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Permitting Authority'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 when and how each petitioner received notice of the agency action or proposed decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so state; (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 including an explanation of how the alleged facts relate to the specific rules or statutes; and, (g) A statement of the relief sought by the petitioner, stating precisely the action the 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 Permitting Authority'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 Permitting Authority's final action may be different from the position taken by it in this permitting action. Persons whose substantial interests will be affected by any such final decision of the Permitting Authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

**Mediation:** Mediation is not available in this proceeding.

**Effective Date:** This permitting decision is final and effective on the date filed with the clerk of the Permitting Authority 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 Permitting Authority.

**EXEMPTION FROM AIR CONSTRUCTION PERMITTING**

**Judicial Review:** Any party to this permitting decision (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 30 days after this order is filed with the clerk of the Department.

Executed in Tallahassee, Florida.

  
\_\_\_\_\_  
Trina Vielhauer, Chief  
Bureau of Air Regulation

TLV/jfk/rbm

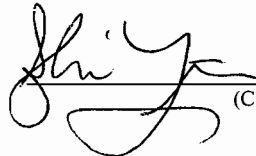
**CERTIFICATE OF SERVICE**

The undersigned duly designated deputy agency clerk hereby certifies that this Exemption from Air Construction Permitting was sent by electronic mail, or a link to these documents made available electronically on a publicly accessible server, with received receipt requested before the close of business on 2/18/10 to the persons listed below.

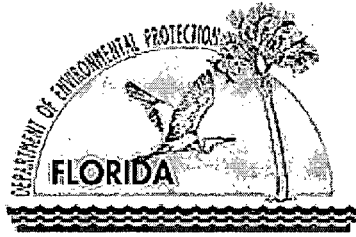
- Mr. William Reichel, Florida Power & Light Company: ([bill.reichel@fpl.com](mailto:bill.reichel@fpl.com))
- Ms. Mary Archer, Florida Power & Light Company: ([mary\\_archer@fpl.com](mailto:mary_archer@fpl.com))
- Mr. John Hampp, Florida Power & Light Company: ([john.hampp@fpl.com](mailto:john.hampp@fpl.com))
- Mr. Lennon Anderson, DEP Southeast Office: ([lennon.anderson@dep.state.fl.us](mailto:lennon.anderson@dep.state.fl.us))
- Ms. Vickie Gibson, DEP BAR Reading File: ([victoria.gibson@dep.state.fl.us](mailto:victoria.gibson@dep.state.fl.us))

Clerk Stamp

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

  
\_\_\_\_\_  
(Clerk)

2/18/10  
(Date)



## **TECHNICAL EVALUATION**

### **PROJECT**

Project No. 0850001-024-AC  
Florida Power & Light Company, Martin Power Plant  
Facility ID No. 0850001  
Martin Solar Power Energy Center Ullage System  
Exemption Project

### **COUNTY**

Martin County, Florida

### **APPLICANT**

Florida Power & Light Company  
P.O. Box 176  
Indiantown, Florida 34956-0176

### **PERMITTING AUTHORITY**

Florida Department of Environmental Protection  
Division of Air Resource Management  
Bureau of Air Regulation – New Source Review Section  
2600 Blair Stone Road, MS #5505  
Tallahassee, FL 32399-2400

February 17, 2010

# TECHNICAL EVALUATION

---

## 1. GENERAL PROJECT INFORMATION

### Air Pollution Regulations

Projects at stationary sources with the potential to emit air pollution are subject to the applicable environmental laws specified in Section 403 of the Florida Statutes (F.S.). The statutes authorize the Department of Environmental Protection (Department) to establish regulations regarding air quality as part of the Florida Administrative Code (F.A.C.), which includes the following applicable Chapters: 62-4 (Permits); 62-204 (Air Pollution Control – General Provisions); 62-210 (Stationary Sources – General Requirements); 62-212 (Stationary Sources – Preconstruction Review); 62-213 (Operation Permits for Major Sources of Air Pollution); 62-296 (Stationary Sources - Emission Standards); and 62-297 (Stationary Sources – Emissions Monitoring). Specifically, air construction permits are required pursuant to Chapters 62-4, 62-210 and 62-212, F.A.C.

In addition, the U.S. Environmental Protection Agency (EPA) establishes air quality regulations in Title 40 of the Code of Federal Regulations (CFR). Part 60 specifies New Source Performance Standards (NSPS) for numerous industrial categories. Part 61 specifies National Emission Standards for Hazardous Air Pollutants (NESHAP) based on specific pollutants. Part 63 specifies NESHAP based on the Maximum Achievable Control Technology (MACT) for numerous industrial categories. The Department adopts these federal regulations on a quarterly basis in Rule 62-204.800, F.A.C.

### Facility and Location

The Florida Power & Light (FP&L) Company operates an existing electric utility located seven miles North of Indiantown on State Road 710 in Martin County, Florida. The UTM coordinates of this facility are: Zone 17, 542.68 kilometer (km) East and 2992.65 km North. The existing FP&L Martin Power Plant (Plant) consists primarily of two oil and natural gas fired conventional fossil fuel steam electric generating stations (Units 1 and 2), two oil and natural gas fired combined cycle combustion turbines (Units 3 and 4), four oil and natural gas fired combined cycle combustion turbines (Unit 8) and associated support equipment. The electrical generating plant is categorized as Standard Industrial Classification Code No. 4911. This site is in an area that is in attainment (or designated as unclassifiable) for each air pollutant subject to state and federal Ambient Air Quality Standards (AAQS).

In addition, the Martin Solar Power Energy Center, an 80-megawatt solar thermal plant, is currently being constructed at the existing facility. The solar plant will concentrate solar energy to raise the temperature of a heat transfer fluid, which will be used to generate steam. The steam will be delivered to a steam turbine-electrical generator that will produce electricity for the power grid.

### Facility Regulatory Categories

Title III: The facility is identified as a major source of hazardous air pollutants (HAP).

Title IV: The facility operates units subject to the acid rain provisions of the Clean Air Act.

Title V: The facility is a Title V major source of air pollution in accordance with Chapter 62-213, F.A.C.

PSD: The facility is a major stationary source of air pollution in accordance with Rule 62-212.400, F.A.C. for the Prevention of Significant Deterioration (PSD) of Air Quality.

NSPS: The facility operates units subject to the NSPS in 40 CFR 60.

NESHAP: The facility operates units subject to the NESHAP in 40 CFR 63.

Siting: Units 003, 004, 005, 006, 007 and 009 were originally certified (PA89-27, and as modified/amended) pursuant to the power plant siting provisions of Chapter 62-17, F.A.C.

CAIR: The facility is subject to the Clean Air Interstate Rule (CAIR) set forth in Rule 62-296.470, F.A.C.

## TECHNICAL EVALUATION

---

### Project Description

As previously mentioned, FP&L is constructing the Martin Solar Power Energy Center at the existing facility. The new solar plant will collect solar energy and convert it into thermal energy using a specialized heat transfer fluid. The heat transfer fluid is pumped throughout the solar concentrating collectors to absorb the thermal energy and returns through header pipes back to the power block where the collected heat is transferred to feedwater to make steam. The initial design did not identify any known air emissions points.

The current plans are to use a Dow Chemical, Inc. heat transfer fluid product called Dowtherm A, which consists of a blend of 27% biphenyl and 73% diphenyl oxide. This heat transfer fluid has unique properties such as a high heat absorption capacity and good thermal stability at high temperatures. Such heat transfer fluids are common in the solar industry as the primary means of heat collection and transportation.

However, FP&L has become aware that, at high temperatures, the heat transfer fluid will degrade and break down over time. The degradation by-products of heat transfer fluid fall into two categories of chemicals called low boilers (LB) and high boilers (HB). The LB include volatile organic compounds (VOC), some of which are hazardous air pollutants such as benzene and phenol. According to the manufacturer, the degradation rate of LB is approximately 0.5% per year based on the proposed operating temperatures of the solar plant.

Retaining the LB and HB in the heat transfer fluid adversely affects the performance of the heat transfer fluid. FP&L now recognizes the need to extract these contaminants and plans to install an ullage system. An expansion vessel will be operated at a low pressure to flash off the LB as a vapor, which will occupy the top portion of the expansion vessel (known as the ullage space) along with some small amount of heat transfer fluid. Periodically, the expansion vessel will be pressurized with nitrogen gas to displace the gas mixture in the ullage space, which now consists of the flashed LB vapors, some residual heat transfer fluid and some nitrogen gas. The LB will then be separated from the rest of the gas mixture by a distillation process to condense out the LB. The liquid LB will be sent to a used heat transfer fluid storage tank.

The efficiency for condensing LB from the distillation process is only about 37%, which means the remaining portion of LB vapors could be vented to the atmosphere. The applicant estimates a maximum of 6.2 tons of VOC per year could be emitted without control. Research indicates that a vent flare or carbon absorption filter could be used to control the VOC emissions. A vent flare is favored because a carbon filter is not as efficient as a vent flare, requires storage facilities, requires disposal of a waste stream and requires man-power for operations and maintenance.

Therefore, the applicant plans to install a vent flare with a design VOC destruction efficiency of 98 percent and an estimated height of approximately 60 feet. The igniter gas for the vent flare will be natural gas. The ullage system will operate as a batch system. Approximately once per week, it is expected that the system pressure will be sufficiently high to automatically start the distillation process and discharge any uncondensed LB vapors to the vent flare for destruction. Based on this frequency and the preliminary design, VOC emissions will be reduced to less than 250 pounds per year.

## 2. PSD APPLICABILITY

### General PSD Applicability

The Department regulates major stationary sources in accordance with Florida's PSD program pursuant to Rule 62-212.400, F.A.C. A PSD preconstruction review is required in areas currently in attainment with the state and federal Ambient Air Quality Standards or areas designated as "unclassifiable" for a given pollutant. A facility is considered "major" with respect to PSD if it emits or has the potential to emit: 250 tons per year or more of any regulated air pollutant; 100 tons per year or more of any regulated air pollutant and the facility belongs to one of the 28 PSD Major Facility Categories; or, 5 tons per year or more of lead.

New projects at existing PSD-major stationary sources are reviewed for PSD applicability based on net

## TECHNICAL EVALUATION

---

emissions increases from the project. Each PSD pollutant is evaluated for applicability based on emissions thresholds known as the Significant Emission Rates as defined in Rule 62-210.200, F.A.C. Pollutant emissions from the project exceeding these rates are considered “significant”. In addition, applicants may choose to conduct a “PSD netting analysis” that includes all emissions increases as well as all emissions decreases for a 5-year period contemporaneous with the project to determine whether or not a PSD significant emissions increase will occur. Although a facility may be “major” for only one PSD pollutant, the project may be “significant” for several PSD pollutants. For each significant PSD pollutant, the applicant must employ the Best Available Control Technology (BACT) to minimize emissions and conduct an air quality analysis that demonstrates emissions from the project will not cause or contribute to adverse ambient impacts.

### PSD Applicability for the Project

The project is located in Martin County, which is in an area that is currently in attainment with the state and federal Ambient Air Quality Standards or otherwise designated as unclassifiable. The existing facility is an existing PSD major stationary source. New projects must be reviewed for PSD applicability. The project is not subject to PSD preconstruction review because the potential emissions (before and after control) are less than the PSD significant emission rate for VOC of 40 tons per year.

### 3. APPLICABLE REGULATIONS AND DEPARTMENT REVIEW

For the proposed usage ullage system with vent flare, there are no specific applicable regulations in Chapter 62-296, F.A.C. or Parts 60 (NSPS), 61 (NESHAP) or 63 (NESHAP-MACT) of 40 CFR.

Unless exempted, an air permit is required pursuant to:

- Rule 62-4.030, F.A.C. (General Prohibition) requires an air permit for a stationary installation which will reasonably be expected to be a source of air pollution.
- Rule 62-210.300(1), F.A.C. (Air Construction Permits) requires an air construction permit for any new emissions unit or any new pollution control equipment prior to the beginning of construction.

The following rules provide for exemptions from the requirement to obtain an air permit:

- Rule 62-4.040, F.A.C. (Exemptions) allows the Department to exempt proposed installations that it determines will not emit air pollutants so as to contribute significantly to the air pollution problems within the State, so that the regulation thereof is not reasonably justified.
- Rule 62-210.300(3)(a), F.A.C. (Categorical and Conditional Exemptions) identifies specific categories and activities meeting certain conditions that are exempt from the requirement to obtain an air permit.
- Rule 62-210.300(3)(b), F.A.C. (Generic and Temporary Exemptions) specifies thresholds for air pollutants below which a generic and temporary activities that are not otherwise regulated are exempt from the requirement to obtain an air permit.

The ullage system is identified as a potential emissions unit and the vent flare is a control device. As such, the installation of this equipment requires an air construction permit unless exempt by Department rule. There are no applicable categorical or conditional exemptions in Rule 62-210.300(3)(a), F.A.C. for this equipment. For the ullage system and flare, the generic emissions unit exemption in Rule 62-210.300(3)(b), F.A.C. exempts the otherwise unregulated equipment from the requirement to obtain an air construction permit if it would neither emit nor have the potential to emit:

- 1,000 pounds per year or more of any hazardous air pollutant;
- 2,500 pounds per year or more of total hazardous air pollutants; or
- 5.0 tons per year or more of VOC.

## TECHNICAL EVALUATION

---

As previously mentioned, the estimated maximum VOC and HAP emissions are less than 250 pounds per year after control by the vent flare. As provided in the definition of "potential to emit" (Rule 62-210.200, F.A.C.), potential emissions may be determined as maximum emissions "after control" if installation and operation of the vent flare is federally enforceable. Since this is not the case, potential VOC emissions are greater than 5 tons/year and the emissions unit is not generically exempt.

Nevertheless, pursuant to Rule 62-4.040, F.A.C., the Department determines that the proposed ullage system with vent flare will not emit air pollutants so as to contribute significantly to the air pollution problems within the State and that regulation thereof is not reasonably justified. In making this decision, the Department considered the following:

- The ullage system with vent flare is not subject to any specific air pollution regulations;
- There are no other emissions activities associated with the solar plant;
- The potential VOC and HAP emissions prior to control by the vent flare are only 6.2 tons of VOC per year;
- The maximum controlled VOC and HAP emissions after control by the vent flare are less than 250 pounds per year; and
- The vent flare is only operated intermittently and will be activated automatically based on system pressure.

This determination is made specifically for this project given the unique conditions of this project and does not set a precedent for any subsequent projects. The ullage system and vent flare should be added to the Title V air operation permit as an unregulated emissions unit when that permit is next re-opened for some other cause. Also, the applicant is encouraged to contact the Department's Siting Office to determine whether the project will require an amendment or modification of the existing Site Certification No. PA89-27M.

#### 4. DETERMINATION

The Department makes a determination that the proposed project is exempt from the requirement to obtain an air construction permit pursuant to Rule 62-4.040(1), F.A.C. This determination is based on a technical review of the request, reasonable assurances provided by the applicant. Bruce Mitchell is the project engineer responsible for reviewing the application and drafting the permit documents. Jeff Koerner, Administrator of the New Source Review Section, is responsible for reviewing and editing the exemption. Additional details of this analysis may be obtained by contacting the project engineer at the Department's Bureau of Air Regulation at Mail Station #5505, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.



## Livingston, Sylvia

---

**From:** Livingston, Sylvia  
**Sent:** Thursday, February 18, 2010 8:45 AM  
**To:** 'bill.reichel@fpl.com'  
**Cc:** 'mary\_archer@fpl.com'; 'john.hampp@fpl.com'; Anderson, Lennon; Gibson, Victoria; Mitchell, Bruce; Walker, Elizabeth (AIR)  
**Subject:** Florida Power & Light - MARTIN POWER PLANT; 0850001-024-AC - Exemption  
**Attachments:** 0850001-024-AC\_Signature.pdf

Dear Sir/ Madam:

Attached is the official **Notice of Exemption from the Requirement to Obtain an Air Construction Permit** for the project referenced below. Click on the link displayed below to access the permit project documents and send a "reply" message verifying receipt of the document(s) provided in the link; this may be done by selecting "Reply" on the menu bar of your e-mail software, noting that you can view the documents, and then selecting "Send".

*Note: We must receive verification that you are able to access the documents. Your immediate reply will preclude subsequent e-mail transmissions to verify accessibility of the document(s).*

**Click on the following link to access the permit project documents:**

[http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf\\_permit\\_zip\\_files/0850001.024.AC.F\\_pdf.zip](http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf_permit_zip_files/0850001.024.AC.F_pdf.zip)

**Owner/Company Name:** FLORIDA POWER and LIGHT (PMR)

**Facility Name:** MARTIN POWER PLANT

**Project Number:** 0850001-024-AC

**Permit Status:** FINAL

**Permit Activity:** CONSTRUCTION

**Facility County:** MARTIN

**Processor:** Bruce Mitchell

The Bureau of Air Regulation is issuing electronic documents for permits, notices and other correspondence in lieu of hard copies through the United States Postal System, to provide greater service to the applicant and the engineering community. Access these documents by clicking on the link provided above, or search for other project documents using the "Air Permit Documents Search" website at <http://www.dep.state.fl.us/air/emission/apds/default.asp>.

Permit project documents are addressed in this email may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible, and verify that they are accessible. Please advise this office of any changes to your e-mail address or that of the Engineer-of-Record. If you have any problems opening the documents or would like further information, please contact the Florida Department of Environmental Protection, Bureau of Air Regulation at (850)488-0114.

Sylvia Livingston  
Bureau of Air Regulation  
Division of Air Resource Management (DARM)  
850/921-9506  
[sylvia.livingston@dep.state.fl.us](mailto:sylvia.livingston@dep.state.fl.us)

Note: The attached document is in Adobe Portable Document Format (pdf). Adobe Acrobat Reader can be downloaded for free at the following internet site: <http://www.adobe.com/products/acrobat/readstep.html>.

## Livingston, Sylvia

---

**From:** Archer, Mary [Mary.Archer@fpl.com]  
**Sent:** Thursday, February 18, 2010 8:51 AM  
**To:** Livingston, Sylvia  
**Cc:** Kowalczyk, Gary; Hampp, John  
**Subject:** RE: Florida Power & Light - MARTIN POWER PLANT; 0850001-024-AC - Exemption

Sylvia,

Bill Reichel has retired and I forwarded this email to the new Plant Manager Gary Kowalczyk. Please contact me if you have questions. Thanks, Mary

Mary J. Archer, QEP  
Project Manager  
FPL Environmental Services  
office: 561-691-7057  
Cell: 561-758-3760

CONFIDENTIALITY NOTICE: This e-mail communication, including any attachments, may contain privileged or confidential information for specific individuals and is protected by law. If you are not the intended recipient(s), you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited and you should delete this message and its attachments from your computer without retaining any copies. If you have received this communication in error, please reply to the sender immediately. We appreciate your cooperation.  
Please consider the environment before printing this e-mail.

---

**From:** Livingston, Sylvia [mailto:Sylvia.Livingston@dep.state.fl.us]  
**Sent:** Thursday, February 18, 2010 8:45 AM  
**To:** Reichel, Bill  
**Cc:** Archer, Mary; Hampp, John; Anderson, Lennon; Gibson, Victoria; Mitchell, Bruce; Walker, Elizabeth (AIR)  
**Subject:** Florida Power & Light - MARTIN POWER PLANT; 0850001-024-AC - Exemption

Dear Sir/ Madam:

Attached is the official **Notice of Exemption from the Requirement to Obtain an Air Construction Permit** for the project referenced below. Click on the link displayed below to access the permit project documents and send a "reply" message verifying receipt of the document(s) provided in the link; this may be done by selecting "Reply" on the menu bar of your e-mail software, noting that you can view the documents, and then selecting "Send".

*Note: We must receive verification that you are able to access the documents. Your immediate reply will preclude subsequent e-mail transmissions to verify accessibility of the document(s).*

**Click on the following link to access the permit project documents:**

[http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf\\_permit\\_zip\\_files/0850001.024.AC.F\\_pdf.zip](http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf_permit_zip_files/0850001.024.AC.F_pdf.zip)

**Owner/Company Name:** FLORIDA POWER and LIGHT (PMR)  
**Facility Name:** MARTIN POWER PLANT  
**Project Number:** 0850001-024-AC  
**Permit Status:** FINAL  
**Permit Activity:** CONSTRUCTION  
**Facility County:** MARTIN  
**Processor:** Bruce Mitchell

## Livingston, Sylvia

---

**From:** Kowalczyk, Gary [Gary.Kowalczyk@fpl.com]  
**Sent:** Thursday, February 18, 2010 8:58 AM  
**To:** Livingston, Sylvia  
**Cc:** Welch, Willie; Hampp, John; Archer, Mary  
**Subject:** FW: Florida Power & Light - MARTIN POWER PLANT; 0850001-024-AC - Exemption

Sylvia, I received the e-mail and was able to view the documents. Thank you.

Gary Kowalczyk, PE  
FPL Power Generation Division  
General Manager Martin Plant  
Office: 772-597-7106  
Cell: 386-566-8757  
Email: [gary\\_kowalczyk@fpl.com](mailto:gary_kowalczyk@fpl.com)

---

**From:** Archer, Mary  
**Sent:** Thursday, February 18, 2010 8:51 AM  
**To:** Livingston, Sylvia  
**Cc:** Kowalczyk, Gary; Hampp, John  
**Subject:** RE: Florida Power & Light - MARTIN POWER PLANT; 0850001-024-AC - Exemption

Sylvia,

Bill Reichel has retired and I forwarded this email to the new Plant Manager Gary Kowalczyk. Please contact me if you have questions. Thanks, Mary

Mary J. Archer, QEP  
Project Manager  
FPL Environmental Services  
office: 561-691-7057  
Cell: 561-758-3760

CONFIDENTIALITY NOTICE: This e-mail communication, including any attachments, may contain privileged or confidential information for specific individuals and is protected by law. If you are not the intended recipient(s), you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited and you should delete this message and its attachments from your computer without retaining any copies. If you have received this communication in error, please reply to the sender immediately. We appreciate your cooperation.  
Please consider the environment before printing this e-mail.

---

**From:** Livingston, Sylvia [mailto:Sylvia.Livingston@dep.state.fl.us]  
**Sent:** Thursday, February 18, 2010 8:45 AM  
**To:** Reichel, Bill  
**Cc:** Archer, Mary; Hampp, John; Anderson, Lennon; Gibson, Victoria; Mitchell, Bruce; Walker, Elizabeth (AIR)  
**Subject:** Florida Power & Light - MARTIN POWER PLANT; 0850001-024-AC - Exemption

Dear Sir/ Madam:

Attached is the official **Notice of Exemption from the Requirement to Obtain an Air Construction Permit** for the project referenced below. Click on the link displayed below to access the permit project documents and

send a "reply" message verifying receipt of the document(s) provided in the link; this may be done by selecting "Reply" on the menu bar of your e-mail software, noting that you can view the documents, and then selecting "Send".

*Note: We must receive verification that you are able to access the documents. Your immediate reply will preclude subsequent e-mail transmissions to verify accessibility of the document(s).*

**Click on the following link to access the permit project documents:**

[http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf\\_permit\\_zip\\_files/0850001.024.AC.F\\_pdf.zip](http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf_permit_zip_files/0850001.024.AC.F_pdf.zip)

**Owner/Company Name:** FLORIDA POWER and LIGHT (PMR)

**Facility Name:** MARTIN POWER PLANT

**Project Number:** 0850001-024-AC

**Permit Status:** FINAL

**Permit Activity:** CONSTRUCTION

**Facility County:** MARTIN

**Processor:** Bruce Mitchell

The Bureau of Air Regulation is issuing electronic documents for permits, notices and other correspondence in lieu of hard copies through the United States Postal System, to provide greater service to the applicant and the engineering community. Access these documents by clicking on the link provided above, or search for other project documents using the "Air Permit Documents Search" website at <http://www.dep.state.fl.us/air/emission/apds/default.asp>.

Permit project documents are addressed in this email may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible, and verify that they are accessible. Please advise this office of any changes to your e-mail address or that of the Engineer-of-Record. If you have any problems opening the documents or would like further information, please contact the Florida Department of Environmental Protection, Bureau of Air Regulation at (850)488-0114.

Sylvia Livingston  
Bureau of Air Regulation  
Division of Air Resource Management (DARM)  
850/921-9506  
[sylvia.livingston@dep.state.fl.us](mailto:sylvia.livingston@dep.state.fl.us)

Note: The attached document is in Adobe Portable Document Format (pdf). Adobe Acrobat Reader can be downloaded for free at the following internet site: <http://www.adobe.com/products/acrobat/readstep.html>.

Florida Department of  
Environmental Protection

---

Memorandum

To: Trina Vielhauer, Bureau of Air Regulation  
Through: Jeffery Koerner, New Source Review Section *JK*  
From: Bruce Mitchell, New Source Review Section *per*  
Date: February 17, 2010  
Subject: Project No. 0850001-024-AC  
Exemption from Air Construction Permit  
Florida Power & Light Company (FP&L), Martin Solar Power Energy Center  
Ullage System with Flare

FP&L is constructing the Martin Solar Power Energy Center at the Martin Power Plant. FP&L requests an exemption from the requirement to obtain an air construction permit to install an ullage system with flare. The attached Technical Evaluation summarizes the project. I recommend your approval of the attached exemption of an air construction permit.

Attachments

TLV/jfk/rbm