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

1. Article Addressed to:

Robert G. Moore
 Senior Vice President
 Southern Company Services
 One Energy Place
 Pensacola, FL 32520-0328

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

R. Beach 6-22-03

C. Signature

X. R. Beach Agent
 Addressee

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

3. Service Type

- Certified Mail Express Mail
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 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

7001 0320 0001 3692 5900

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

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7001 0320 0001 3692 5900

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark
Here

Sent To
 Robert G. Moore
 Street, Apt. No.,
 or P.O. No.
 One Energy Place
 City, State, ZIP+4
 Pensacola, FL 32520

PS Form 3800, January 2001

See Reverse for Instructions

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1. Article Addressed to:

Mr. Robert G. Moore
 Senior Vice President
 Southern Company Services
 One Energy Place
 Pensacola, FL 32520

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

R. BEACH 4-21-03

C. Signature

X *R. Beach* Agent
 Addressee

D. Is delivery address different from item 1? Yes
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3. Service Type

- Certified Mail Express Mail
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4. Restricted Delivery? (Extra Fee) Yes

2 7001 0320 0001 3692 6440

**U.S. Postal Service
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Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark
 Here

Sent To
 Robert G. Moore
 Street, Apt. No.,
 or P.O. Box No.
 One Energy Place
 City, State, ZIP+4
 Pensacola, FL 32520

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

7001 0320 0001 3692 6969

OFFICIAL USE

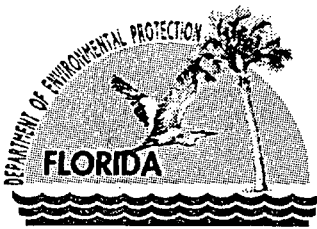
Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark
Here

Sent To
George K. Allen

Street, Apt. No.,
or P.O. Box No.
PO Box 1799

City, State, ZIP+4
Indiantown, FL 34956



Jeb Bush
Governor

Department of Environmental Protection

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

David B. Struhs
Secretary

May 16, 2003

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Robert G. Moore, Senior Vice President
Southern Company Services
One Energy Place
Pensacola, FL 32520

Re: DEP File No. 0950137-002-AC, PSD-FL-313
Stanton Unit A Permit Revisions

Dear Mr. Moore:

The Department has reviewed your request to modify the PSD Permit relative to start-up emissions and CEMS span values. As a result of this review, the Department has concluded that a permit modification may be granted. Accordingly, this request is acceptable as indicated herein.

Permit PSD-FL-313 is hereby modified as follows:

26. Excess emissions resulting from startup, shutdown, fuel switching or malfunction shall be permitted provided that best operational practices are adhered to and the duration of excess emissions shall be minimized. Excess emissions occurrences shall in no case exceed two hours in any 24-hour period ~~except during a "cold start-up" to combined cycle plant operation. During cold start-up to combined cycle operation, up to four hours of excess emissions are allowed. Cold start-up is defined as a startup to combined cycle operation following a complete shutdown lasting at least 72 hours. During any 24-hour period in which an hour of start-up or shutdown occurs, the following alternative emission limits shall apply on the basis of a 24-hour rolling average:~~
- a) An alternative NO_x limit of 127 lb/hr shall apply if natural gas is the exclusively fired fuel
 - b) An alternative NO_x limit of 370 lb/hr shall apply if any fuel oil is fired
 - c) An alternative CO limit of 155 lb/hr firing either natural gas or fuel oil

The 24-hour averages shall be based on all available data excluding calibration data. Operation below 50% output per turbine shall otherwise be limited to 2 hours in any 24-hour period. [BACT, Applicant Request and Rule 62-210.700, F.A.C.].

41. Continuous Monitoring System: The permittee shall install, calibrate, maintain, and operate a continuous emission monitor in the stack to measure and record the emissions of NO_x and CO from these emissions units, and the Carbon Dioxide (CO₂) content of the flue gas at the location where NO_x and CO are monitored, in a manner sufficient to demonstrate compliance with the emission limits of this permit. The CEM system shall be used to demonstrate compliance with the emission limits for NO_x and CO established in this permit. Compliance with the emission limits for NO_x shall be based on a 3-hour block average. The 3-hour block average shall be calculated from 3 consecutive hourly average emission rate values. Compliance with the emission limits for CO shall be based on a 24-hour block average starting at midnight of each operating day. The 24-hour block average shall be calculated from 24 consecutive hourly average emission rate values. Each hourly value shall be computed using at least one data point in each fifteen-minute quadrant of an hour, where the unit

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Mr. Robert G. Moore
May 13, 2003

combusted fuel during that quadrant of an hour. Notwithstanding this requirement, an hourly value shall be computed from at least two data points separated by a minimum of 15 minutes (where the unit operates for more than one quadrant of an hour). The owner or operator shall use all valid measurements or data points collected during an hour to calculate the hourly averages. All data points collected during an hour shall be, to the extent practicable, evenly spaced over the hour. The permittee may use the inlet SCR NO_x monitor as a backup analyzer in determining excess emissions during startup. If the CEM system measures concentration on a wet basis, the CEM system shall include provisions to determine the moisture content of the exhaust gas and an algorithm to enable correction of the monitoring results to a dry basis (0% moisture). Alternatively, the owner or operator may develop through manual stack test measurements a curve of moisture contents in the exhaust gas versus load for each allowable fuel, and use these typical values in an algorithm to enable correction of the monitoring results to a dry basis (0% moisture). Final results of the CEM system shall be expressed as ppmvd, corrected to 15% oxygen.

The NO_x monitor shall be certified and operated in accordance with the following requirements. The NO_x monitor shall be certified pursuant to 40 CFR Part 75 and shall be operated and maintained in accordance with the applicable requirements of 40 CFR Part 75, Subparts B and C. For purposes of determining compliance with the emission limits specified within this permit, missing data shall not be substituted. Instead the block average shall be determined using the remaining hourly data in the 3-hour block. However, in the event that the permittee maintains 95% or greater availability of the continuous emission monitoring systems used for determining NO_x emissions compliance for the previous quarter, then compliance with the emission limits for NO_x shall be based on 3 valid consecutive hours of data for a 3-hour block average. Record keeping and reporting shall be conducted pursuant to 40 CFR Part 75, Subparts F and G. The RATA tests required for the NO_x monitor shall be performed using EPA Method 20 or 7E, of Appendix A of 40 CFR 60. The NO_x monitor shall be a dual range monitor. The span for the lower range shall ~~not be greater than~~ be between or inclusive of the values of 10 and 20 ppm, and the span for the upper range shall ~~not be greater than 30~~ be between or inclusive of the values of 200 and 250 ppm, as corrected to 15% O₂. The CO monitor and CO₂ monitor shall be certified and operated in accordance with the following requirements. The CO monitor shall be certified pursuant to 40 CFR 60, Appendix B, Performance Specification 4. The CO₂ monitor shall be certified pursuant to 40 CFR 60, Appendix B, Performance Specification 3. Quality assurance procedures shall conform to the requirements of 40 CFR 60, Appendix F, and the Data Assessment Report of section 7 shall be made each calendar quarter, and reported semi-annually to the Department's Central District Office. The RATA tests required for the CO monitor shall be performed using EPA Method 10, of Appendix A of 40 CFR 60. The Method 10 analysis shall be based on a continuous sampling train, and the ascarite trap may be omitted or the interference trap of section 10.1 may be used in lieu of the silica gel and ascarite traps. The CO monitor shall be a dual range monitor. The span for the lower range shall ~~not be greater than~~ be between or inclusive of the values of 20 and 30 ppm, and the span for the upper range shall ~~not be greater than 100~~ be between or inclusive of the values of 500 and 1000 ppm, as corrected to 15% O₂. The RATA tests required for the CO₂ monitor shall be performed using EPA Method 3B, of Appendix A of 40 CFR 60.

NO_x, CO and CO₂ emissions data shall be recorded by the CEM system during episodes of startup, shutdown and malfunction. NO_x and CO emissions data recorded during ~~these episodes~~ malfunctions may be excluded from the block average calculated to demonstrate compliance with the emission limits specified within this permit. ~~Periods of data excluded for startup shall not exceed two hours in any block 24-hour period except for "cold startup." A cold startup is defined as a startup following a complete shutdown lasting a minimum of 72 hours. Periods of data excluded for cold startup shall not exceed four hours in any 24-hour block period. Periods of data excluded for shutdown shall not exceed two hours in any 24-hour block period. Periods of data excluded for malfunctions shall not exceed two hours in any 24-hour block period. All periods of data excluded for any startup, shutdown or malfunction episode shall be consecutive for each episode. Periods of data excluded for all startup,~~

Mr. Robert G. Moore
May 13, 2003

~~shutdown or malfunction episodes shall not exceed four hours in any 24-hour block period. The owner or operator shall minimize the duration of data excluded for startup, shutdown and malfunctions, to the extent practicable. Data recorded during startup, shutdown or malfunction events shall not be excluded if the startup, shutdown or malfunction episode was caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure, which may reasonably be prevented.~~

Best operational practices shall be used to minimize hourly emissions that occur during episodes of startup, shutdown and malfunction. Emissions of any quantity or duration that occur entirely or in part from poor maintenance, poor operation, or any other equipment or process failure, which may reasonably be prevented, shall be prohibited.

A summary report of duration of data excluded from the block average calculation, and all instances of missing data from monitor downtime, shall be reported to the Department's Central District office semi-annually, and shall be consolidated with the report required pursuant to 40 CFR 60.7. For purposes of reporting "excess emissions" pursuant to the requirements of 40 CFR 60.7, excess emissions shall be defined as the hourly emissions which are recorded by the CEM system during periods of data excluded for episodes of startup, shutdown and malfunction, allowed above. The duration of excess emissions shall be the duration of the periods of data excluded for such episodes. Reports required by this paragraph and by 40 CFR 60.7 shall be submitted no less than semi-annually, including semi-annual periods in which no data is excluded or no instances of missing data occur. Upon request from the Department, the CEMS emission rates shall be corrected to ISO conditions to demonstrate compliance with the applicable standards of 40 CFR 60.332. [Rules 62-4.070(3) and 62-212.400., F.A.C., and BACT]

[Note: Compliance with these requirements will ensure compliance with the other CEM system requirements of this permit to comply with Subpart GG requirements, as well as the applicable requirements of Rule 62-297.520, F.A.C., 40 CFR 60.7(a)(5) and 40 CFR 60.13, and with 40 CFR Part 51, Appendix P, 40 CFR 60, Appendix B, Performance Specifications and 40 CFR 60, Appendix F, Quality Assurance Procedures].

No other changes to the permit are authorized by this action.

A copy of this letter shall be filed with the referenced permit and shall become part of the permit. This permit modification is issued pursuant to Chapter 403, Florida Statutes. Any party to this order (permit modification) has the right to seek judicial review of it under Section 120.68, F.S., by the filing of 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 of Appeal must be filed within (thirty) days after this Notice is filed with the Clerk of the Department.

Executed in Tallahassee, Florida.

Sincerely,



Howard L. Rhodes, Director
Division of Air Resources
Management

Mr. Robert G. Moore
May 13, 2003

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Final PSD Permit Modification was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on 5/20/03 to the person(s) listed:

Mr. Robert G. Moore, Southern Company *
Mr. Glenn D. Waters, Gulf Power
Mr. Gregg Worley, EPA
Mr. John Bunyak, NPS
Mr. Len Kozlov, CD
Mr. Buck Oven, DEP
Ms. Marie Driscoll, Orange County EPD

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.

Victoria Gibson May 20, 2003
(Clerk) (Date)

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Received by (Please Print Clearly) <i>K. Beach</i>	B. Date of Delivery <i>5-22-03</i>
1. Article Addressed to: Robert G. Moore Senior Vice President Southern Company Services One Energy Place Pensacola, FL 32520-0328	C. Signature <i>K. Beach</i>	
3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input checked="" type="checkbox"/> No	
4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
7001 0320 0001 3692 5900		
PS Form 3811, July 1999 Domestic Return Receipt 102595-00-M-0952		

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Certified Fee	
Return Receipt Fee (Endorsement Required)	
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Total Postage & Fees \$	
Sent To Robert G. Moore Street, Apt. No., or P.O. Box No. One Energy Place City, State, ZIP+4 Pensacola, FL 32520	
PS Form 3800, January 2001 See Reverse for Instructions	

0065 2692 1000 0220 7001

Memorandum

Florida Department of Environmental Protection

TO: Howard L. Rhodes

THRU: Trina Vielhauer
Al Linero *copy for TLV*

FROM: Michael P. Halpin *MH*

DATE: May 13, 2003

SUBJECT: OUC/KUA/FMPA/Southern Company – Florida, LLC
Stanton Unit "A" Permit Modification

Attached for approval and signature is a PSD permit modification for the subject (existing) facility. The emissions unit is a gas/oil combined cycle electrical generator. The applicant had requested an increase from 4 hours to 8 hours for excess emissions, during start-up to combined cycle operation. Through many discussions with EPA, I have become aware that they prefer for us to "hold firm" with the allowable 2 hours of excess emissions (State Rule), which limits excess emissions only during certain conditions. As a result of this, I prefer to establish an alternate emission standard during start-up and shutdown, and reduce allowable excess emissions to the 2 hours allowed by rule.

During the original BACT Determination, start-up and shut-down emissions were identified. This modification provides for 24-hour rolling average emission standards for NO_x and CO, based upon those originally identified values. The alternate standard only applies during those days in which startups have occurred and I am reducing the allowable level of excess emissions to 2 hours. This is consistent with the rationale utilized for the recent permit revisions to Lakeland's McIntosh Unit 5 and KUA Cane Island Unit 3. Regarding the CEMS span values, the appropriate method for determining such values was reviewed with BAMMS and the attendant revision complies with their recommendations.

I recommend your approval and signature.

Attachments

/mph

Howard - THIS WAS REVIEWED BY TRINA AT THE DRAFT STAGE AND HAS SINCE BEEN "PUBLIC NOTICED", NOTHING HAS CHANGED, AND ONLY EPA COMMENTED (WHICH I INCORPORATED IN THIS FINAL). I THINK THAT IT'S OK TO SIGN.
- Mike Halpin

One Energy Place
Pensacola, Florida 32520

Tel 850.444.6111

RECEIVED

APR 28 2003

BUREAU OF AIR REGULATION

Certified Mail



April 24, 2003

Mr. Michael P. Halpin, P.E.
Florida Department of Environmental Protection
Bureau of Air Regulation
2600 Blair Stone Road
Mail Station #5510
Tallahassee, Florida 32399-2400

Dear Mr. Halpin:

RE: STANTON A COMBINED CYCLE PERMIT #0950137-002-AC (PSD-313)
PSD Permit Modification for CEM Span & Startup - Public Notice Affidavit

Thanks for the quick response to Southern Company Florida LLC's request for CEM span corrections and alternative startup language for the Stanton A Combined Cycle Unit. Enclosed is the proof of publication, i.e., newspaper affidavit regarding the Public Notice of Intent to Issue PSD Modification originally sent to Robert G. Moore (Southern Company Services) on April 18, 2003.

Please let me know if you have any questions regarding this matter and if you receive any public comments regarding the modification.

Sincerely,

A handwritten signature in black ink that reads "Dwain Waters Q.E.P.".

G. Dwain Waters, Q.E.P.
Air Quality Programs Supervisor

Cc: J. O. Vick, Gulf Power Company
Robert A. Schaffeld, Southern Company
Ronnie H. Walston, Southern Company
Leonard Kozlov, FDEP, Central District
Denise Stalls, OUC
Fred Haddad, OUC

Orlando Sentinel

Published Daily

State of Florida } S.S.
COUNTY OF ORANGE

Before the undersigned authority personally appeared DORIS J. HORTON

who on oath says that he/she is the Legal Advertising Representative of Orlando Sentinel, a daily newspaper published at ORLANDO in ORANGE County, Florida; that the attached copy of advertisement, being a PUBLIC NOTICE OF in the matter of PSD-FL-313

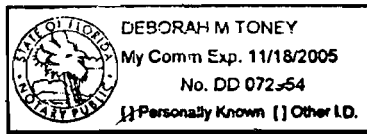
in the ORANGE Court, was published in said newspaper in the issue; of 04/19/03

Affiant further says that the said Orlando Sentinel is a newspaper published at ORLANDO in said ORANGE County, Florida, and that the said newspaper has heretofore been continuously published in said ORANGE County, Florida, each Week Day and has been entered as second-class mail matter at the post office in ORLANDO in said ORANGE County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Doris J. Horton

The foregoing instrument was acknowledged before me this 22 day of APR, 20 03, by DORIS J. HORTON, who is personally known to me and who did take an oath.

(SEAL)



PUBLIC NOTICE OF INTENT TO ISSUE PSD PERMIT MODIFICATION STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION DEP File No. PSD-FL-313 OUC/KUA/FMPA/Southern Company - Florida, LLC Stanton Unit A Orange County

The Department of Environmental Protection (Department) gives notice of its intent to issue a PSD Permit Modification to OUC/KUA/FMPA/Southern Company - Florida, LLC for the Stanton Combined Cycle Unit A located at 5100 South Alafaya Trail, Orlando, Orange County. The permit is to revise the conditions relative to span values for the continuous emission monitors and to provide an alternate NOX and CO emission standard during start-up conditions. This is a new generation unit and is under construction. A new determination of Best Available Control Technology (BACT) pursuant to the Rules for the Prevention of Significant Deterioration (PSD) was not required because

any emissions increases will be less than the applicable significant emission rates given in Table 212.400-2, F.A.C. The applicant's mailing address is: Robert G. Moore, Southern Company Services, One Energy Square, Pensacola FL 32502.

An air quality impact analysis was not required. The Department will issue the Final Permit with the attached conditions unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed permit issuance action for a period of 14 (fourteen) days from the date of publication of this Public Notice of Intent to Issue PSD Permit Modification. Written comments should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, FL 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.

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.

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, Mail Station #35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen 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 fourteen days of publication of the public notice or within fourteen 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.

less 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 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; (b) The name, address, and telephone number of the petitioner, the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination; (c) A statement of how and when petitioner received notice of the agency action or proposed action; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts upon which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by rule 28-106.301.

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:

Florida Department of Environmental Protection Bureau of Air Regulation 111 S. Magnolia Drive, Suite 4 Tallahassee, Florida, 32301 Telephone: (850) 488-1114 Fax: (850) 922-6779 Florida Department of Environmental Protection Central District Office 3319 Maguire Boulevard, Suite 23 Orlando, Florida 32803-3767 Telephone: (407) 894-7555 Fax: (407) 897-2966

The complete project file includes the application, 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 Administrator, New Source Review Section, at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/488-0114, for additional information. COR 4998090 4/19/03

RECEIVED

APR 28 2003

BUREAU OF AIR REGULATION



Jeb Bush
Governor

Department of Environmental Protection

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

David B. Struhs
Secretary

April 18, 2003

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Robert G. Moore
Senior Vice President
Southern Company Services
One Energy Place
Pensacola, FL 32520

Re: DEP File No. 0950137-002-AC, PSD-FL-313
Stanton Unit A Permit Revisions

Dear Mr. Moore:

Enclosed is one copy of the Draft PSD Permit Modification relative to the start-up emissions and CEMS span values on Stanton Unit A. The facility is located at 5100 South Alafaya Trail, Orlando, Orange County.

The Public Notice of Intent to Issue PSD Permit Modification must be published one time only, as soon as possible, in the legal advertisement section of a newspaper of general circulation in the area affected, pursuant to the requirements Chapter 50, Florida Statutes. Proof of publication, i.e., 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 may result in the denial of the permit.

Please submit any written comments you wish to have considered concerning the Department's proposed action to A. A. Linero, P.E., Administrator, New Source Review Section at the above letterhead address. If you have any other questions, please contact Michael P. Halpin, P.E. at 850/921-9519.

Sincerely,

for Trina Vielhauer, Chief
Bureau of Air Regulation

mph

Enclosures

"More Protection, Less Process"

Printed on recycled paper.

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- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 Mr. Robert G. Moore
 Senior Vice President
 Southern Company Services
 One Energy Place
 Pensacola, FL 32520

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) *R. BEACH* B. Date of Delivery *4-21-03*

C. Signature *R. Beach* Agent Addressee

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

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

4. Restricted Delivery? (Extra Fee) Yes

2 7001 0320 0001 3692 6440

PS Form 3811, July 1999

Domestic Return Receipt

102595-99-M-1789

**U.S. Postal Service
 CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)**

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Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark
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Sent To
 Robert G. Moore
 Street, Apt. No.,
 or P.O. Box No.
 One Energy Place
 City, State, ZIP+4
 Pensacola, FL 32520

In the Matter of an
Application for Permit by:

Robert G. Moore, Senior Vice President
Southern Company Services
One Energy Place
Pensacola, Florida 32520

DEP File No. PSD-FL-313

INTENT TO ISSUE PSD PERMIT MODIFICATION

The Department of Environmental Protection (Department) gives notice of its intent to issue a PSD Permit Modification (copy of Draft permit attached) for the proposed project, detailed in the application specified above and for the reasons stated below.

The applicant, Robert G. Moore, Senior Vice President, Southern Company Services, applied on December 6, 2002, to the Department for a PSD Permit Modification for its Stanton Unit A, located at 5100 South Alafaya Trail, Orlando, Orange County. The request is to provide an alternate emission standard for start-up conditions and to revise the permitted span values for the Continuous Emission Monitors.

The Department has permitting jurisdiction under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, and 62-212. The above actions are not exempt from permitting procedures. The Department has determined that a PSD Permit Modification is required to revise the permit with respect to start-up emissions. A new PSD review is not required because any emissions increases are less than the applicable significant emission rates given in Table 212.400-2, F.A.C.

The Department intends to issue this PSD Permit Modification based on the belief that reasonable assurances have been provided to indicate that operation of these emission units will not adversely impact air quality, and the emission units will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C.

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 PSD Permit Modification. 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, Mail Station #5505, Tallahassee, Florida 32399-2400 (Telephone: 850/488-0114; Fax 850/922-6979). 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 permit with the attached conditions unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed permit issuance action for a period of 14 (fourteen) days from the date of publication of Public Notice of Intent to Issue PSD Permit Modification. Written comments should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, FL 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.

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.

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, Mail Station #35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen 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 fourteen days of publication of the public notice or within fourteen 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 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 action or proposed action; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts upon which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation is not available in this proceeding.

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


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

The Department will grant a variance or waiver when the petition demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of those terms is defined in Section

120.542(2) F.S., and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner.

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

Executed in Tallahassee, Florida.


for Trina Vielhauer, Chief
Bureau of Air Regulation

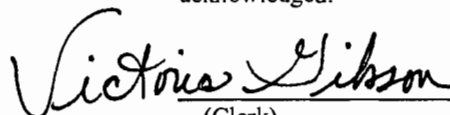
CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Intent to Issue PSD Permit Modification (including the Public Notice of Intent to Issue PSD Permit Modification and the Draft permit) was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on 4/18/03 to the person(s) listed:

Mr. Robert G. Moore, Southern Company *
Mr. Glenn D. Waters, Gulf Power
Mr. Gregg Worley, EPA
Mr. John Bunyak, NPS
Mr. Len Kozlov, CD
Mr. Buck Oven, DEP
Ms. Marie Driscoll, Orange County EPD

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.


Victoria Gibson April 18, 2003
(Clerk) (Date)

PUBLIC NOTICE OF INTENT TO ISSUE PSD PERMIT MODIFICATION

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

DEP File No. PSD-FL-313

OUC/KUA/FMPA/Southern Company – Florida, LLC
Stanton Unit A
Orange County

The Department of Environmental Protection (Department) gives notice of its intent to issue a PSD Permit Modification to OUC/KUA/FMPA/Southern Company – Florida, LLC for the Stanton Combined Cycle Unit A located at 5100 South Alafaya Trail, Orlando, Orange County. The permit is to revise the conditions relative to span values for the continuous emission monitors and to provide an alternate NO_x and CO emission standard during start-up conditions. This is a new generating unit and is under construction. A new determination of Best Available Control Technology (BACT) pursuant to the Rules for the Prevention of Significant Deterioration (PSD) was not required because any emissions increases will be less than the applicable significant emission rates given in Table 212.400-2, F.A.C. The applicant's mailing address is: Robert G. Moore, Southern Company Services, One Energy Place, Pensacola FL 32520.

An air quality impact analysis was not required. The Department will issue the Final Permit with the attached conditions unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed permit issuance action for a period of 14 (fourteen) days from the date of publication of this Public Notice of Intent to Issue PSD Permit Modification. Written comments should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, FL 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.

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.

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, Mail Station #35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen 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 fourteen days of publication of the public notice or within fourteen 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

NOTICE TO BE PUBLISHED IN THE NEWSPAPER

shall constitute a waiver of that person's right to request an administrative determination (hearing) under sections 120.569 and 120.57 F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205 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 action or proposed action; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts upon which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by rule 28-106.301

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:

Florida Department of Environmental Protection
Bureau of Air Regulation
111 S. Magnolia Drive, Suite 4
Tallahassee, Florida, 32301
Telephone: (850) 488-0114
Fax: (850) 922-6979

Florida Department of Environmental Protection
Central District Office
3319 Maguire Boulevard, Suite 23
Orlando, Florida 32803-3767
Telephone: (407) 894-7555
Fax: (407) 897-2966

The complete project file includes the application, 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 Administrator, New Source Review Section, at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/488-0114, for additional information.

NOTICE TO BE PUBLISHED IN THE NEWSPAPER

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April XX, 2003

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Robert G. Moore, Senior Vice President
Southern Company Services
One Energy Place
Pensacola, FL 32520

Re: DEP File No. 0950137-002-AC, PSD-FL-313
Stanton Unit A Permit Revisions

Dear Mr. Moore:

The Department has reviewed your request to modify the PSD Permit relative to start-up emissions and CEMS span values. As a result of this review, the Department has concluded that a permit modification may be granted. Accordingly, this request is acceptable as indicated herein.

Permit PSD-FL-313 is hereby modified as follows:

26. Excess emissions resulting from startup, shutdown, fuel switching or malfunction shall be permitted provided that best operational practices are adhered to and the duration of excess emissions shall be minimized. Excess emissions occurrences shall in no case exceed two hours in any 24-hour period ~~except during a "cold start-up" to combined cycle plant operation. During cold start-up to combined cycle operation, up to four hours of excess emissions are allowed. Cold start-up is defined as a startup to combined cycle operation following a complete shutdown lasting at least 72 hours.~~ During any 24-hour period in which an hour of start-up or shutdown occurs, the following alternative emission limits shall apply on the basis of a 24-hour rolling average:

- a) an alternative NO_x limit of 127 lb/hr shall apply if natural gas is the exclusively fired fuel
- b) an alternative NO_x limit of 370 lb/hr shall apply if any fuel oil is fired
- c) an alternative CO limit of 155 lb/hr firing either natural gas or fuel oil

The 24-hour averages shall be based on all available data excluding calibration data. Operation below 50% output per turbine shall otherwise be limited to 2 hours in any 24-hour period. [BACT, Applicant Request and Rule 62-210.700, F.A.C.].

41. Continuous Monitoring System: The permittee shall install, calibrate, maintain, and operate a continuous emission monitor in the stack to measure and record the emissions of NO_x and CO from these emissions units, and the Carbon Dioxide (CO₂) content of the flue gas at the location where NO_x and CO are monitored, in a manner sufficient to demonstrate compliance with the emission limits of this permit. The CEM system shall be used to demonstrate compliance with the emission limits for NO_x and CO established in this permit. Compliance with the emission limits for NO_x shall be based on a 3-hour block average. The 3-hour block average shall be calculated from 3 consecutive hourly average emission rate values. Compliance with the emission limits for CO shall be based on a 24-hour block average starting at midnight of each operating day. The 24-hour block average shall be calculated from 24 consecutive hourly average emission rate values. Each hourly value shall be computed using at least one data point in each fifteen-minute quadrant of an hour, where the unit combusted fuel during that quadrant of an hour. Notwithstanding this requirement, an hourly value shall be computed from at least two data points separated by a minimum of 15 minutes (where the unit operates for more than one quadrant of an hour). The owner or

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operator shall use all valid measurements or data points collected during an hour to calculate the hourly averages. All data points collected during an hour shall be, to the extent practicable, evenly spaced over the hour. The permittee may use the inlet SCR NO_x monitor as a backup analyzer in determining excess emissions during startup. If the CEM system measures concentration on a wet basis, the CEM system shall include provisions to determine the moisture content of the exhaust gas and an algorithm to enable correction of the monitoring results to a dry basis (0% moisture). Alternatively, the owner or operator may develop through manual stack test measurements a curve of moisture contents in the exhaust gas versus load for each allowable fuel, and use these typical values in an algorithm to enable correction of the monitoring results to a dry basis (0% moisture). Final results of the CEM system shall be expressed as ppmvd, corrected to 15% oxygen.

The NO_x monitor shall be certified and operated in accordance with the following requirements. The NO_x monitor shall be certified pursuant to 40 CFR Part 75 and shall be operated and maintained in accordance with the applicable requirements of 40 CFR Part 75, Subparts B and C. For purposes of determining compliance with the emission limits specified within this permit, missing data shall not be substituted. Instead the block average shall be determined using the remaining hourly data in the 3-hour block. However, in the event that the permittee maintains 95% or greater availability of the continuous emission monitoring systems used for determining NO_x emissions compliance for the previous quarter, then compliance with the emission limits for NO_x shall be based on 3 valid consecutive hours of data for a 3-hour block average. Record keeping and reporting shall be conducted pursuant to 40 CFR Part 75, Subparts F and G. The RATA tests required for the NO_x monitor shall be performed using EPA Method 20 or 7E, of Appendix A of 40 CFR 60. The NO_x monitor shall be a dual range monitor. The span for the lower range shall ~~not be greater than~~ be between or inclusive of the values of 10 and 20 ppm, and the span for the upper range shall ~~not be greater than 30~~ be between or inclusive of the values of 200 and 250 ppm, as corrected to 15% O₂.

The CO monitor and CO₂ monitor shall be certified and operated in accordance with the following requirements. The CO monitor shall be certified pursuant to 40 CFR 60, Appendix B, Performance Specification 4. The CO₂ monitor shall be certified pursuant to 40 CFR 60, Appendix B, Performance Specification 3. Quality assurance procedures shall conform to the requirements of 40 CFR 60, Appendix F, and the Data Assessment Report of section 7 shall be made each calendar quarter, and reported semi-annually to the Department's Central District Office. The RATA tests required for the CO monitor shall be performed using EPA Method 10, of Appendix A of 40 CFR 60. The Method 10 analysis shall be based on a continuous sampling train, and the ascarite trap may be omitted or the interference trap of section 10.1 may be used in lieu of the silica gel and ascarite traps. The CO monitor shall be a dual range monitor. The span for the lower range shall ~~not be greater than~~ be between or inclusive of the values of 20 and 30 ppm, and the span for the upper range shall ~~not be greater than 100~~ be between or inclusive of the values of 500 and 1000 ppm, as corrected to 15% O₂. The RATA tests required for the CO₂ monitor shall be performed using EPA Method 3B, of Appendix A of 40 CFR 60.

NO_x, CO and CO₂ emissions data shall be recorded by the CEM system during episodes of startup, shutdown and malfunction. NO_x and CO emissions data recorded during these episodes may be excluded from the block average calculated to demonstrate compliance with the emission limits specified within this permit. ~~Periods of data excluded for startup shall not exceed two hours in any block 24-hour period except for "cold startup." A cold startup is defined as a startup following a complete shutdown lasting a minimum of 72 hours. Periods of data excluded for cold startup shall not exceed four hours in any 24-hour block period. Periods of data excluded for shutdown shall not exceed two hours in any 24-hour block period. Periods of data excluded for malfunctions shall not exceed two hours in any 24-hour block period. All periods of data excluded for any startup, shutdown or malfunction episode shall be consecutive for each episode. Periods of data excluded for all startup, shutdown or malfunction episodes shall not exceed four hours in any 24-hour block period. The owner or operator shall minimize the duration of data excluded for startup, shutdown and malfunctions, to the extent practicable. Data recorded during startup, shutdown or malfunction events shall not be excluded if the startup, shutdown or malfunction episode was caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure, which may reasonably be prevented.~~

Best operational practices shall be used to minimize hourly emissions that occur during episodes of startup, shutdown and malfunction. Emissions of any quantity or duration that occur entirely or in part from poor

Mr. Robert G. Moore
April XX, 2003

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maintenance, poor operation, or any other equipment or process failure, which may reasonably be prevented, shall be prohibited.

A summary report of duration of data excluded from the block average calculation, and all instances of missing data from monitor downtime, shall be reported to the Department's Central District office semi-annually, and shall be consolidated with the report required pursuant to 40 CFR 60.7. For purposes of reporting "excess emissions" pursuant to the requirements of 40 CFR 60.7, excess emissions shall be defined as the hourly emissions which are recorded by the CEM system during periods of data excluded for episodes of startup, shutdown and malfunction, allowed above. The duration of excess emissions shall be the duration of the periods of data excluded for such episodes. Reports required by this paragraph and by 40 CFR 60.7 shall be submitted no less than semi-annually, including semi-annual periods in which no data is excluded or no instances of missing data occur. Upon request from the Department, the CEMS emission rates shall be corrected to ISO conditions to demonstrate compliance with the applicable standards of 40 CFR 60.332. [Rules 62-4.070(3) and 62-212.400., F.A.C., and BACT]

[Note: Compliance with these requirements will ensure compliance with the other CEM system requirements of this permit to comply with Subpart GG requirements, as well as the applicable requirements of Rule 62-297.520, F.A.C., 40 CFR 60.7(a)(5) and 40 CFR 60.13, and with 40 CFR Part 51, Appendix P, 40 CFR 60, Appendix B, Performance Specifications and 40 CFR 60, Appendix F, Quality Assurance Procedures].

No other changes to the permit are authorized by this action.

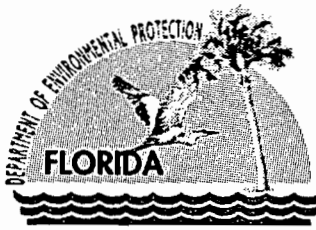
A copy of this letter shall be filed with the referenced permit and shall become part of the permit. This permit modification is issued pursuant to Chapter 403, Florida Statutes. Any party to this order (permit modification) has the right to seek judicial review of it under Section 120.68, F.S., by the filing of 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 of Appeal must be filed within (thirty) days after this Notice is filed with the Clerk of the Department.

Executed in Tallahassee, Florida.

Sincerely,

Howard L. Rhodes, Director
Division of Air Resources
Management

HLR/mph



Jeb Bush
Governor

Department of Environmental Protection

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

David B. Struhs
Secretary

February 13, 2003

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Mr. George K. Allen
General Manager
Indiantown Cogeneration, L.P.
P.O. Box 1799
Indiantown, Florida 34956

Re: Temporary Package Boiler Installation

Dear Mr. Allen:

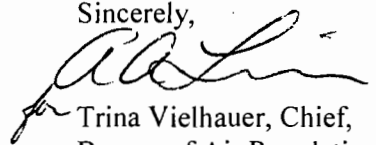
The Department has reviewed your request regarding air permit requirements for the temporary installation of a package boiler at the Indiantown Cogeneration facility (ICLP). According to the information that you have provided, the use of this boiler is required for up to 60 days per calendar year, in order to provide process steam for Louis Dreyfus (formerly Caulkins Indiantown Citrus). Your information additionally indicates that this installation is only required as a result of a concurrent outage of the main boiler and failure of one of the two auxiliary boilers. The temporary boiler will have a nameplate heat input rating of less than 100 MMBtu/hr, and will fire propane or natural gas only.

Based upon the information provided, the Department has determined that the above use of the package boiler will not cause the issuance of air contaminants 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. Therefore, in accordance with Rule 62-4.040 of the Florida Administrative Code (F.A.C.), the Department conditionally exempts the package boiler from the requirement to obtain an air construction permit subject to the attached conditions. The Department's Intent to Issue Specific Exemption and the Public Notice of Intent to Issue Specific Exemption are also included.

The Public Notice of Intent to Issue Specific Exemption must be published one time only, as soon as possible, in the legal advertisement section of a newspaper of general circulation in the area affected, pursuant to the requirements Chapter 50, Florida Statutes. Proof of publication, i.e., 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 may result in the denial of the exemption.

Please submit any written comments you wish to have considered concerning the Department's proposed action to A. A. Linero, P.E., Administrator, New Source Review Section at the above letterhead address. If you have any other questions, please contact Michael P. Halpin or Mr. Linero at 850/921-9519.

Sincerely,



Trina Vielhauer, Chief,
Bureau of Air Regulation

"More Protection, Less Process"

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Sent To
George K. Allen
Street, Apt. No.,
or PO Box No.
PO Box 1799
City, State, ZIP+4
Indiantown, FL 34956

In the Matter of an
Application for Specific Exemption by:

Mr. George K. Allen, General Manager, Indiantown
Indiantown Cogeneration, L.P.
P.O. Box 1799
Indiantown, Florida 34956

DEP File No. 0850102
Indiantown Cogeneration Facility
Martin County

INTENT TO ISSUE SPECIFIC EXEMPTION

The Department of Environmental Protection (Department) gives notice of its intent to issue an exemption to air construction permitting to Indiantown Cogeneration, L.P. for the Indiantown Cogeneration Facility located at 13301 SW Silver Fox Lane, Indiantown, Martin County. The exemption allows for the temporary installation of a small package boiler (less than 100 MMBtu/hr) at the existing facility, for the purpose of providing steam to the adjacent citrus processing facility. A Best Available Control Technology (BACT) determination was not required pursuant to Rule 62-212.400, F.A.C. and 40 CFR 52.21, Prevention of Significant Deterioration (PSD). The applicant's mailing address is: Indiantown Cogeneration, L.P., P.O. Box 1799, Indiantown, Florida 34956.

The Department has permitting jurisdiction under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, and 62-212. The above actions are not exempt from permitting procedures. The Department has determined that a specific exemption to an air construction permit is required to in order to provide for the above temporary installation.

The Department intends to issue this exemption based on the belief that reasonable assurances have been provided to indicate that operation of this emission unit will not adversely impact air quality, and the emission unit will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C.

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 Specific Exemption. 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, Mail Station #5505, Tallahassee, Florida 32399-2400 (Telephone: 850/488-0114; Fax 850/ 922-6979). 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 exemption pursuant to Rules 62-110.106(9) & (11), F.A.C.

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

The Department will accept written comments concerning the proposed exemption issuance action for a period of 14 (fourteen) days from the date of publication of Public Notice of Intent to Issue Specific Exemption. Written comments should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, FL 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 exemption and require, if applicable, another Public Notice.

The Department will issue the exemption 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.

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 (F.S.). The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S. must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Department for notice of agency action may file a petition within fourteen 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 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 Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner, the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination; (c) A statement of how and when petitioner received notice of the agency action or proposed action; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action. A petition that does not dispute the material facts upon which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above. Mediation is not available in this proceeding.

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

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

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

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

Executed in Tallahassee,


for Trina Vielhauer, Chief
Bureau of Air Regulation

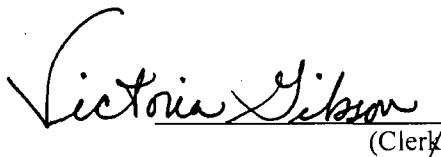
CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this PERMIT EXEMPTION was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on February 11, 2003 to the person(s) listed:

Mr. George K. Allen, General Manager ICLP *
Mr. Nicholas Lareya, ICLP
Mr. Tom Tittle, SED
Mr. Hamilton S. Oven
Mr. David S. Dee, Landers & Parsons
Mr. A.J. Jablonowski, Earth Tech

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.

 / February 11, 2003
(Clerk) (Date)

Attachments: Letter (01/21/03), Indiantown Cogeneration, L.P.
TV/mph

Project Description

Indiantown Cogeneration, L.P. will (from time to time) install a trailer-mounted package boiler rated at less than 100MMBtu/hr as a temporary (back-up) unit. This package boiler is exclusively required to provide steam for the adjacent citrus processing facility. Under normal conditions, such steam is provided by the main (PC) boiler, or the combination of two auxiliary boilers. However, for up to 60 days per calendar year, a temporary package boiler may be utilized. The package boiler is to fire propane or natural gas only. NO_x emissions will be less than 0.15 lb/MMBtu, which is equivalent to approximately 15 lb/hr. These values are significantly below the permitted ratings of each auxiliary boiler.

Discussion

Given that the temporary package boiler will generate emissions well below those that are currently permitted for an out-of-service auxiliary boiler, there is no reason to expect any emissions increase. However, since the boiler is expected to be a source of pollution, it is not permissible to operate, maintain, construct, expand or modify it without first obtaining valid permits, unless the source is exempted. This application then gives rise to the question of the type of permit or exemption required.

A tabulation of anticipated emissions for the temporary boiler indicates that the maximum annual NO_x emissions are approximately 11 TPY, followed by CO emissions at 5 TPY, PM emissions at 2 TPY and SO₂ emissions at less than 1 TPY. Therefore, neither a PSD review nor an EPA mandated BACT Determination is required. The maximum annual throughput of natural gas is estimated at 144,000 MMBtu/year or 144 MMCF.

Subject to 62-296.406, F.A.C. small boilers (< 250 MMBtu/hr) are subject to a "State BACT" determination for PM and SO₂. Currently, this is the firing of natural gas, propane or distillate oil containing no more than 0.05% sulfur by weight. As described, this project complies with the requirement. Additionally, subject to NSPS Subpart Dc (10 MMBtu/hr < Boilers < 100 MMBtu/hr), gas only units are required to comply with notification and record keeping requirements. Again, the project will comply with this requirement.

Generic exemptions are codified in the Florida Administrative Code, Chapter 62-210.300 (3)(b). Since the temporary boiler exceeds 5 TPY of a regulated pollutant, and is to be located at a Title V source, such an exemption is not applicable. Categorical exemptions are codified in Chapter 62-210.300(3)(a), F.A.C. A review of these exemptions suggests that the unit could potentially be categorically exempt as described in subparagraph (2). This exemption applies to an individual fossil fuel steam generator with a rated heat input of 100 MMBtu/hr or less, burning annually 150 MMCF or less of natural gas. However, the unit must have been constructed prior to June 9, 1989 (the Subpart Dc effective date), have never been modified or reconstructed and be exempt from the Federal Acid Rain Program. Given that boilers constructed after this date (and subject to Subpart Dc) are generally more efficient and less polluting than those built in earlier years, this categorical exemption appears to provide a reasonable basis for the development of a specific exemption for ICLP. The conditions of this specific exemption will be structured such that the temporary package boiler must be shutdown once either the main boiler or both auxiliary boilers are operable. This provides the Department with further assurance that a facility emissions increase cannot possibly result.

Accordingly, the Department determines that this project will not cause air pollution in sufficient quantity as to contribute significantly to the pollution problems within the state. The Department exempts utilization of this temporary package boiler from the requirement to obtain an air construction permit, subject to the following conditions:

DRAFT

Conditions

1. The package boiler shall be operated such that:
 - a. No visible emissions (5 percent opacity) are observed, except that visible emissions not exceeding 20 percent opacity are allowed for up to three minutes in any one-hour period
 - b. No objectionable odors are observed
 - c. Manufacturers guidelines are followed
2. The package boiler shall fire natural gas or propane only, and throughput shall be measured and recorded. No more than 150 million standard cubic feet (combined) shall be fired annually and operating hours plus fuel usage shall be tracked, separately identified and attributed to the annual throughput of the auxiliary boilers.
3. ICLP will notify the Department prior to the delivery of the temporary boiler and upon its removal. The notifications shall include proof that all other permit conditions identified herein can be or have been met.
4. Under no circumstance shall the temporary package boiler be on-site for more than 90 calendar days, nor operated for more than 60 calendar days during any calendar year.
5. The package boiler shall meet the ASME and Pressure Vessel Code Accreditation and utilize an ASME Code Symbol Stamp.
6. The package boiler shall be guaranteed to be capable of meeting a NO_x emission limit of 0.15 lb/MMBtu.
7. The package boiler shall not be operated at the same time as both auxiliary boilers.
8. The package boiler shall be disconnected and removed from the plant site within 15 days of the date that either the main PC boiler or both auxiliary boilers become operable.
9. ICLP shall request that Conditions 1 - 8 (above) be included within its Title V permit. This request shall be made in conjunction with the upcoming Title V permit renewal, or earlier as deemed appropriate by the applicant. The current Title V permit expires on August 23, 2004.

If the information providing the basis of this exemption is substantially changed, the owner or operator shall notify the Department's Bureau of Air Regulation at which time this exemption may be revoked.

Issuance of this conditional exemption does not relieve the owner or operator from compliance with any other applicable federal, state, or local requirements for approval and operation of these units. It does not preclude complying with Department rules regarding any future requirements to obtain an air permit should these units become subject to such requirements through rule changes.

DRAFT

PUBLIC NOTICE OF INTENT TO ISSUE SPECIFIC EXEMPTION

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

DEP File No. 0850102

Indiantown Cogeneration Facility
Indiantown, Martin County

The Department of Environmental Protection (Department) gives notice of its intent to issue an exemption to air construction permitting to Indiantown Cogeneration, L.P. for the Indiantown Cogeneration Facility located at 13301 SW Silver Fox Lane, Indiantown, Martin County. The exemption allows the temporary installation of a small package boiler (less than 100 MMBtu/hr) at the existing facility, for the purpose of providing steam to the adjacent citrus processing facility. A Best Available Control Technology (BACT) determination was not required pursuant to Rule 62-212.400, F.A.C. and 40 CFR 52.21, Prevention of Significant Deterioration (PSD). The applicant's mailing address is: Indiantown Cogeneration, L.P., P.O. Box 1799, Indiantown, Florida 34956.

The temporary package boiler will be authorized for use up to 60 days per calendar year, and may be physically on-site for up to 90 days per calendar year. The exemption is subject to a number of conditions, in order to ensure that a PSD review and BACT determination are unnecessary. Of particular importance, the temporary package boiler will fire natural gas or propane only and cannot be utilized if either the main boiler or both auxiliary boilers are available. This requirement will satisfy the Department's small boiler BACT rule, 62-296.406, F.A.C. An air quality impact analysis was not required, nor conducted, as previously authorized facility-wide emissions will not increase. The Department will issue the Specific Exemption with the attached conditions unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed exemption issuance action for a period of 14 (fourteen) days from the date of publication of this Public Notice of Intent to Issue Specific Exemption. Written comments should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, FL 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 exemption and require, if applicable, another Public Notice.

The Department will issue the exemption 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.

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, Mail Station #35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen 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 fourteen days of publication of the public notice or within fourteen 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 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.

NOTICE TO BE PUBLISHED IN THE NEWSPAPER

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner, the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination; (c) A statement of how and when petitioner received notice of the agency action or proposed action; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts upon which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by rule 28-106.301

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
Suite 4, 111 S. Magnolia Drive
Tallahassee, Florida, 32301
Telephone: 850/488-0114
Fax: 850/922-6979

Department of Environmental Protection
Southeast District
400 North Congress Avenue
West Palm Beach, Florida 33416-5425
Telephone: 561/681-6600
Fax: 561/681-6755

The complete project file includes the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Administrator, New Source Review Section, at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/488-0114, for additional information.

NOTICE TO BE PUBLISHED IN THE NEWSPAPER

Indiantown Cogeneration, L.P.

Indiantown Cogeneration, L.P.
P.O. Box 1799
13303 SW Silver Fox Lane
Indiantown, FL 34956

772.597.6500
Fax: 772.597.6210

January 21, 2003

Mr. Al Linero
Florida Department of Environmental Protection
Bureau of Air Regulation
2600 Blair Stone Road
Tallahassee, FL 32399-2400

RECEIVED

JAN 27 2003

BUREAU OF AIR REGULATION

**Subject: Indiantown Cogeneration., L.P.
Permit PSD-FL-168 – Temporary Boiler**

Dear Mr. Linero:

Indiantown Cogeneration, L.P. (ICLP) would like to modify its air permits to allow operation of a temporary rental boiler in the event that ICLP's main pulverized coal (PC) boiler and the auxiliary boilers are unavailable. This letter proposes a framework for permit modifications; we are requesting Department guidance before proceeding with the formal permits application process.

Background

In May 2002 ICLP was performing scheduled repairs on the main PC boiler when an explosion rendered auxiliary boiler "B" inoperative. ICLP received emergency authorization from the Department to use a rental boiler that was needed to supply steam to our steam host, Louis Dreyfus (formerly Caulkins Indiantown Citrus), for the period until the main boiler came back on-line. While steps have been taken to prevent similar accidents, there is always a possibility that sometime over the plant life another malfunction will limit ICLP's ability to supply steam to our steam host, and a rental boiler will once again be required. Given this possibility, we wish to have a permit in place to address this situation, so that ICLP can meet its contractual steam supply obligations, without jeopardizing ICLP's compliance with environmental regulations.

Proposed Framework

Triggering Event: The new permit conditions would be triggered in the event that a malfunction causes the main PC boiler and at least one auxiliary boiler to be offline simultaneously. The new permit conditions will only be triggered if the steam host needs more steam than can be reasonably supplied with ICLP's existing, operational equipment.

Under such circumstances, the following permit conditions would govern ICLP's use of a temporary boiler. Proposed Conditions:

1. ICLP will promptly notify the Department of the situation and the need for the rental boiler.
2. ICLP will provide the specifications for the rental boiler to the Department. The boiler must meet the minimum specifications established by the Department. (The minimum specifications will be set when the Department approves the permit conditions authorizing the use of the temporary boiler).
3. ICLP will provide calculations to the Department documenting that the full load mass emission rate for the rental boiler will be below the full load mass emission rate for one auxiliary boiler, for all criteria pollutants.
4. The rental boiler will have a NO_x emission rate of 0.15 pounds per million Btu or lower.
5. The rental boiler will be rated at 99 MMBtu/hr or less, and will therefore not be subject to 40 CFR 60 Subpart Db.
6. The rental boiler will fire natural gas and propane only, and will therefore be subject only to simple notification requirements under 40 CFR 60 Subpart Dc.
7. ICLP will issue the notification letters required by 40 CFR 60 Subpart Dc.

8. Steam from the rental boiler will not be used to generate electricity.
9. The rental boiler will not be operated at the same time as the main PC boiler is in normal operation. (I.e. not including startup).
10. The rental boiler will not be operated at the same time as both auxiliary boilers.
11. Fuel use will be tracked and included in the annual totals for the auxiliary boilers.
12. Operating hours will be tracked and included in the annual totals for the auxiliary boilers.
13. Emissions will be tracked and included in the annual totals for the auxiliary boilers. Subject to the Department's approval, emissions will be tracked based on fuel use, vendor data, and emissions factors, or in the alternative, by using the existing emissions monitoring equipment at the facility.
14. Rental boiler operation will be limited to eight operating weeks per calendar year.

PSD Applicability

There are two key reasons why use of the rental boiler does not trigger PSD review:

- The change will not increase the facility's emissions; and
- The change is not a significant change in operation.

The use of the rental boiler will directly replace the use of the (already permitted) auxiliary boiler. Given the permit conditions proposed above, the facility's emissions of criteria pollutants will not increase.

The use of the rental boiler is not a significant change in the overall method of plant operation. Natural gas and propane are still being combusted to produce steam, to supply to the steam host.

The temporary use of the rental equipment does not involve the replacement or reconstruction of facility equipment.

We request that language be added to the PSD and Title V permits so that additional permitting is not needed in the event that a malfunction occurs and a temporary boiler is needed. We would like to address this issue now, as part of a prudent and cooperative planning effort with the Department, rather than waiting for emergency conditions to develop. Prior to moving forward with the permit application, we would appreciate your review and concurrence with our proposed approach. We would be following this letter with a phone call to schedule a meeting with you to further discuss the details of our request.

Please contact Nick Laryea at 772-597-6500, extension 19 if you have any questions. Thank you for your assistance with this matter.

Sincerely,



George K. Allen
General Manager

Cc: Tom Fromm, PG&E NEG
David Dee, Landers & Parsons
AJ Jablonowski, Earth Tech
Nicholas Laryea, ICLP

One Energy Place
Pensacola, Florida 32520

Tel 850.444.6111

RECEIVED

APR 07 2003

BUREAU OF AIR REGULATION

Certified Mail



April 3, 2003

Mr. Michael P Halpin, P.E.
Department of Environmental Protection
Bureau of Air Regulation
2600 Blair Stone Road
Mail Station #5510
Tallahassee, Florida 32399-2400

Dear Mr. Halpin:

RE: STANTON A COMBINED CYCLE; PERMIT # 0950137-002-AC (PSD-313)
CEM AND STARTUP REVISIONS

The purpose of this correspondence is to request several permit revisions to the Stanton A Combined Cycle PSD Permit referenced above. The requested changes are pursuant to new information recently made available regarding the operation of the CEM monitoring system and the amount of excess emissions during startup. These issues have all recently been discussed with you by telephone and have been drafted pursuant to those conversations. As representative of OUC/KUA/FMPA/Southern Company – Florida, LLC, I hereby request the permit be revised to incorporate the following changes:

- 1) Please revise the NO_x CEM span values outlined in Specific Condition #41 which currently states; “The span for the lower range shall not be greater than 10 ppm, and the span for the upper range shall not be greater than 30 ppm, as corrected to 15% O₂” to values between 10 and 20 ppm for the low range and between 200 and 250 ppm for upper range. These values were suggested in your last correspondence dated December 20, 2002.
- 2) Please revise the CO CEM span values outlined in Specific Condition #41 which currently states; “The span for the lower range shall not be greater than 20 ppm, and the span for the upper range shall not be greater than 100 ppm, as corrected to 15% O₂” to values between 20 and 30 ppm for the low range and between 500 and 1000 ppm for upper range. These values were suggested in your last correspondence dated December 20, 2002.
- 3) Please add a statement under Specific Condition #41 which indicates that any future revision of CFR Part 60 or 75 by EPA shall set a precedent over the above outlined span values or conditions.

- 4) Please revise Condition #26 Excess Emissions as follows: Excess emissions resulting from startup, shutdown, fuel switches and malfunction of the combustion turbines and heat recovery steam generators shall be permitted provided that best operational practices are adhered to and the duration of excess emissions shall be minimized. Excess emissions occurrences shall in no case exceed two hours in any 24-hour period except as for the following specific cases:
- a) During any calendar day in which a start-up or shutdown occurs with natural gas as the exclusively fired fuel, an alternative NO_x limit of 127 lb/hr (370 lb/hr if fuel oil is fired during the calendar day) on the basis of a 24 hour average shall apply. The 24 hour average shall be based on all available data excluding calibration data.
 - b) Excess emissions for CO resulting from startup, shutdown and fuel switching is allowed providing that best operational practices are adhered to. The 24 hour block CO emissions standards outlined in Specific Condition # 22 Carbon Monoxide (CO) Emissions: are applicable beginning on the following calendar day (or the following hour for any fuel switching episode) after a unit startup is considered "complete" as defined below:

Startup is considered "complete" for the purposes of measuring NO_x and CO emissions for normal operations when all of the following conditions are met:
 - 1) the DLN (Dry Low NO_x) combustors are in full service meeting the manufacturer's design specifications;
 - 2) the inlet to the Selective Catalytic Reduction system has reached 600 degrees F allowing ammonia injection and optimum NO_x control; and
 - 3) the combustion turbine is operating at 50% load or greater.
 - c) Excess emissions for fuel switching is allowed but shall not exceed 2 hours in any 24 hour period.
 - d) Excess emissions for malfunction is allowed but shall not exceed 2 hours in any 24 hour period unless authorized by the DEP Central District.

Operation below 50% output per turbine shall otherwise be limited to 2 hours in any 24 hour period. [BACT, Rule 62-210.700, F.A.C.]

(Permitting Note: During a startup of the steam turbine system, each gas turbine/HRSG system (i.e. Unit 25 & 26) is sequentially or separately brought on line at low load to gradually increase the temperature of the steam-electrical turbine and prevent thermal metal fatigue.)

Page 3

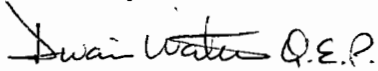
Mr. Michael P. Halpin, P.E.

April 3, 2003

Information to support these revisions are included as attachments to this document. Also included are certifications provided under reasonable inquiry by Robert G. Moore, the Authorized Representative and Greg N. Terry, Professional Engineer.

As you may be aware, Stanton A is scheduled for startup during the week of April 22-28, 2003, thus your quick response to these revisions would be greatly appreciated. Please let me know if you have any questions or need additional information.

Sincerely,



G. Dwain Waters, Q.E.P.

Air Quality Programs Supervisor

cc: James O. Vick, Gulf Power Company
James A. Tucker, Gulf Power Company
Robert A. Schaffeld, Southern Company
Ronnie H. Walston, Southern Company
Danny Herrin, Southern Company Services
Denise Stalls, Orlando Utility Commission

ESTIMATED NOX EMISSIONS DURING STARTUP OF STANTON A ON GAS & Oil

Actual Data 02/17/02 12 hour Episode Gas Startup		Actual Data 12/25/02 14 hour Episode Gas Startup		Estimated Data from GE Curve 12 hour Episode Oil Startup	
Uncontrolled NOx lb/hr	If Controlled NOx lb/hr	Uncontrolled NOx lb/hr	If Controlled NOx lb/hr	Uncontrolled NOx lb/hr	If Controlled NOx lb/hr
85.3	85.3	106.0	106.0	660	660
135.2	135.2	135.3	135.3	660	660
138.1	138.1	130.2	130.2	660	660
137.3	137.3	138.8	138.8	660	660
138.7	138.7	138.2	138.2	660	660
145.2	145.2	155.2	155.2	660	660
148.8	148.8	168.1	168.1	660	660
148.3	148.3	111.3	111.3	660	660
225.9	225.9	133.9	133.9	660	660
218.1	218.1	141.3	141.3	660	660
457.9	457.9	322.5	322.5	660	660
482.2	482.2	523.1	523.1	660	660
57.8	14.8	524.0	524.0	350	81
59.7	15.9	169.2	169.2	350	81
58.9	15.0	60.3	14.5	350	81
57.8	15.4	61.4	14.5	350	81
56.6	15.8	60.4	14.5	350	81
54.4	14.8	60.3	14.5	350	81
54.1	14.7	59.1	14.5	350	81
54.1	14.7	58.4	14.6	350	81
54.1	14.7	58.9	14.4	350	81
58.9	17.7	57.8	14.4	350	81
59.3	19.2	57.7	14.4	350	81
56.2	15.3	57.8	14.4	350	81
Average	130.95	145.38	126.74	505.00	370.50

* **Bold Data** is estimated based on SCR control of NOX at 3.5 ppm limit (gas) or 10 ppm limit (oil).

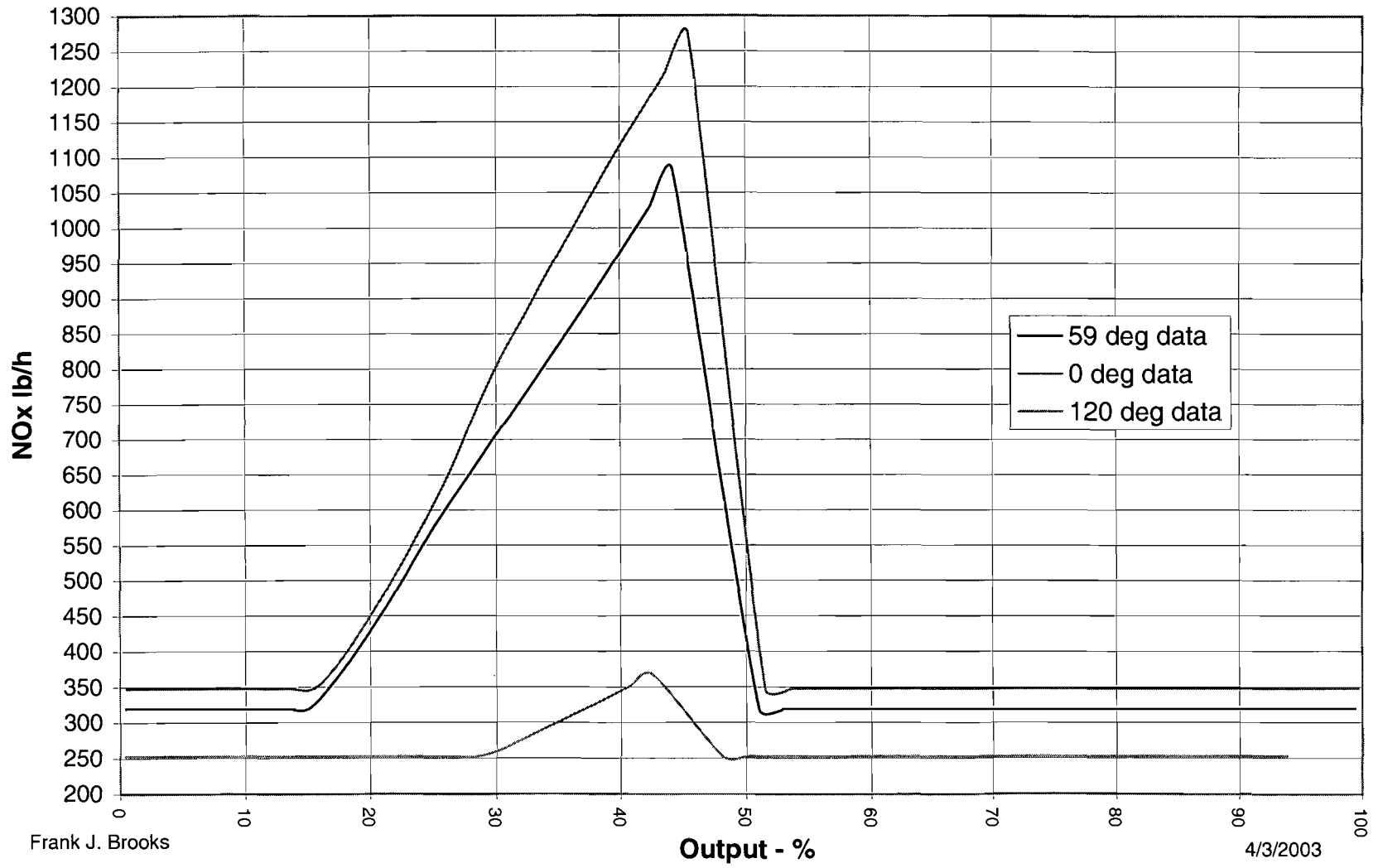
Natural Gas Estimate:

Highest estimated startup NOx emissions based on actual data at a sister unit of Stanton A operated on natural gas is = **127 lb/hr**

Fuel Oil Estimate:

Highest estimated startup NOx emissions based on GE data extrapolated for 12 hours startup on oil is = **370 lb/hr**

**Typical
PG7241(FA) Nox lb/h Vs %Output
Distillate Fuel**




Frank J. Brooks

4/3/2003

**STANTON A
CEMS AND STARTUP EXCESS EMISSIONS ISSUES
CERTIFICATION BY PROFESSIONAL ENGINEER**

“I, the undersigned, am a registered professional engineer in the State of Florida and hereby certify to the best of my knowledge that all information being submitted to revise the construction permit for the Stanton A combined cycle unit is true, accurate and complete.”

Professional Engineer Signature:



Gregory N. Terry

Gregory N. Terry

Registration Number: 52786

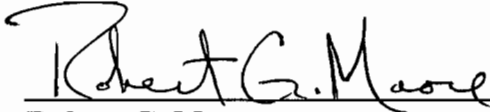
3-31-03

Date

**CERTIFICATION BY AUTHORIZED REPRESENTATIVE
OR RESPONSIBLE OFFICIAL
STANTON A**

“I, the undersigned, am the authorized representative or responsible official, as defined in Chapter 62-210.200, F.A.C., for the PSD source for which this information is being submitted. I hereby certify, based on information and belief formed after reasonable inquiry, that the statements made and data contained in this submission are true, accurate and complete.”

Responsible Official Signature:



Robert G. Moore
Senior Vice-President Southern Company Services
& Senior Production Officer Southern Power

04-02-2003

Date: