

Memorandum

Florida Department of Environmental Protection

TO: Trina Vielhauer
THROUGH Al Linero *aal*
FROM: David Read *DLR*
DATE: November 21, 2007
SUBJECT: Orlando Utilities Commission (OUC) – Stanton Energy Center
Improvements to Ash Loadout Silos - Units 1 & 2
DEP File No. 0950137-016-AC

Attached is the Intent to Issue a Draft Air Construction Permit Package for improvements to the ash loadout silos, including the construction of two new silos (No. 3 and No. 4), for OUC Stanton Units 1 and 2.

The project is for improvements to the ash loadout silos that store and loadout the fly ash generated by Units 1 and 2. As a result of this project ash will be brought in by rail and truck, blended with the ash generated by Units 1 and 2 to produce larger quantities of high quality, marketable, pozzolan grade fly ash (a non-cementitious additive to concrete that partially replaces cement and improves concrete durability and workability), and thereby reduce the quantity of fly ash going to the onsite landfill.

There should only be a minimal increase in PM/PM₁₀ emissions from the improvements to the ash loadout silo project.

While the intent is clear that the blended product will be marketed as a concrete additive, we have not yet received the expected assurances from OUC that the blended fly ash will not be used in cement pyroprocessing. Given the status of the project with respect to our permitting clock and no waiver to-date of the clock, we have included in the permit a prohibition on such use at cement kilns.

I recommend your approval of the attached Intent to Issue a Draft Air Construction Permit Package.

AAL/dlr

Attachments



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

November 26, 2007

Electronically Sent – Received Receipt Requested.

Ms. Denise Stalls, DStalls@ouc.com
Vice President, Environmental Affairs
Orlando Utilities Commission
500 South Orange Avenue
Post Office Box 3193
Orlando, Florida 32802

Re: DEP File No. 0950137-016-AC
Curtis H. Stanton Energy Center
Improvements to Ash Loadout Silos

Dear Ms. Stalls:

Enclosed is one copy of the Draft Air Construction Permit to undertake the improvements to the ash loadout silos, including the construction of two new silos (No. 3 and No. 4) for Units 1 and 2 at the Curtis H. Stanton Energy Center in Orange County. The Department's Intent to Issue Air Construction Permit, the Technical Evaluation, and the "Public Notice of Intent to Issue Air Construction Permit" are also included.

The Public Notice must be published one time only as soon as possible in a newspaper of general circulation in the area affected, pursuant to the requirements of Chapter 50, Florida Statutes. Proof of publication, such as a newspaper affidavit, must be provided to the Department's Bureau of Air Regulation office within seven days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in denial of the permit.

Please submit any written comments you wish to have considered concerning the Department's proposed action to Mr. David Read, at the letterhead address (Mail Station #5505). If you have any questions regarding this matter, please contact Mr. Read at (850) 414-7268.

Sincerely,

Trina L. Vielhauer, Chief
Bureau of Air Regulation

TLV/aal/dlr

Enclosures

WRITTEN NOTICE OF INTENT TO ISSUE AIR PERMIT

*In the Matter of an
Application for Permit by:*

Orlando Utilities Commission (OUC)
500 South Orange Avenue
Post Office Box 3193
Orlando, Florida 32802

DEP File No. 0950137-016-AC
Stanton Energy Center Units 1 and 2
Improvements to Ash Loadout Silos
Orange County, Florida

Authorized Representative:

Ms. Denise Stalls, Vice President – Environmental Affairs

Facility Location: The Orlando Utilities Commission (OUC) operates the Stanton Energy Center, which is located in Orange County, Southeast of Orlando and North of Highway 528 at 5100 South Alafaya Trail.

Project: The applicant, OUC, applied on February 5, 2007 to the Department for a permit to construct improvements to the ash loadout silos, including the construction of two new silos (No. 3 and No. 4), for Units 1 and 2 at the existing Curtis H. Stanton Energy Center Southeast of Orlando in Orange County. The proposed project is for the installation of the equipment needed to allow ash blending at the Stanton Energy Center. These improvements to the current ash handling arrangement will ultimately allow maximum flexibility to mix ashes from onsite and offsite to produce an increased amount of marketable pozzolan grade ash for use in concrete.

Permitting Authority: Applications for air construction permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, and 62-212 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and an air permit is required to perform the proposed work. The Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination for this project. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, Tallahassee, Florida. The Permitting Authority's mailing address is: 2600 Blair Stone Road, Mail Station (MS) #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/488-0114.

Project File: A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at address indicated above for the Permitting Authority. The complete project file includes the Draft Permit, the Technical Evaluation and Preliminary Determination, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may view the Draft Permit by visiting the following website: <http://www.dep.state.fl.us/air/eproducts/ards> and entering the permit number indicated above. A copy of the complete project file is also available at the Air Resources Section of the Department's Central District Office at 3319 Maguire Boulevard, Suite 232, Orlando, Florida 32803-3767. The telephone number is 407/894-7555.

WRITTEN NOTICE OF INTENT TO ISSUE AIR PERMIT

Notice of Intent to Issue Permit: The Permitting Authority gives notice of its intent to issue an air permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of proposed equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C. The Permitting Authority will issue a Final Permit in accordance with the conditions of the proposed Draft Permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

Public Notice: Pursuant to Section 403.815, F.S., and Rule 62-110.106(7)(a)1., F.A.C., you (the applicant) are required to publish at your own expense the enclosed Public Notice of Intent to Issue Air Construction Permit. The notice shall be published one time only in the legal advertisement section of a newspaper of general circulation in the area affected. Rule 62-110.106(7)(b), F.A.C., requires that the applicant cause the notice to be published as soon as possible after notification by the Department of its intended action. For the purpose of these rules, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. If you are uncertain that a newspaper meets these requirements, please contact the Department at the address or telephone number listed below. The applicant shall provide proof of publication to the Department's Bureau of Air Regulation, at 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400 (Telephone: 850/488-0114; Fax 850/ 921-9533). You must provide proof of publication within seven days of publication, pursuant to Rule 62-110.106(5), F.A.C. No permitting action for which published notice is required shall be granted until proof of publication of notice is made by furnishing a uniform affidavit in substantially the form prescribed in section 50.051, F.S. to the office of the Department issuing the permit. Failure to publish the notice and provide proof of publication may result in the denial of the permit pursuant to Rules 62-110.106(9) & (11), F.A.C.

The Department will issue the final construction permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

Comments: The Department will accept written comments concerning the proposed permit issuance action for a period of 14 days from the date of publication of Public Notice. Written comments should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the proposed permit and require, if applicable, another Public Notice.

Petitions: The Department will issue the construction permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to sections 120.569 and 120.57 F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

WRITTEN NOTICE OF INTENT TO ISSUE AIR PERMIT

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57 of the Florida Statutes. 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, MS #35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within 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) of the Florida Statutes must be filed within 14 days of publication of the public notice or within 14 days of receipt of this notice of intent, whichever occurs first. Under section 120.60(3), however, any person who asked the Department for notice of agency action may file a petition within fourteen 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 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 of the Florida Administrative Code.

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 decision; (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, including an explanation of how the alleged facts relate to the specified rules or statutes; 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.

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.

WRITTEN NOTICE OF INTENT TO ISSUE AIR PERMIT

Executed in Tallahassee, Florida.



Trina L. Vielhauer, Chief
Bureau of Air Regulation

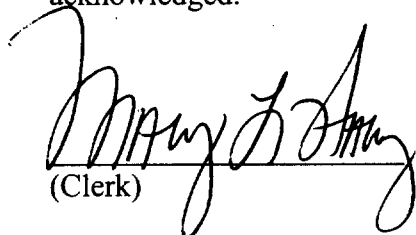
CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Intent to Issue Air Construction Permit (including the Public Notice, Technical Evaluation, and the Draft permit) and all copies were sent electronically (with Received Receipt) before the close of business on **November 26, 2007** to the persons listed:

- Denise Stalls, OUC: dstalls@ouc.com
- Jim Bradner, DEP CD: james.bradner@dep.state.fl.us
- Lori Cunniff, Orange County EPD: lori.cunniff@ocfl.net
- Jim Little, EPA Region 4: little.james@epamail.epa.gov
- Katy Forney, EPA Region 4: forney.kathleen@epa.gov
- Larry Todd Newland, P.E., Black & Veatch: newlandlt@bv.com
- Mike Halpin, DEP Siting: mike.halpin@dep.state.fl.us

Clerk Stamp

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

 11/26/07
(Clerk) (Date)

PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

DEP File No. 0950137-016-AC

Orlando Utilities Commission
Curtis H. Stanton Energy Center Units 1 and 2
Improvements to Ash Loadout Silos

Orange County

Applicant: The applicant for this project is the Orlando Utilities Commission, Stanton Energy Center Units 1 and 2. The applicants authorized representative and mailing address is: Ms. Denise Stalls, Vice President, Environmental Affairs, Orlando Utilities Commission, 500 South Orange Avenue, P.O. Box 3193, Orlando, Florida, 32802

Facility Location: The Orlando Utilities Commission operates the Stanton Energy Center, which is located in Orange County, Southeast of Orlando and North of Highway 528 at 5100 South Alafaya Trail.

Project: The applicant applied on February 5, 2007 to the Department for a permit to construct improvements to the ash loadout silos, including the construction of two new silos (No. 3 and No. 4), for Units 1 and 2 at the existing Curtis H. Stanton Energy Center Southeast of Orlando in Orange County. The proposed project is for the installation of the equipment needed to allow ash blending at the Stanton Energy Center. These improvements to the current ash handling arrangement will ultimately allow maximum flexibility to mix ashes from onsite and offsite to produce an increased amount of marketable pozzolan grade fry ash (a non-cementitious additive to concrete that partially replaces cement and improves concrete durability and workability) and thereby reduce the quantity of fly ash going to the onsite landfill.

Permitting Authority: Applications for air construction permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, and 62-212 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and an air permit is required to perform the proposed work. The Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination for this project. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, Tallahassee, Florida. The Permitting Authority's mailing address is: 2600 Blair Stone Road, Mail Station (MS) #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/488-0114.

Project File: A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at address indicated above for the Permitting Authority. The complete project file includes the Draft Permit, the Technical Evaluation and Preliminary Determination, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may view the Draft Permit by visiting the following website: <http://www.dep.state.fl.us/air/eproducts/ards> and entering the permit number indicated above. A copy of the complete project file is also available at the Air Resources Section of the Department's Central District Office at 3319 Maguire Boulevard, Suite 232, Orlando, Florida 32803-3767. The telephone number is 407/894-7555.

Notice of Intent to Issue Air Permit: The Department of Environmental Protection (Department) gives notice of its intent to issue an Air Construction Permit to the applicant for the project described above. The permit authorizes the construction of improvements to the ash loadout silos, including construction of two new silos (No. 3 and No. 4), for Units 1 and 2 at the Curtis H. Stanton Energy Center located in Orange County. A best available control technology (BACT) determination was not required.

The Department has reasonable assurance that the project will not result in significant net emission increases from the unit that would otherwise require a review under the Rules for the Prevention of Significant Deterioration (PSD) at Section 62-212.400, F.A.C.

The Department will issue the final air construction permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

Comments: The Department will accept written comments concerning the proposed permit issuance action for a period of 14 days from the date of publication of this Public Notice of Intent to Issue Air Construction Permit. Written comments should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. Any written comments filed shall be made available for public inspection. If written

(Public Notice to be Published in the Newspaper)

comments received result in a significant change in the proposed agency action, the Department shall revise the proposed permit and require, if applicable, another Public Notice.

The Department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to sections 120.569 and 120.57 F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below. Mediation is not available in this proceeding.

Petitions: A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57 of the Florida Statutes. 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, MS #35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within 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) of the Florida Statutes must be filed within 14 days of publication of the public notice or within 14 days of receipt of this notice of intent, whichever occurs first. Under section 120.60(3), however, any person who asked the Department for notice of agency action may file a petition within fourteen 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 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 of the Florida Administrative Code.

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 decision; (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, including an explanation of how the alleged facts relate to the specified rules or statutes; 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. 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.

A complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

Department of Environmental Protection
Bureau of Air Regulation
111 S. Magnolia Drive, Suite 4
Tallahassee, Florida 32301
Telephone: 850/488-0114
Fax: 850/921-9533

Department of Environmental Protection
Central District Office
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767
Telephone: 407/894-7555
Fax: 407/897-5963

The complete project file includes the technical evaluation and the Draft Permit, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Program Administrator, South Permitting Section at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/488-0114, for additional information. The draft permit and technical evaluation are also available at the following site and then accessing the link to OUC Stanton in the power plant category
<http://www.dep.state.fl.us/Air/permitting/construction.htm>

(Public Notice to be Published in the Newspaper)

**TECHNICAL EVALUATION
AND
PRELIMINARY DETERMINATION**

Orlando Utilities Commission
Curtis H. Stanton Energy Center Units 1 & 2

Improvements to Ash Loadout Silos

Orange County

DEP File No. 0950137-016-AC



Florida Department of Environmental Protection
Division of Air Resource Management
Bureau of Air Regulation
Permitting South

November 26, 2007

1. GENERAL FACILITY DESCRIPTION

Facility Description and Location

The OUC Curtis H. Stanton Energy Center is located in Orange County, Southeast of Orlando and North of Highway 528 at 5100 South Alafaya Trail. The site is located 144 km southeast from the Chassahowitzka National Wildlife Area; the nearest Federal Prevention of Significant Deterioration (PSD) Class I Area. The UTM coordinates for this site are 483.6 km East and 3151.1 North. The location of the OUC Stanton Energy Center is shown in Figure 1.

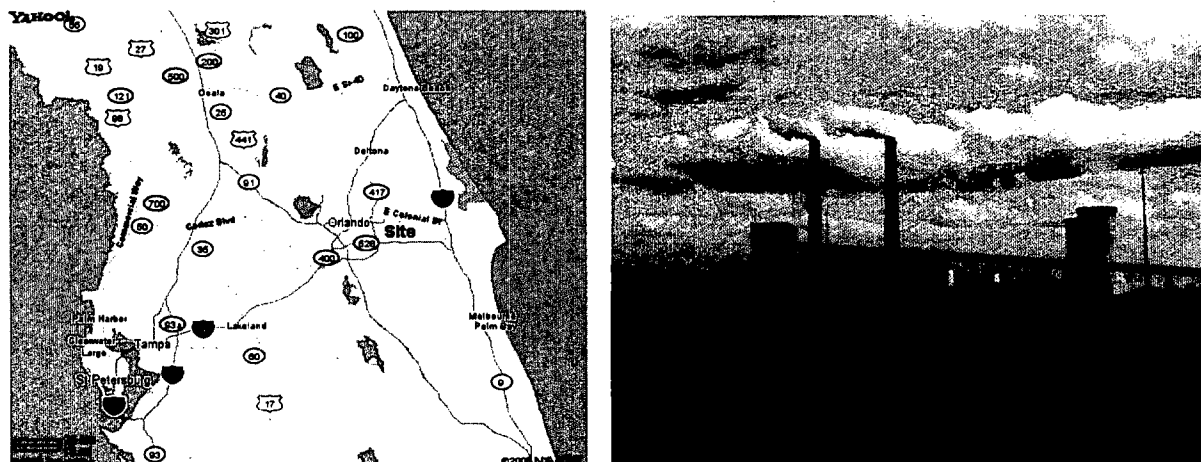


Figure 1. OUC Curtis H. Stanton Energy Center Location and Stanton Units 1 and 2.

The OUC Stanton Energy Center presently consists of two fossil fuel-fired steam electrical generating units and a combined cycle unit. Fossil fuel-fired steam electric generating Units 1 and 2 (468 megawatts-MW each) began operation in 1987 and 1996 while Combined Cycle Unit A (640 MW) began operation in 2003. A PSD permit was recently issued for the construction of a nominal 285 MW integrated gasification combined cycle unit (Unit B) planned to be operational by 2012.

Table 1. OUC Curtis H. Stanton Energy Center SIC Codes

| STANDARD INDUSTRIAL CLASSIFICATION CODES (SIC) | | |
|--|------|--------------------------------------|
| Industry Group No. | 49 | Electric, Gas, and Sanitary Services |
| Industry No. | 4911 | Electric Services |

Key Regulatory Categories

The key regulatory provisions applicable to Stanton Units 1 and 2 are:

Title I, Part C, Clean Air Act (CAA): The facility is located in an area that is designated as “attainment”, “maintenance”, or “unclassifiable” for each pollutant subject to a National Ambient Air Quality Standard. It is classified as a “fossil fuel-fired steam electric plant of more than 250 million BTU per hour of heat input”, which is one of the 28 Prevention of Significant Deterioration (PSD) Major Facility Categories with the lower PSD applicability threshold of 100 tons per year. Potential emissions of at least one regulated pollutant exceed 100 tons per year, therefore the facility is classified as a “major stationary source” of air pollution with respect to Rule 62-212.400 F.A.C., Prevention of Significant Deterioration of Air Quality.

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

Title I, Section 111, CAA: Units 1 and 2 are subject to Subpart Da (Standards of Performance for Electric Utility Steam Generating Units for Which Construction is Commenced After September 18, 1978) of the New Source Performance Standards in 40 CFR 60.

Title I, Section 112, CAA: The facility is a "Major Source" of hazardous air pollutants (HAP).

Title IV, CAA: The facility operates units subject to the Acid Rain provisions of the Clean Air Act.

Title V, CAA: The facility is a Title V or "Major Source of Air Pollution" in accordance with Chapter 62-213, F.A.C. because the potential emissions of at least one regulated pollutant exceed 100 tons per year (TPY). Regulated pollutants include pollutants such as carbon monoxide (CO), nitrogen oxides (NO_x), particulate matter (PM/PM₁₀), sulfur dioxide (SO₂), and volatile organic compounds (VOC).

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

CAMR: The facility is subject to the Clean Air Mercury Rule (CAMR) set forth in Rule 62-296.480, F.A.C.

Siting: The facility was originally certified pursuant to the power plant siting provisions of Chapter 62-17, F.A.C.

Application Processing Schedule

- 02/05/07: Received application to construct, install or improve low NO_x burners (LNB), overfire air (OFA), forced oxidation, ash loadout system and scrubber on Units 1 and 2.
- 03/07/07: Application determined incomplete. Sent request for additional information (RAI).
- 08/09/07: Received partial responses to RAI.
- 09/04/07: Received additional responses to RAI including Best Available Control Technology (BACT) proposal for carbon monoxide (CO), revised application pages, air dispersion modeling, etc.
- 09/06/07: Separated out requests into three different projects including the present project for the improvements to ash loadout silos.
- 11/26/07: Distributed public notice package including the draft PSD permit for the improvement to ash loadout silos project.

Current Ash Loadout System

Stanton Energy Center currently has two fly ash (ash) loadout silos designated as Silo No. 1 and Silo No. 2. These silos receive ash pneumatically from power Units 1 and 2, respectively. Each silo is equipped with an individual load-out spout that allows the ash stored in the silos to drop from each silo to a truck for delivery to the landfill or sale for beneficial use depending on ash quality and market conditions. For control of PM each silo is equipped with a baghouse (EU ID 015 and EU ID 029).

2. PROJECT DESCRIPTION

The following descriptions are based on information provided by Black and Veatch (BV) for OUC, Headwater Resources, Inc, and from AP-42 Section 11.12, *Concrete Batching*, Table 11.12-2.

The proposed project is for the installation of equipment needed to allow ash blending at the Stanton Energy Center. These improvements to the current ash handling arrangement may best be described as three phased construction activities that will ultimately allow maximum flexibility to mix ashes from onsite and offsite to produce an increased amount of marketable pozzolan grade ash for use in concrete (See Figure 2 below for a Process Flow Diagram).

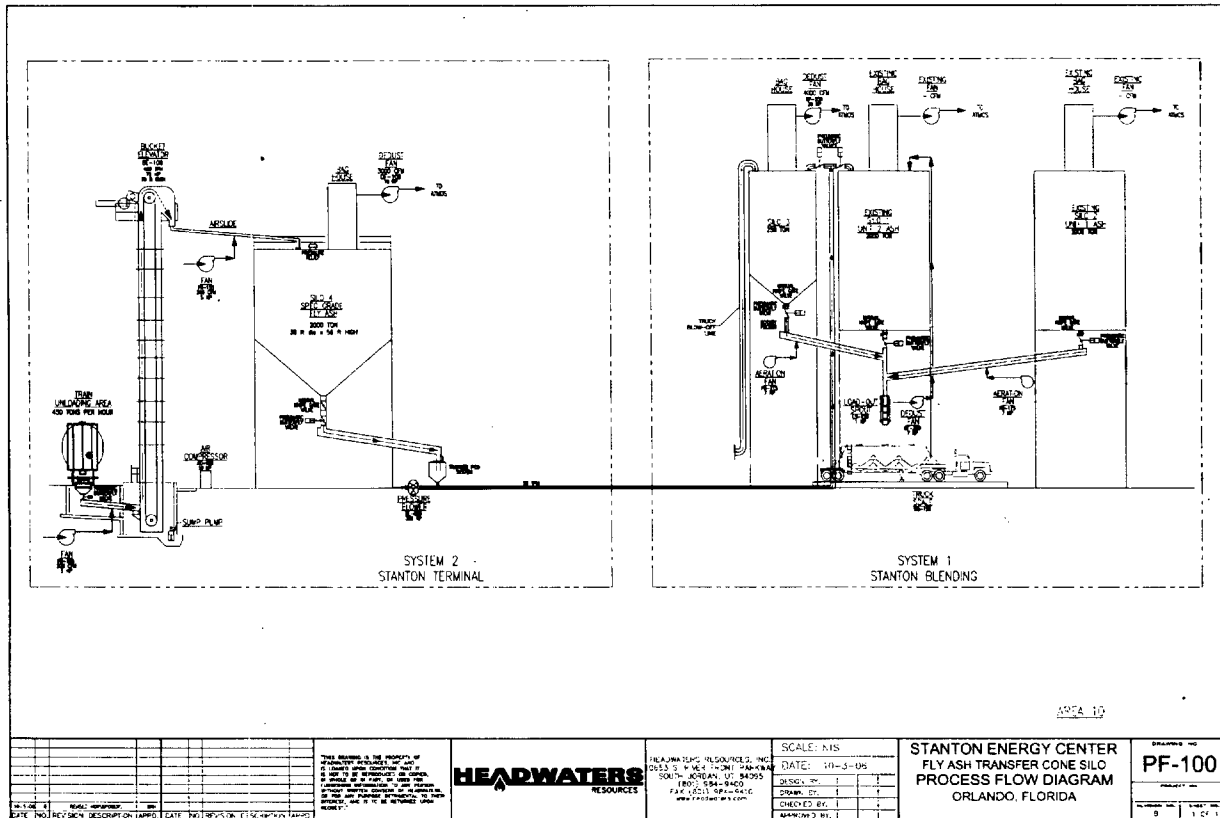


Figure 2. Process Flow Diagram (PFD) of Ash Loadout Improvements.

Purpose of Project

These ash loadout improvements are proposed to allow the blending of Unit 1 & 2 ashes with imported ashes to produce larger quantities of high quality, marketable, pozzolan grade fly ash (a non-cementitious additive to concrete that partially replaces cement and improves concrete durability and workability), and reduce quantities of fly ash going to the onsite landfill.

Technical Description of Project

The three phases of the proposed construction project are:

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

Phase-1. Installation of common piping between existing Silos No. 1 and No. 2 that will allow mixing of ashes from those silos during load-out to trucks. A truck scale will also be installed under these silos during this phase of construction (see Silos No. 1 and No. 2 and truck scale in System 1 on Figure 2).

Phase-2. Installation of a rail unloading system that will allow rail cars to import ash to the Stanton silo facilities (see System 2 on Figure 2). This operation will consist of a bucket elevator that will unload incoming railed ash to a new 2,000-ton Silo No. 4 (equipped with an individual baghouse), which will store ash prior to conveying to one of two silos in the truck load-out area (Silo No. 1 or new Silo No. 3 of System 1, see Figure 2).

Phase-3. Installation of a new 250-ton Silo No. 3 equipped with a baghouse. Silo No. 3 will be located adjacent to Silo No. 1. This silo will accept imported ash from the rail unloading system. Silo No. 3 will also accept imported ash from pneumatic trucks via a single truck port hook-up. Ash from Silo No. 3 can be loaded on to trucks directly through the same common load-out spout used for Silo Nos. 1 and 2.

The major pieces of new equipment required to accomplish these improvements are:

- 450-tons-per-hour (TPH) bucket elevator;
- Five air slides;
- 2,000-ton Silo No. 4 with baghouse (EU ID 031) at rail unloading;
- 250-ton Silo No. 3 with baghouse (EU ID 030) at truck load-out;
- Pneumatic transfer equipment with pressure pod; and
- Various blowers, compressors, and piping.

Existing Silo Nos. 1 and 2 will continue to receive ash generated by the plant, each receiving approximately 100,000 tons per year. These two silos will combine their individual load-out spouts into a single common spout. The common spout will be an extendable double walled, hatch fitted spout that blows vented air from the trucks back to Silo No. 1. Appropriate conveyance piping, air slides, vent piping, valving, etc. will be installed to accomplish combining the load-out spouts. In addition, a truck scale will be installed under the common spout.

Railcar imported ash (see System 2 on Figure 2) will be received at the railcar unloading facility located on the Stanton site approximately 500 feet south-southwest from the truck scale. Ash will unload by gravity from covered hopper bottom dump railcars to an air slide (see Figure 2). The air slide / railcar connection is fitted with an airtight boot. The air slide operates up to a maximum 450 TPH. Ash will be moved by the air slide to a load-in bucket elevator (450 TPH) and raised to a second air slide. The air slide will load the pozzolan (ash) into a 2,000-ton silo (new Silo No. 4).

The pozzolan is removed from Silo No. 4 by gravity load-out to a pressure pod, which will pneumatically convey the ash to either the new 250-ton Silo No.3 or existing Silo No. 1, depending on valve settings, at a rate of 50 TPH. This transfer is anticipated to operate for 8 to 10 hours per day and transfer about 100,000 tons per year. Silo No. 3 essentially serves as a surge silo for imported ashes that will normally be used in mixing with Units 1 & 2 ashes to augment quality. Silo No. 3 can also accept ash pneumatically from trucks equipped with blowers; this transfer rate will be approximately 25 tons per hour. Silo No. 3 will load-out through the same

common spout as Silo Nos. 1 and 2, directly above the truck scale. As much as 30,000 tons of ash per year may be imported by truck.

Mixing of ash is accomplished by loading ash from Silo Nos. 1, 2, and 3 at separate intervals; the mixing actually occurs in the truck, not in the pipe. Intervals of a silo's unloading are dictated by desired ash mixing ratios and are tracked by tonnages monitored on the truck scale. The instantaneous load-out rate is expected to be 250 TPH but will be very discontinuous because of the mixing method described.

Applicants Emissions Analysis

Silo No. 1 emissions will increase slightly because of the additional emissions from loadout to trucks from Silo Nos. 2 and 3, due to all three silos sharing a common load-out spout. This is a relatively small emissions increase and may be considered insignificant. The existing baghouse on Silo No. 2 will have emissions reduced by the amount of emissions caused by load-out to trucks since such emissions will now be vented to Silo No. 1. Silo No. 3 emissions will be the result of pneumatic load-in of 130,000 tons per year (average). Silo No. 4 emissions will be the result of pneumatic load-in of 100,000 tons per year (average).

Controlled PM and PM₁₀ emission factors for cement supplement unloading to elevated storage silo (pneumatic) from AP-42 Section 11.12, *Concrete Batching*, Table 11.12-2 are used to estimate emissions from the new silos. These emission factors are 0.0089 lbs/ton for PM and 0.0049 lbs/ton for PM₁₀. Using these emission factors and an estimated load-in of 130,000 tons per year, estimated emissions for Silo 3 are 0.58 tpy and 0.32 tpy for PM and PM₁₀, respectively. Similarly, with an estimated load-in of 100,000 tons per year for Silo 4, estimated emissions from Silo 4 are 0.45 tpy and 0.25 tpy of PM and PM₁₀, respectively. Silo No. 1 emissions will increase slightly because of the additional emissions from load-out to trucks from Silo Nos. 2 and 3, due to all three silos sharing a common load-out spout; this is certainly a relatively small emissions increase and may be considered insignificant. Emissions associated with the additional loadout of the 130,000 tons per year of imported ash can be conservatively estimated using an emissions factor of one tenth of that of pneumatic transfer. As such, additional emissions associated with loadout of the imported ash are estimated at 0.06 tpy and 0.03 tpy of PM and PM₁₀, respectively. The existing baghouse on Silo No. 2 will have emissions reduced by the amount of emissions caused by load-out to trucks since such emissions will now be vented to Silo 1.

Consequently, due to the installation of two new ash storage silos and bringing ash in from other sites as part of the improvements to the ash loadout system, there will be a slight increase in PM/PM₁₀ emissions from additional ash handling. As discussed in the preceding paragraph an estimate of the increased emissions from the new fly ash silos associated with the fly ash blending operation are 1.09 tpy PM and 0.60 tpy PM₁₀.

Currently, Units 1 and 2 produce a coal fly ash that is either marginally marketable or nonmarketable for use as an ASTM-approved pozzolan in concrete. Unit 1 usually meets pozzolan specifications required by the concrete industry; Unit 2 rarely meets such specifications. Each unit produces about 100,000 tons per year. Non-marketable ash is presently landfilled. This landfilling is viewed as a negative value activity for this material and has a net negative impact on the environment.

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

Importation and mixing of a high quality pozzolan ash with the onsite ashes will allow for the production of a blended ash product, resulting in more and higher quality marketable pozzolan ash for use in concrete.

Limitation on Product Fly Ash Use

Based on information available to the Department, a substantial amount of mercury (Hg) contained in flue gas from bituminous coal-fueled power plants with low NO_x burners (LNB) and/or selective catalytic reduction (SCR) systems tends to be captured in the fly ash collected in cold-side particulate collection devices.

The blended fly ash will be used directly in concrete and concrete-like products and not as fuel or raw material in cement pyroprocessing where the possibility exists that Hg collected by the power plant fly ash can then be re-emitted from a cement plant.

The Department will include a prohibition on use of the OUC fly ash (whether or not it has been blended) as a fuel or raw material in pyroprocessing unless OUC and the user of such fly ash can show that Hg emitted from the cement facility will not increase compared with use of native raw materials and fuels. Such use will require submittal of a permit application by OUC along with supporting technical details before the prohibition is removed.

3. CONCLUSION

The estimated increases in PM and PM₁₀ emissions resulting from this project are 1.09 and 0.60 tpy, respectively. These increases are much less than the PSD significant emission rates (SER) of 25 tpy for PM and 15 tpy for PM₁₀. Because there are no expected SER increases of any regulated pollutant, the project is not a major source modification as described in 62-210.200(191), F.A.C. and therefore not subject to PSD review. However, the improvements to the ash loadout silos will result in an emission increase of a regulated pollutant (PM) and thus constitutes a modification requiring a permit as described in 62-204.200(204), F.A.C.

The Department will issue a permit authorizing the construction of the improvements to the ash loadout system for Stanton Units 1 and 2.

The Department's determination is strictly limited to this specific case and should not be used as a precedent for other cases, or lead to unintended consequences construed from the language contained in this determination. Ultimately, it is the Department that interprets its own regulations and opinions.

PERMITTEE:

Orlando Utilities Commission (OUC)
500 South Orange Avenue
Orlando, Florida 32802

Authorized Representative:

Ms. Denise Stalls, Vice President
Environmental Affairs

DEP File No. 0950137-016-AC
Curtis H. Stanton Energy Center
Stanton Units 1 and 2
SIC No. 4911
Improvement to Ash Loadout Silos
Orange County, Florida
Expires December 31st, 2008

PROJECT AND LOCATION

This permit authorizes the improvement to the ash loadout silos, including the construction of two new silos (No. 3 and No. 4), that store and loadout the fly ash generated by Steam Electric Generating Units 1 and 2 at the OUC Curtis H. Stanton Energy Center. The facility is located at 5100 Alafaya Trail, Orlando, Orange County.

STATEMENT OF BASIS

This air pollution construction permit is issued under the provisions of Chapter 403 of the Florida Statutes (F.S.), and Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297 of the Florida Administrative Code (F.A.C.) and Title 40, Parts 60 and 63 of the Code of Federal Regulations (CFR). The permittee is authorized to install the proposed equipment in accordance with the conditions of this permit and as described in the application, approved drawings, plans, and other documents on file with the Department of Environmental Protection (Department).

CONTENTS

- Section 1. General Information
- Section 2. Administrative Requirements
- Section 3. Emissions Units Specific Conditions
- Section 4. Appendices

Joseph Kahn, Director (Date)
Division of Air Resource Management

SECTION 1. GENERAL INFORMATION

FACILITY AND PROJECT DESCRIPTION

The existing facility consists of two 468 megawatts (MW) fossil fuel fired steam electric generating units (Units 1 and 2), and one 640 MW combined cycle unit. There are storage and handling facilities for solid fuels, fly ash, limestone, gypsum, slag, and bottom ash. A recently permitted nominal 285 MW integrated gasification and combined cycle unit (Unit B) is under construction and will be operational by 2012.

The project under this permit is for improvements to the ash loadout silos, including the construction of two new silos (No. 3 and No. 4), that store and loadout the fly ash generated by Units 1 and 2. As a result of this project ash will be brought in by rail and truck, mixed with the ash generated by Units 1 and 2 to produce larger quantities of high quality, marketable, pozzolan grade fly ash (a non-cementitious additive to concrete that partially replaces cement and improves concrete durability and workability), and thereby reduce the quantity of fly ash going to the onsite landfill.

| EU ID | Emissions Unit Description |
|-------|---------------------------------------|
| 011 | Fly Ash Exhauster Filter #1 Baghouse |
| 012 | Fly Ash Exhauster Filter #2 Baghouse |
| 013 | Fly Ash Exhauster Filter #3 Baghouse |
| 014 | Fly Ash Exhauster Filter #4 Baghouse |
| 015 | Fly Ash Silo Bin Vent Filter Baghouse |
| 029 | Fly Ash Silo Bin Vent Filter Baghouse |
| 030 | Fly Ash Silo #3 Baghouse* |
| 031 | Fly Ash Silo #4 Baghouse* |

* New emission units

REGULATORY CLASSIFICATION

The facility is a potential major source of hazardous air pollutants (HAP).

The facility operates existing units subject to the Acid Rain provisions of Title IV of the Clean Air Act (CAA).

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

The facility is a major stationary source (PSD-major source) in accordance with Rule 62-212.400, F.A.C.

The facility operates units subject to the Standards of Performance for New Stationary Sources pursuant to 40 CFR Part 60.

The facility does not operate electrical generating units subject to National Emissions Standards for Hazardous Air Pollutants pursuant to 40 CFR Part 63.

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

The facility is subject to the Clean Air Mercury Rule (CAMR) set forth in Rule 62-296.480, F.A.C.

The facility operates units that were certified under the Florida Power Plant Siting Act, 403.501-518, F.S.

SECTION 1. GENERAL INFORMATION

RELEVANT DOCUMENTS

The following relevant documents are not a part of this permit, but helped form the basis for this permitting action: the permit application and additional information received to make it complete; and the Department's Technical Evaluation and Preliminary Determination.

DRAFT

SECTION 2. ADMINISTRATIVE REQUIREMENTS

1. Permitting Authority: The Permitting Authority for this project is the Bureau of Air Regulation in the Division of Air Resource Management (Department). The mailing address for the Bureau of Air Regulation is 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400.
2. Compliance Authority: All documents related to compliance activities such as reports, tests, and notifications shall be submitted to the Central District Office. The mailing address and phone number of the Central District Office are: Department of Environmental Protection, Central District Office, 3319 Maguire Boulevard, Suite 232, Orlando Florida 32803-3767. Telephone: (407)894-7555. Fax: (407)897-5963.
3. Appendices: The following Appendices are attached as part of this permit: Appendix GC (General Conditions).
4. Applicable Regulations, Forms and Application Procedures: Unless otherwise specified in this permit, the construction and operation of the subject emissions units shall be in accordance with the capacities and specifications stated in the application. The facility is subject to all applicable provisions of: Chapter 403, F.S.; and Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-296, and 62-297, F.A.C. Issuance of this permit does not relieve the permittee from compliance with any applicable federal, state, or local permitting or regulations.
5. New or Additional Conditions: For good cause shown and after notice and an administrative hearing, if requested, the Department may require the permittee to conform to new or additional conditions. The Department shall allow the permittee a reasonable time to conform to the new or additional conditions, and on application of the permittee, the Department may grant additional time. [Rule 62-4.080, F.A.C.]
6. Modifications: No emissions unit shall be constructed or modified without obtaining an air construction permit from the Department. Such permit shall be obtained prior to beginning construction or modification. [Rules 62-210.300(1) and 62-212.300(1)(a), F.A.C.]
7. Title V Permit: This permit authorizes specific modifications and/or new construction on the affected emissions units as well as initial operation to determine compliance with conditions of this permit. A Title V operation permit is required for regular operation of the permitted emissions unit. The permittee shall apply for a Title V operation permit at least 90 days prior to expiration of this permit, but no later than 180 days after completing the required work and commencing operation. To apply for a Title V operation permit, the applicant shall submit the appropriate application form, compliance test results, and such additional information as the Department may by law require. The application shall be submitted to the Bureau of Air Regulation with copies to the Compliance Authority. [Rules 62-4.030, 62-4.050, 62-4.220, and Chapter 62-213, F.A.C.]

SECTION 3. EMISSIONS UNITS SPECIFIC CONDITIONS

This section of the permit addresses the following existing emissions units.

Emissions Units 011 to 015 and 029 to 031

Currently, fly ash silos handle fly ash from Steam Generators No. 1 and No. 2. Fly ash is pneumatically conveyed from the individual electrostatic precipitators (ESP) to silos and then is gravity fed by tubing into totally enclosed tanker trucks. Particulate matter (PM) emissions generated by silo loading and unloading to a tanker truck is controlled by baghouses (Emission Units 011 to 015 and 029) in addition to reasonable precautions.

The purpose of this project is to allow maximum flexibility to mix ashes from on and off site to produce an increased amount of marketable pozzolan grade ash for use in concrete. As a result of the project, two new emission units will be constructed with Silo No. 3 (EU ID 030) and Silo No. 4 (EU ID 031). Each new unit will be a baghouse for PM control.

APPLICABLE STANDARDS AND REGULATIONS

1. Issuance of this permit does not relieve the facility owner or operator from compliance with any applicable federal, state, or local permitting requirements or regulations. [Rule 62-210.300, F.A.C.]
2. The facility is subject to all of the requirements specified in Title V Air Operation Permit Renewal No. 0950137-006-AV.

GENERAL OPERATION REQUIREMENTS

3. Unconfined Particulate Emissions. During the construction period, unconfined particulate matter emissions shall be minimized by dust suppressing techniques such as covering and/or application of water or chemicals to the affected areas, as necessary. [Rule 62-296.320(4), F.A.C.]
4. Plant Operation – Problems. If temporarily unable to comply with any of the conditions of the permit due to breakdown of equipment or destruction by fire, wind or other cause, the owner or operator shall notify the Department as soon as possible, but at least within (1) working day, excluding weekends and holidays. The notification shall include: pertinent information as to the cause of the problem; the steps being taken to correct the problem and prevent future recurrence; and where applicable, the owner's intent toward reconstruction of destroyed facilities. Such notification does not release the permittee from any liability for failure to comply with the conditions of this permit and the regulations. [Rule 62-4.130, F.A.C.]
5. Operating Procedures. Operating procedures shall include good operating practices and proper training of all operators and supervisors. The good operating practices shall meet the guidelines and procedures as established by the equipment manufacturers. All operators (including supervisors) of air pollution control devices shall be properly trained in plant specific equipment. [Rule 62-4.070(3), F.A.C.]
6. Circumvention. No person shall circumvent any air pollution control device, or allow the emission of air pollutants without the applicable air pollution control device operating properly. [Rule 62-210.650, F.A.C.]

EMISSIONS LIMITS

7. Particulate emissions from Emissions Units 030 and 031 shall not exceed 5 percent opacity as determined by DEP Method 9 for visible emissions (VE). [Rule 62-297.620(4) and Rule 62-297.401(9)(a)]

SECTION 3. EMISSIONS UNITS SPECIFIC CONDITIONS

{The 5% opacity limitation is consistent with this design and provides reasonable assurance that annual emissions of PM and PM₁₀ for all emission points in the improved ash loadout silos will not exceed 1.09 and 0.60 tpy as estimated by the applicant}.

EQUIPMENT AND CONTROL TECHNOLOGY

8. **Improvements to Ash Loadout Silos.** The permittee is authorized to construct, operate and maintain the improvements to the ash loadout silos, including the construction of two new silos (No. 3 and No. 4), for the storage and loadout of the fly ash generated by Units 1 and 2 and railed or trucked on site as described in the application.

The three phases of the proposed construction project are:

Phase-1. Installation of common piping between existing Silos No. 1 and No. 2 that will allow mixing of ashes from those silos during load-out to trucks. A truck scale will also be installed under these silos during this phase of construction.

Phase-2. Installation of a rail unloading system that will allow rail cars to import ash to the Stanton silo facilities. This operation will consist of a bucket elevator that will unload incoming railed ash to a new 2,000-ton Silo No. 4 (equipped with an individual baghouse), which will store ash prior to conveying to one of two silos in the truck load-out area.

Phase-3. Installation of a new 250-ton Silo No. 3 equipped with a baghouse. Silo No. 3 will be located adjacent to Silo No. 1. This silo will accept imported ash from the rail unloading system. Silo No. 3 will also accept imported ash from pneumatic trucks via a single truck port hook-up. Ash from Silo No. 3 can be loaded out to trucks directly through the same common load-out spout used for Silo Nos. 1 and 2.

The major pieces of new equipment required to accomplish these improvements are:

- 450-tons-per-hour (TPH) bucket elevator;
- Five air slides;
- 2,000-ton Silo No. 4 with baghouse (EU ID 031) at rail unloading;
- 250-ton Silo No. 3 with baghouse (EU ID 030) at truck load-out;
- Pneumatic transfer equipment with pressure pod; and
- Various blowers, compressors, and piping.

NOTIFICATION REQUIREMENTS

9. **Notification.** Within one week of beginning construction of the improvements to ash loadout silos project, the permittee shall notify the Compliance Authority that the project has commenced and provide a general schedule of construction activities. Within one week following the end of construction, the permittee shall notify the Compliance Authority that the project was completed. [Rule 62-4.210, F.A.C.]

PROHIBITION OF FLY ASH USE IN CEMENT PYROPROCESSING

10. Fly ash from the OUC facility shall not be sold or shipped for use as fuel or raw material in cement pyroprocessing. The owner or operator shall maintain records of the of fly ash shipment to and from the facility and indicate the ultimate user.

{Permitting Note: OUC can apply to remove this prohibition if it is shown that Hg emitted from the cement facilities using such fly ash will not increase compared with use of native raw materials and fuels. Supporting technical details must be supplied with such an application.}

SECTION 4. APPENDIX GC – GENERAL CONDITIONS

The permittee shall comply with the following general conditions from Rule 62-4.160, F.A.C.

1. The terms, conditions, requirements, limitations, and restrictions set forth in this permit are "Permit Conditions" and are binding and enforceable pursuant to Sections 403.161, 403.727, or 403.859 through 403.861, F.S. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in Subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations. This permit is not a waiver or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.
4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.
6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at a reasonable time, access to the premises, where the permitted activity is located or conducted to:
 - a. Have access to and copy and records that must be kept under the conditions of the permit;
 - b. Inspect the facility, equipment, practices, or operations regulated or required under this permit, and,
 - c. Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

Reasonable time may depend on the nature of the concern being investigated.

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:
 - a. A description of and cause of non-compliance; and

- b. The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance.

The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Sections 403.73 and 403.111, Florida Statutes. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.
10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance, provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.
11. This permit is transferable only upon Department approval in accordance with Florida Administrative Code Rules 62-4.120 and 62-730.300, F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.
12. This permit or a copy thereof shall be kept at the work site of the permitted activity.
13. This permit also constitutes:
 - a. Determination of Best Available Control Technology (Not Applicable);
 - b. Determination of Prevention of Significant Deterioration (Not Applicable);
 - c. Compliance with National Emission Standards for Hazardous Air Pollutants (Not Applicable); and
 - d. Compliance with New Source Performance Standards (Not Applicable).
14. The permittee shall comply with the following:
 - a. Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
 - b. The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application or this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.
 - c. Records of monitoring information shall include:
 - 1) The date, exact place, and time of sampling or measurements;
 - 2) The person responsible for performing the sampling or measurements;
 - 3) The dates analyses were performed;
 - 4) The person responsible for performing the analyses;
 - 5) The analytical techniques or methods used; and
 - 6) The results of such analyses.

When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware that relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

Harvey, Mary

From: Harvey, Mary
Sent: Monday, November 26, 2007 11:36 AM
To: 'dstalls@ouc.com'; Bradner, James; 'lori.cunniff@ocfl.net'; 'little.james@epamail.epa.gov'; 'forney.kathleen@epa.gov'; 'newlandlt@bv.com'; Halpin, Mike
Cc: Read, David; Linero, Alvaro; Adams, Patty; Gibson, Victoria
Subject: Orlando Utilities Commission - 0950137-016-AC-DRAFT
Attachments: COVER016.pdf; DPERMIT016.pdf; INTENT016.pdf; NOTICE016.pdf; TECH016.pdf

| Tracking: | Recipient | Read |
|-----------|----------------------------------|---------------------------|
| | ✓ 'dstalls@ouc.com' | |
| | ✓ Bradner, James | Read: 11/26/2007 11:44 AM |
| | ✓ 'lori.cunniff@ocfl.net' | |
| | ✓ 'little.james@epamail.epa.gov' | |
| | ✓ 'forney.kathleen@epa.gov' | |
| | ✓ 'newlandlt@bv.com' | |
| | ✓ Halpin, Mike | Read: 11/26/2007 11:55 AM |
| | ✓ Read, David | |
| | ✓ Linero, Alvaro | |
| | ✓ Adams, Patty | Read: 11/26/2007 11:37 AM |
| | Gibson, Victoria | |

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Please send a "reply" message verifying receipt of the attached document(s); this may be done by selecting "Reply" on the menu bar of your e-mail software and then selecting "Send". We must receive verification of receipt and your reply will preclude subsequent e-mail transmissions to verify receipt of the document(s).

The document(s) may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible.

The 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>.

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. Please advise this office of any changes to your e-mail address or that of the Engineer-of-Record.

Thank you,

DEP, Bureau of Air Regulation

11/26/2007

Harvey, Mary

From: Newland, Larry T. (Todd) [NewlandLT@bv.com]
Sent: Monday, November 26, 2007 1:00 PM
To: Harvey, Mary
Subject: RE: Orlando Utilities Commission - 0950137-016-AC-DRAFT

Verifying receipt.

From: Harvey, Mary [mailto:Mary.Harvey@dep.state.fl.us]
Sent: Monday, November 26, 2007 11:36 AM
To: dstalls@ouc.com; Bradner, James; lori.cunniff@ocfl.net; little.james@epamail.epa.gov; forney.kathleen@epa.gov; Newland, Larry T. (Todd); Halpin, Mike
Cc: Read, David; Linero, Alvaro; Adams, Patty; Gibson, Victoria
Subject: Orlando Utilities Commission - 0950137-016-AC-DRAFT

Dear Sir/Madam:

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The document(s) may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible.

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Thank you,

DEP, Bureau of Air Regulation

The Department of Environmental Protection values your feedback as a customer. DEP Secretary Michael W. Sole is committed to continuously assessing and improving the level and quality of services provided to you. Please take a few minutes to comment on the quality of service you received. Simply click on [this link to the DEP Customer Survey](#). Thank you in advance for completing the survey.

Harvey, Mary

From: Newland, Larry T. (Todd) [NewlandLT@bv.com]
To: undisclosed-recipients
Sent: Monday, November 26, 2007 12:58 PM
Subject: Read: Orlando Utilities Commission - 0950137-016-AC-DRAFT

Your message

To: NewlandLT@bv.com
Subject:

was read on 11/26/2007 12:58 PM.

Harvey, Mary

From: Halpin, Mike
To: Harvey, Mary
Sent: Monday, November 26, 2007 11:55 AM
Subject: Read: Orlando Utilities Commission - 0950137-016-AC-DRAFT

Your message

To: 'dstalls@ouc.com'; Bradner, James; 'lori.cunniff@ocfl.net'; 'little.james@epamail.epa.gov'; 'forney.kathleen@epa.gov'; 'newlandt@bv.com'; Halpin, Mike
Cc: Read, David; Linero, Alvaro; Adams, Patty; Gibson, Victoria
Subject: Orlando Utilities Commission - 0950137-016-AC-DRAFT
Sent: 11/26/2007 11:36 AM

was read on 11/26/2007 11:55 AM.

Harvey, Mary

From: Stalls, Denise M. [DStalls@ouc.com]
To: Harvey, Mary
Sent: Monday, November 26, 2007 11:58 AM
Subject: Read: Orlando Utilities Commission - 0950137-016-AC-DRAFT

Your message

To: DStalls@ouc.com
Subject:

was read on 11/26/2007 11:58 AM.

Harvey, Mary

From: Adams, Patty
To: Harvey, Mary
Sent: Monday, November 26, 2007 11:37 AM
Subject: Read: Orlando Utilities Commission - 0950137-016-AC-DRAFT

Your message

To: 'dstalls@ouc.com'; Bradner, James; 'lori.cunniff@ocfl.net'; 'little.james@epamail.epa.gov'; 'forney.kathleen@epa.gov'; 'newlandt@bv.com'; Halpin, Mike
Cc: Read, David; Linero, Alvaro; Adams, Patty; Gibson, Victoria
Subject: Orlando Utilities Commission - 0950137-016-AC-DRAFT
Sent: 11/26/2007 11:36 AM

was read on 11/26/2007 11:37 AM.

Harvey, Mary

From: Forney.Kathleen@epamail.epa.gov
Sent: Monday, November 26, 2007 11:39 AM
To: Harvey, Mary
Subject: Re: Orlando Utilities Commission - 0950137-016-AC-DRAFT

thanks

Katy R. Forney
Air Permits Section
EPA - Region 4
61 Forsyth St., SW
Atlanta, GA 30024

Phone: 404-562-9130
Fax: 404-562-9019

"Harvey, Mary"
<Mary.Harvey@dep
.state.fl.us>

11/26/2007 11:35
AM

To
<dstalls@ouc.com>, "Bradner,
James"
<James.Bradner@dep.state.fl.us>,
<lori.cunniff@ocfl.net>, James
Little/R4/USEPA/US@EPA, Kathleen
Forney/R4/USEPA/US@EPA,
<newlandlt@bv.com>, "Halpin,
Mike"
<Mike.Halpin@dep.state.fl.us>
cc
"Read, David"
<David.Read@dep.state.fl.us>,
"Linero, Alvaro"
<Alvaro.Linero@dep.state.fl.us>,
"Adams, Patty"
<Patty.Adams@dep.state.fl.us>,
"Gibson, Victoria"
<Victoria.Gibson@dep.state.fl.us>
Subject
Orlando Utilities Commission -
0950137-016-AC-DRAFT

Dear Sir/Madam:

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Harvey, Mary

From: Bradner, James
To: Harvey, Mary
Sent: Monday, November 26, 2007 11:44 AM
Subject: Read: Orlando Utilities Commission - 0950137-016-AC-DRAFT

Your message

To: 'dstalls@ouc.com'; Bradner, James; 'lori.cunniff@ocfl.net'; 'little.james@epamail.epa.gov'; 'forney.kathleen@epa.gov'; 'newlandlt@bv.com'; Halpin, Mike
Cc: Read, David; Linero, Alvaro; Adams, Patty; Gibson, Victoria
Subject: Orlando Utilities Commission - 0950137-016-AC-DRAFT
Sent: 11/26/2007 11:36 AM

was read on 11/26/2007 11:44 AM.

Harvey, Mary

From: Bradner, James
Sent: Monday, November 26, 2007 11:44 AM
To: Harvey, Mary
Subject: RE: Orlando Utilities Commission - 0950137-016-AC-DRAFT

Thanks!

From: Harvey, Mary
Sent: Monday, November 26, 2007 11:36 AM
To: 'dstalls@ouc.com'; Bradner, James; 'lori.cunniff@ocfl.net'; 'little.james@epamail.epa.gov'; 'forney.kathleen@epa.gov'; 'newlandlt@bv.com'; Halpin, Mike
Cc: Read, David; Linero, Alvaro; Adams, Patty; Gibson, Victoria
Subject: Orlando Utilities Commission - 0950137-016-AC-DRAFT

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Thank you,


DEP, Bureau of Air Regulation

Harvey, Mary

From: Lori.Cunniff@ocfl.net
Sent: Monday, November 26, 2007 3:10 PM
To: Harvey, Mary
Subject: RE: Orlando Utilities Commission - 0950137-016-AC-DRAFT

Thank you

Lori Cunniff, CEP, Manager
Orange County Environmental Protection Div.
800 Mercy Drive
Orlando, Florida 32808
407-836-1405 office
407-836-1452 fax
Lori.Cunniff@ocfl.net

 Please consider the environment before printing this e-mail.

From: Harvey, Mary [<mailto:Mary.Harvey@dep.state.fl.us>]
Sent: Monday, November 26, 2007 11:36 AM
To: dstalls@ouc.com; Bradner, James; Cunniff, Lori; little.james@epamail.epa.gov; forney.kathleen@epa.gov; newlandlt@bv.com; Halpin, Mike
Cc: Read, David; Linero, Alvaro; Adams, Patty; Gibson, Victoria
Subject: Orlando Utilities Commission - 0950137-016-AC-DRAFT

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Thank you,

DEP, Bureau of Air Regulation

11/26/2007

Harvey, Mary

From: Linero, Alvaro
To: Harvey, Mary
Sent: Monday, November 26, 2007 8:56 PM
Subject: Read: Orlando Utilities Commission - 0950137-016-AC-DRAFT

Your message

To: 'dstalls@ouc.com'; Bradner, James; 'lori.cunniff@ocfl.net'; 'little.james@epamail.epa.gov'; 'forney.kathleen@epa.gov'; 'newlandt@bv.com'; Halpin, Mike
Cc: Read, David; Linero, Alvaro; Adams, Patty; Gibson, Victoria
Subject: Orlando Utilities Commission - 0950137-016-AC-DRAFT
Sent: 11/26/2007 11:36 AM

was read on 11/26/2007 8:56 PM.

Harvey, Mary

From: Read, David
To: Harvey, Mary
Sent: Tuesday, November 27, 2007 9:00 AM
Subject: Read: Orlando Utilities Commission - 0950137-016-AC-DRAFT

Your message

To: 'dstalls@ouc.com'; Bradner, James; 'lori.cunniff@ocfl.net'; 'little.james@epamail.epa.gov'; 'forney.kathleen@epa.gov'; 'newlandt@bv.com'; Halpin, Mike
Cc: Read, David; Linero, Alvaro; Adams, Patty; Gibson, Victoria
Subject: Orlando Utilities Commission - 0950137-016-AC-DRAFT
Sent: 11/26/2007 11:36 AM

was read on 11/27/2007 8:59 AM.

Harvey, Mary

From: Lori.Cunniff@ocfl.net
To: Harvey, Mary
Sent: Monday, November 26, 2007 3:09 PM
Subject: Read: Orlando Utilities Commission - 0950137-016-AC-DRAFT

Your message

To: Lori.Cunniff@ocfl.net
Subject:


was read on 11/26/2007 3:09 PM.

Harvey, Mary

From: Lori.Cunniff@ocfl.net
Sent: Monday, November 26, 2007 3:10 PM
To: Harvey, Mary
Subject: RE: Orlando Utilities Commission - 0950137-016-AC-DRAFT

Thank you

Lori Cunniff, CEP, Manager
Orange County Environmental Protection Div.
800 Mercy Drive
Orlando, Florida 32808
407-836-1405 office
407-836-1452 fax
Lori.Cunniff@ocfl.net

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From: Harvey, Mary [mailto:Mary.Harvey@dep.state.fl.us]
Sent: Monday, November 26, 2007 11:36 AM
To: dstalls@ouc.com; Bradner, James; Cunniff, Lori; little.james@epamail.epa.gov; forney.kathleen@epa.gov; newlandlt@bv.com; Halpin, Mike
Cc: Read, David; Linero, Alvaro; Adams, Patty; Gibson, Victoria
Subject: Orlando Utilities Commission - 0950137-016-AC-DRAFT

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DEP, Bureau of Air Regulation

11/26/2007