



Memorandum

Florida Department of Environmental Protection

TO: Joseph Kahn
THROUGH: Trina Vielhauer 
FROM: David Read and Al Linero 
DATE: September 18, 2008
SUBJECT: OUC Curtis H. Stanton Energy Center
DEP File No. 0950137-025-AC
Modification of Permit No. 0950137-011-AC
Removal of NO_x emissions cap on Stanton Units 1 and 2
Modification of dibasic acid (DBA) and neural network (NN) Project

This project is subject to minor source preconstruction review. Attached for your review are the following items:

- Final Determination; and
- Final Permit (letter) Modification.

On August 13, 2008, OUC submitted a permit modification application requesting removal of the nitrogen oxides emissions (NO_x) cap applicable to Units 1 and 2. The cap was included in a project to install DBA and NN systems on Units 1 and 2. The cap was unrelated to the DBA and NN project but was required in a federally enforceable permit to avoid triggering a prevention of significant deterioration (PSD) review for NO_x on the separately permitted integrated coal gasification and combined cycle (IGCC) project originally planned as Stanton Unit B.

Recently the Department issued a PSD permit for a natural gas-fueled combined cycle (NGCC) project as Stanton Unit B in lieu of the since-cancelled IGCC project. The PSD permit included a determination of best available control technology (BACT) for NO_x emissions from Stanton Unit B. Therefore, the NO_x emissions cap on Units 1 and 2 is not required to avoid triggering PSD for NGCC version of Stanton Unit B.

For reference, the company implemented certain projects on Units 1 and 2 to reduce NO_x emissions. These include installation or upgrades of low NO_x burners and overfire air systems. Although the cap is being removed, their future NO_x emissions are likely to remain below the cap. In the meantime, their plan to install a selective catalytic reduction system on Unit 1 has been deferred.

We recommend your approval of the attached Final Permit Modification.

Attachments

FINAL DETERMINATION

Air Construction Permit Modification
Orlando Utilities Commission
Curtis H. Stanton Energy Center (Stanton) Units 1 and 2
DEP File No. 0950137-025-AC

PERMITTEE

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

PERMITTING AUTHORITY

Florida Department of Environmental Protection (Department)
Division of Air Resource Management
Bureau of Air Regulation, Special Projects Section
2600 Blair Stone Road, MS #5505
Tallahassee, Florida 32399-2400

PROJECT

DEP File No. 0950137-025-AC
OUC Stanton Units 1 and 2
Removal of Nitrogen Oxides (NO_x) Emissions Cap
Orange County

This permit modification authorizes removal of the NO_x emissions cap applicable to Units 1 and 2. The cap was included in a project to install dibasic acid and neural network systems on OUC Stanton Units 1 and 2 (DEP File No. 0950137-011-AC). The cap was unrelated to the project but was required in a federally enforceable permit applicable to Units 1 and 2 to avoid triggering a prevention of significant deterioration (PSD) review for NO_x on the integrated coal gasification and combined cycle (IGCC) project originally planned as Stanton Unit B.

Recently, the Department issued a PSD permit for a natural gas-fueled combined cycle project as Stanton Unit B in lieu of the since-cancelled IGCC project. The PSD permit included a determination of best available control technology (BACT) for NO_x emissions from Stanton Unit B. Therefore, the NO_x emissions cap on Units 1 and 2 is not required to avoid triggering PSD for Stanton Unit B.

NOTICE AND PUBLICATION

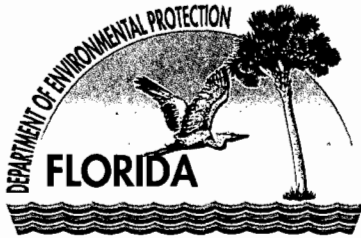
The Department distributed a Written Notice of Intent to Issue Air Permit Modification on August 27, 2008. The Public Notice of Intent to Issue Air Permit Modification was published on September 2, 2008 in the Orlando Sentinel.

COMMENTS

No comments were received by the Department.

CONCLUSION

The final decision by the Department is to issue the permit modification.



Florida Department of Environmental Protection

Bob Martinez Center
2600 Blairstone Road
Tallahassee, Florida 32399-2400

Charlie Crist
Governor
Jeff Kottkamp
Lt. Governor
Michael W. Sole
Secretary

September 19, 2008

Sent by Electronic Mail – Received Receipt Requested

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

Re: Final Permit Modification No. 0950137-025-AC
Removal of Nitrogen Oxides (NO_x) Emissions Cap
Curtis H. Stanton Energy Center Units 1 and 2
Dibasic Acid Additive (DBA) System and Neural Network Systems

Dear Ms. Stalls:

On August 13, 2008, OUC submitted a permit modification application requesting removal of the NO_x emissions cap applicable to Units 1 and 2 (reference Permit No. 0950137-011-AC). The cap was included in a project to install DBA and neural network systems on Units 1 and 2. The cap was unrelated to the project but was required in a federally enforceable permit to avoid triggering a prevention of significant deterioration (PSD) review for NO_x on the integrated coal gasification and combined cycle (IGCC) project originally planned as Stanton Unit B.

Recently the Department issued a PSD permit for a natural gas-fueled combined cycle project as Stanton Unit B in lieu of the since-cancelled IGCC project. The PSD permit included a determination of best available control technology (BACT) for NO_x emissions from Stanton Unit B. Therefore, the NO_x emissions cap on Units 1 and 2 is not required to avoid triggering PSD for Stanton Unit B.

The following sections or conditions in Permit No. 0950137-011-AC are hereby amended or deleted as shown below in strike through (~~strike through~~) and double underline format.

Section I, General Information, Facility Description

The existing facility consists of two 468 MW fossil fuel fired steam electric generating stations (Units 1 and 2), and one 640 MW combined cycle unit. There are storage and handling facilities for solid fuels, fly ash, limestone, gypsum, slag, and bottom ash. A draft PSD permit was recently issued for the construction of a nominal ~~285~~ 300 MW ~~integrated gasification~~ natural gas-fueled combined cycle unit (Unit B) planned to be operational by 2012.

Section III, Specific Condition 4.

4. ~~NO_x Emissions Cap: Units 1 and 2 will meet the following NO_x emissions limits.~~

- a. ~~Existing Units 1 and 2: The combined NO_x emissions from existing coal fired boiler steam electric generating Stanton Unit 1 and Stanton Unit 2 shall not exceed 8,300 tons per year on a 12-month rolling total. Total NO_x emissions shall be based on data collected from the Unit 1 and Unit 2 NO_x CEMS. Compliance shall be determined after each calendar month by calculating the total emissions from that calendar month and the last 11 calendar months beginning the first month of first fire of IGCC Unit B and thereafter.~~
- b. ~~If the combined NO_x emissions from Units 1 and 2 exceed 8,300 tons during any 12-month period, and/or the total NO_x emissions from Unit B exceeds 1,006 tons during any 12-month period, Unit B shall be subject to PSD preconstruction review at that time, and a determination of BACT for NO_x shall be made.~~
- c. ~~For purposes of meeting the NO_x emissions caps, annual emission of NO_x from existing Units 1 and 2, and Unit B shall be calculated with no allowable data exclusions. All valid hours of data (including startup and shutdown) must be included in the rolling 12-month totals. Also, the data substitution procedures of Part 75 for missing data shall not be used in these calculations.~~

~~{62-210.200 (net emissions increase), 62-210.370 (emissions computation), and 62-212.400(12) (Source Obligation), F.A.C.}~~

~~{Permitting Note: IGCC Unit B did not trigger PSD for NO_x due to a NO_x emissions cap taken on existing coal fired boiler steam electric generating Unit 1 and Unit 2. The above conditions establish the requirements for meeting the NO_x emissions limitations for purposes of avoiding PSD preconstruction review by Unit B. These requirements in no way supersede any federal requirement of the applicable NSPS or NESHAP provisions.}~~

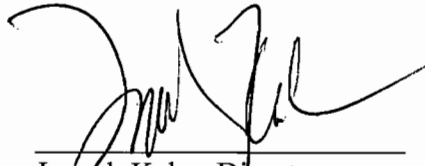
Section III, Specific Condition 6.

6. ~~SIP Quarterly Report: In addition to, and included in, the SIP quarterly excess emissions report required for Unit B the permittee shall submit a report to the Compliance Authority summarizing the previous three 12-month totals of NO_x emissions from Units 1 and 2. The quarterly report is due within 30 days following the end of each calendar quarter.~~
~~[Rule 62-4.070, F.A.C.]~~

A copy of this permit modification shall be filed with the Permit No. 0950137-011-AC and shall become part of that permit. This permitting decision is issued pursuant to Chapter 403, Florida Statutes (F.S.).

Any party to this permit modification (order) has the right to seek judicial review of it under section 120.68 of the Florida Statutes, by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department of Environmental Protection in the Office of General Counsel, Mail Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The notice must be filed within thirty days after this order is filed with the clerk of the Department.

Executed in Tallahassee, Florida.



Joseph Kahn, Director
Division of Air Resource Management

JK/tlv/aal/dr

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this final permit modification was sent by electronic mail with received receipt requested before the close of business on 9/23/08 to the persons listed below.

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

Clerk Stamp

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



(Clerk)

9/23/08
(Date)

Livingston, Sylvia

From: Livingston, Sylvia
Sent: Tuesday, September 23, 2008 9:26 AM
To: 'dstalls@ouc.com'
Cc: Bradner, James; 'lori.cunniff@ocfl.net'; 'forney.kathleen@epa.gov'; 'newlandlt@bv.com'; Halpin, Mike; Linero, Alvaro; Read, David; Walker, Elizabeth (AIR); Gibson, Victoria
Subject: OUC- STANTON ENERGY CENTER; 0950137-025-AC
Attachments: 0950137-025-AC FINAL.pdf

Click on the link to the documents displayed below and send a "reply" message verifying receipt of the document(s) provided in this email; this may be done by selecting "Reply" on the menu bar of your e-mail software, noting that you can view the documents, and then selecting "Send". We must receive verification that you are able to access the documents. Your reply will preclude subsequent e-mail transmissions to verify receipt of the document(s).

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

http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf_permit_zip_files/0950137.025.AC.F_pdf.zip

This is the official notification of the **Final Permit** and its associated documents for the following project:

Owner/Company Name: ORLANDO UTILITIES COMMISSION

Facility Name: STANTON ENERGY CENTER

Project Number: 0950137-025-AC

Permit Status: FINAL

Permit Activity: CONSTRUCTION/ Removal of Nitrogen Oxides (NOx) Emissions Cap

Facility County: ORANGE

Processor: Al Linero/ David Read

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

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

Sylvia Livingston
Bureau of Air Regulation
Division of Air Resource Management (DARM)
850/921-0771



0950137-025-AC
FINAL.pdf (181 ...)

Livingston, Sylvia

From: Stalls, Denise M. [DStalls@ouc.com]
Sent: Tuesday, September 23, 2008 9:34 AM
To: Livingston, Sylvia
Subject: RE: OUC- STANTON ENERGY CENTER; 0950137-025-AC

Received thanks

From: Livingston, Sylvia [mailto:Sylvia.Livingston@dep.state.fl.us]
Sent: Tuesday, September 23, 2008 9:26 AM
To: Stalls, Denise M.
Cc: Bradner, James; lori.cunniff@ocfl.net; forney.kathleen@epa.gov; newlandlt@bv.com; Halpin, Mike; Linero, Alvaro; Read, David; Walker, Elizabeth (AIR); Gibson, Victoria
Subject: OUC- STANTON ENERGY CENTER; 0950137-025-AC

Click on the link to the documents displayed below and send a "reply" message verifying receipt of the document(s) provided in this email; this may be done by selecting "Reply" on the menu bar of your e-mail software, noting that you can view the documents, and then selecting "Send". We must receive verification that you are able to access the documents. Your reply will preclude subsequent e-mail transmissions to verify receipt of the document(s).

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Sylvia Livingston
Bureau of Air Regulation
Division of Air Resource Management (DARM)
850/921-0771

<<0950137-025-AC FINAL.pdf>>

9/23/2008

Livingston, Sylvania

From: Lori.Cunniff@ocfl.net
Sent: Tuesday, September 23, 2008 9:37 AM
To: Livingston, Sylvania
Subject: RE: OUC- STANTON ENERGY CENTER; 0950137-025-AC

Received and able to read

Lori Cunniff, Manager
Orange County Environmental Protection Division
800 Mercy Drive, Suite 4
Orlando, FL 32808
407-836-1405
www.ocepd.org

From: Livingston, Sylvania [mailto:Sylvia.Livingston@dep.state.fl.us]
Sent: Tuesday, September 23, 2008 9:26 AM
To: dstalls@ouc.com
Cc: Bradner, James; Cunniff, Lori; forney.kathleen@epa.gov; newlandlt@bv.com; Halpin, Mike; Linero, Alvaro; Read, David; Walker, Elizabeth (AIR); Gibson, Victoria
Subject: OUC- STANTON ENERGY CENTER; 0950137-025-AC

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Facility County: ORANGE

Processor: Al Linero/ David Read

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9/23/2008

Livingston, Sylvania

From: Newland, Larry T. (Todd) [NewlandLT@bv.com]
Sent: Tuesday, September 23, 2008 9:44 AM
To: Livingston, Sylvania
Subject: RE: OUC- STANTON ENERGY CENTER; 0950137-025-AC

Received.

From: Livingston, Sylvania [mailto:Sylvia.Livingston@dep.state.fl.us]
Sent: Tuesday, September 23, 2008 9:26 AM
To: dstalls@ouc.com
Cc: Bradner, James; lori.cunniff@ocfl.net; forney.kathleen@epa.gov; Newland, Larry T. (Todd); Halpin, Mike; Linero, Alvaro; Read, David; Walker, Elizabeth (AIR); Gibson, Victoria
Subject: OUC- STANTON ENERGY CENTER; 0950137-025-AC

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Facility County: ORANGE
Processor: Al Linero/ David Read

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Sylvia Livingston
Bureau of Air Regulation
Division of Air Resource Management (DARM)
850/921-0771

<<0950137-025-AC FINAL.pdf>>

9/23/2008

Livingston, Sylvia

From: Bradner, James
Sent: Wednesday, September 24, 2008 3:05 PM
To: Livingston, Sylvia
Subject: RE: OUC- STANTON ENERGY CENTER; 0950137-025-AC

Received—thank you.

From: Livingston, Sylvia
Sent: Tuesday, September 23, 2008 9:26 AM
To: 'dstalls@ouc.com'
Cc: Bradner, James; 'lori.cunniff@ocfl.net'; 'forney.kathleen@epa.gov'; 'newlandt@bv.com'; Halpin, Mike; Linero, Alvaro; Read, David; Walker, Elizabeth (AIR); Gibson, Victoria
Subject: OUC- STANTON ENERGY CENTER; 0950137-025-AC

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Project Number: 0950137-025-AC
Permit Status: FINAL
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Facility County: ORANGE
Processor: Al Linero/ David Read

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Sylvia Livingston
Bureau of Air Regulation
Division of Air Resource Management (DARM)

Livingston, Sylvia

From: Mail Delivery System [MAILER-DAEMON@mseive02.rtp.epa.gov]
Sent: Tuesday, September 23, 2008 9:26 AM
To: Livingston, Sylvia
Subject: Successful Mail Delivery Report

Attachments: Delivery report; Message Headers



Delivery report.txt
(489 B)



Message
Headers.txt (2 KB)

This is the mail system at host mseive02.rtp.epa.gov.

Your message was successfully delivered to the destination(s) listed below. If the message was delivered to mailbox you will receive no further notifications. Otherwise you may still receive notifications of mail delivery errors from other systems.

The mail system

<forney.kathleen@epa.gov>: delivery via 127.0.0.1[127.0.0.1]:10025: 250 OK,
sent 48D8EE5A_25554_47500_1 E930E1DC001

Message Headers.txt

Received: from tlhexsprot2.floridadep.net (tlhexsprot2.floridadep.net [199.73.152.8])
by mseive02.rtp.epa.gov (Postfix) with ESMTP id 6CA721DC018
for <forney.kathleen@epa.gov>; Tue, 23 Sep 2008 09:25:45 -0400 (EDT)
Content-Transfer-Encoding: 7bit
Importance: normal
Priority: normal
Received: from tlhexsmb4.floridadep.net ([172.20.30.47]) by tlhexsprot2.floridadep.net with Microsoft
SMTPSVC(5.0.2195.6713); Tue, 23 Sep 2008 09:25:38 -0400
X-MimeOLE: Produced By Microsoft MimeOLE V6.00.2800.1896
Content-Class: urn:content-classes:message
Return-Receipt-To: "Livingston, Sylvia" <Sylvia.Livingston@dep.state.fl.us>
MIME-Version: 1.0
Content-Type: multipart/mixed;
boundary="----=_NextPart_001_01C91D7F.DD8EEF54"
Disposition-Notification-To: "Livingston, Sylvia" <Sylvia.Livingston@dep.state.fl.us>
Subject: OUC- STANTON ENERGY CENTER; 0950137-025-AC
Date: Tue, 23 Sep 2008 09:25:37 -0400
Message-ID: <864D0E673032DD47ABE8B4EE542DF7CAC71DC2@tlhexsmb4.floridadep.net>
X-MS-Has-Attach: yes
X-MS-TNEF-Correlator:
Thread-Topic: OUC- STANTON ENERGY CENTER; 0950137-025-AC
thread-index: Ackdf91x97abF6LKSZypiRs1cre0hQ==
From: "Livingston, Sylvia" <Sylvia.Livingston@dep.state.fl.us>
To: <dstalls@ouc.com>
Cc: "Bradner, James" <James.Bradner@dep.state.fl.us>,
<lori.cunniff@ocfl.net>,
<forney.kathleen@epa.gov>,
<newlandlt@bv.com>,
"Halpin, Mike" <Mike.Halpin@dep.state.fl.us>,
"Linerio, Alvaro" <Alvaro.Linerio@dep.state.fl.us>,
"Read, David" <David.Read@dep.state.fl.us>,
"Walker, Elizabeth \(\AIR\)" <Elizabeth.Walker@dep.state.fl.us>,
"Gibson, Victoria" <Victoria.Gibson@dep.state.fl.us>
X-OriginalArrivalTime: 23 Sep 2008 13:25:38.0004 (UTC) FILETIME=[DE0A5140:01C91D7F]

Tracking:

Recipient	Delivery	Read
✓dstalls@ouc.com'		
✓Bradner, James	Delivered: 9/23/2008 9:26 AM	
✓lori.cunniff@ocfl.net'		
✓torney.kathleen@epa.gov'		
✓newlandlt@bv.com'		
✓Malpin, Mike	Delivered: 9/23/2008 9:26 AM	
✓Linero, Alvaro	Delivered: 9/23/2008 9:26 AM	Read: 9/23/2008 9:26 AM
✓Read, David	Delivered: 9/23/2008 9:26 AM	Read: 9/23/2008 9:26 AM
Walker, Elizabeth (AIR)	Delivered: 9/23/2008 9:26 AM	
✓Gibson, Victoria	Delivered: 9/23/2008 9:26 AM	Read: 9/23/2008 9:26 AM

Orlando Utilities Commission
500 South Orange Avenue
P.O. Box 3193
Orlando Florida 32802
Phone: 407.423.9100
Administrative Fax: 407.236.9616
Purchasing Fax: 407.384.4141
Website: www.ouc.com



Via: Certified Mail No.7007 0220 0000 7661 9186
Return Receipt Requested

September 12, 2008

Ms. Trina L. Vielhauer, Chief
Bureau of Air Regulation
Florida Department of Environmental Protection
MS#5505 2600 Blair Stone Road
Tallahassee, FL 32399-2400

RECEIVED

SEP 18 2008

BUREAU OF AIR REGULATION

Re: Stanton Energy Center
Public Notice of Intent to Issue
Permit Modification, Title V permit 0950137-025-AC

Dear Ms. Vielhauer:

Enclosed please find proof of publication and the Public Notice of Intent to Issue of Title V Permit modification, published in the Orlando Sentinel edition of Tuesday, September 02, 2008.

Should you require further information, please contact me at 407/423-9100, Ext. 3691.

Sincerely,

David R. Báez,
Project Engineer
Environmental Affairs

DRB:rc
Enclosures

cc: D. Stalls

I:\StantonEnergyCenter\DRB-DEP-PublicNoticeSECNOxCapDelete

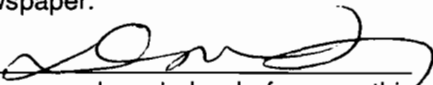
Orlando Sentinel

Published Daily

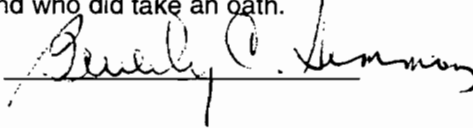
State of Florida } s.s.
COUNTY OF ORANGE

Before the undersigned authority personally appeared Deborah M. Toney, 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 in the matter of Permit #0950137-025-AC in the Orange Court, was published in said newspaper in the issue; of 09/02/08.

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.



The foregoing instrument was acknowledge before me this 3rd day of September, 2008, by Deborah M. Toney, who is personally known to me and who did take an oath.



(SEAL)

Order# 824802

PUBLIC NOTICE
OF INTENT TO ISSUE
AIR PERMIT MODIFICATION

Florida Department of Environmental Protection, Division of Air Resource Management, Bureau of Air Regulation Draft Air Permit No. 0950137-025-AC Orlando Utilities Commission Curtis H. Stanton Energy Center Combined Cycle Units 1 and 2 Orange County.

Applicant: The applicant for this project is the Orlando Utilities Commission (OUC). The applicant's authorized representative and mailing address is: Ms. Denise Stalls, Vice President, Environmental Affairs, Orlando Utilities Commission, Post Office Box 3173, Orlando, Florida 32802.

Facility and Location: OUC operates the existing Curtis H. Stanton Energy Center, which is located in Orange County at 5100 South Alafaya Trail, Orlando, Florida. The UTM coordinates for the site are 483.8 km East and 315.7 North. The existing facility consists of two fossil fuel-fired steam electric generating units (Stanton Units 1 and 2) and one natural gas-fueled combined cycle unit (Stanton Unit A). Another natural gas-fueled combined cycle (NGCC) unit (Stanton Unit B) is under construction. There are storage and handling facilities for solid fuels, fly ash, limestone, gypsum, and bottom ash.

Project: On August 13, 2008, OUC submitted a permit modification application requesting removal of the nitrogen oxides (NOx) emissions cap applicable to Units 1 and 2. The cap was included in a project to install dibasic acid and neutral network systems on Units 1 and 2. The cap was unrelated to the project but was required in a federally enforceable permit applicable to Units 1 and 2 to avoid triggering a prevention of significant deterioration (PSD) review for NOx on the integrated coal gasification and combined cycle (IGCC) project originally planned as Stanton Unit B.

Recently, the Department issued a PSD permit for a NGCC project at Stanton Unit B in lieu of the cancelled IGCC project. The PSD permit included a determination of best available control technology (BACT) for NOx emissions from Stanton Unit B. Therefore, the NOx emissions cap on Units 1 and 2 is not required to avoid triggering PSD for Stanton Unit B.

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

Project File: A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at address indicated above for the Permitting Authority. The complete project file includes the Draft Permit Modification, the application, and the information submitted by the applicant, exclusive of confidential records un-

der Section 403.111, F.S. In-
 terested persons may con-
 tact the Permitting Author-
 ity's project review engi-
 neer for additional infor-
 mation of the address
 or phone number listed
 above. In addition, electri-
 cally copies of these docu-
 ments are available by en-
 tering the file number pro-
 vided above where indicat-
 ed on the following web-
 site:
<http://www.dep.state.fl.us/air/products/dpds/default.asp>
 Notice of intent to issue Permit
 Authority gives notice of its
 intent to issue an air permit
 to the applicant for the proj-
 ect described above. The re-
 spondent has provided reo-
 sponsible assurance that op-
 eration of the proposed
 equipment will not adversely
 impact air quality and
 that the project will comply
 with all applicable provi-
 sions of Chapters 62-4, 62-
 204, 62-210, 62-212, 62-296 and
 62-297, F.A.C. The Permit-
 ting Authority will issue a
 Final Permit in accordance
 with the conditions of the
 proposed Draft Permit un-
 less a timely petition for an
 administrative hearing is
 filed under Sections 120.569
 and 120.57, F.S., or unless
 public comment received in
 accordance with this notice
 results in a different deci-
 sion or a significant change
 of terms or conditions.
 Comments: The Permitting
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 the proposed Draft Permit
 for a period of 14 days from
 the date of publication of
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 by the Permitting Authority
 by close of business (5:00
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 the Permitting Authority
 shall revise the Draft Per-
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 of Environmental Protec-
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 Boulevard, Tallahassee, FL
 32399. Petitions filed by any
 persons other than those en-
 titled to write the notice un-
 der Section 120.569, F.S.,
 must be filed within 14 days
 of receipt of this Public
 Notice or receipt of a writ-
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 Permitting Authority for an-
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 file a petition within 14 days
 of receipt of that notice, re-
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 lication.

A petitioner shall mail a
 copy of the petition to the
 applicant at the address in-
 dicated above at the time
 person to file a petition
 within the applicable time
 period shall constitute a
 waiver of that person's
 right to request an adminis-
 trative determination (hear-
 ing) under Sections 120.569
 and 120.57, F.S., or to inter-
 vene in this proceeding and
 participate as a party to it.
 Any subsequent interven-
 tion (in a proceeding initiat-
 ed by another party) will be
 only at the approval of the
 presiding officer upon the
 filing of a motion in compli-
 ance with Rule 28-106.205,
 F.A.C. A petition that dis-
 puts the material facts au-
 thority's action is based
 upon the material facts on
 which the Permitting Au-
 thority's substantial inter-
 ests will be affected by the
 agency determination; (c) A
 statement of when and how
 each petitioner received
 notice of the agency's
 action or proposed decision;
 (d) A statement of all dis-
 puted issues of material
 fact; if there are none, the
 petition must so state; (e)
 A concise statement of the
 ultimate facts alleged; (f)
 Including the specific facts
 the petitioner contends wor-
 rant reversal or modifica-
 tion of the agency's pro-
 posed action; (g) A state-
 ment of the specific rules or
 standards require reversal or
 modification of the agency's
 proposed action including
 an explanation of how the
 alleged facts relate to the
 specific rules or standards;
 and (h) A statement of the
 relief sought by the petition-
 er, stating precisely the ac-
 tion the petitioner wishes
 the agency to take with re-
 spect to the agency's pro-
 posed action.
 A petition that does not dis-
 pute the material facts upon
 which the Permitting Au-
 thority's action is based
 shall state that no such
 facts are in dispute and other-
 wise shall contain as set
 forth above, as required by
 Rule 28-106.205.
 Because the administrative
 hearing process is designed
 to formulate final agency
 action, the filing of a peti-
 tion means that the Permi-
 ting Authority's final action
 may be different from the
 position taken by it in this
 Public Notice. Persons
 whose substantial interests
 will be affected by any such
 final action of the Permi-
 ting Authority on the appli-
 cation have the right to pe-
 tition to become a party to
 the proceeding, in accord-
 ance with the requirements
 set forth above.
 Mediation: Mediation is not
 available in this proceeding.

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17

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COUNTY OF ORANGE

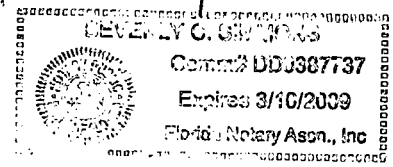
Before the undersigned authority personally appeared Deborah M. Toney, who on oath says that he/she is the Legal Advertising Representative of Orlando Sentinel, a daily newspaper published at Orlando in Orange County, Florida; that the attached copy of advertisement, being a Public Notice in the matter of Permit #0950137-025-AC In the Orange Court, was published in said newspaper in the issue; of 09/02/08.

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.

The foregoing instrument was acknowledge before me this 3rd day of September, 2008, by Deborah M. Toney, who is personally known to me and who did take an oath.

(SEAL)

[Signature]
[Signature]



Order# 824802

PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT MODIFICATION

Florida Department of Environmental Protection Division of Air Resource Management, Bureau of Air Regulation Draft Air Permit No. 0950137-025-AC Orlando Utilities Commission Curtis H. Stanton Energy Center Combined Cycle Units 1 and 2 Orange County

Applicant: The applicant for this project is the Orlando Utilities Commission (OUC). The applicant's authorized representative and mailing address is: Ms. Denise Stalls, Vice President, Environmental Affairs, Orlando Utilities Commission, Post Office Box 3193, Orlando, Florida 32802.

Facility and Location: OUC operates the existing Curtis H. Stanton Energy Center, which is located in Orange County of 5100 South Alafaya Trail, Orlando, Florida. The UTM coordinates for the site are 483.6 km East and 3151.1 North. The existing facility consists of two fossil fuel fired steam electric generating units (Stanton Units 1 and 2), and one natural gas-fueled combined cycle unit (Stanton Unit A). Another natural gas-fueled combined cycle (NGCC) unit (Stanton B) is under construction. There are storage and handling facilities for solid fuels, fly ash, limestone, gypsum, slag, and bottom ash.

Project: On August 13, 2008, OUC submitted a permit modification application requesting removal of the nitrogen oxides (NOX) emissions cap applicable to Units 1 and 2. The cap was included in a project to install dibasic acid and neural network systems on Units 1 and 2. The cap was unrelated to the project but was required in a federally enforceable permit applicable to Units 1 and 2 to avoid triggering a prevention of significant deterioration (PSD) review for NOX on the integrated coal gasification and combined cycle (IGCC) project originally planned as Stanton Unit B.

Recently, the Department issued a PSD permit for a NGCC project as Stanton Unit B in lieu of the since-cancelled IGCC project. The PSD permit included a determination of best available control technology (BACT) for NOX emissions from Stanton Unit B. Therefore, the NOX emissions cap on Units 1 and 2 is not required to avoid triggering PSD for Stanton Unit B.

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

Project File: A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at address indicated above for the Permitting Authority. The complete project file includes the Draft Permit Modification, the application, and the information submitted by the applicant, exclusive of confidential records un-

der Section 403.111, F.S. Interested persons may contact the Permitting Authority's project review engineer for additional information of the address or phone number listed above. In addition, electronic copies of these documents are available by entering the file number provided above where indicated on the following web site:
<http://www.dep.state.fl.us/air/e/products/apds/default.asp>

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

Comments: The Permitting Authority will accept written comments concerning the proposed Draft Permit for a period of 14 days from the date of publication of the Public Notice. Written comments must be received by the Permitting Authority by close of business (5:00 p.m.) on or before the end of this 14-day period. If written comments received result in a significant change to the Draft Permit, the Permitting Authority shall revise the Draft Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

Petitions: A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed with (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S. must be filed within 14 days of publication of this Public Notice or receipt of a written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority for notice of agency action may file a petition within 14 days of receipt of that notice, regardless of the date of publication.

A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C. A petition that disputes the material facts on which the Permitting Authority's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination; (c) A statement of when and how each petitioner received notice of the agency action or proposed decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so state; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action including an explanation of how the alleged facts relate to the specific rules or statutes; and, (g) A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the agency to take with respect to the agency's proposed action.

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

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

Mediation: Mediation is not available in this proceeding.

COR824802

9/108

Memorandum

Florida Department of Environmental Protection

TO: Trina Vielhauer
THROUGH: Al Linero
FROM: David Read *DL* *8/25*
DATE: August 25, 2008
SUBJECT: OUC Curtis H. Stanton Energy Center
DEP File Nos. 0950137-025-AC and 0950137-011-AC
Removal of NO_x emissions cap on Stanton Units 1 and 2
Modification of dibasic acid (DBA) and neural network (NN) Project

This project is subject to minor source preconstruction review. It is actually a change to a project permitted under the major source preconstruction review rules and still under construction. Attached for your review are the following items:

- Written Notice of Intent to Issue Air Permit Modification;
- Public Notice of Intent to Issue Air Permit Modification;
- Technical Evaluation and Preliminary Determination;
- Draft Permit (letter) Modification; and
- P.E. Certification.

On August 13, 2008, OUC submitted a permit modification application requesting removal of the nitrogen oxides emissions (NO_x) cap applicable to Units 1 and 2. The cap was included in a project to install DBA and NN systems on Units 1 and 2. The cap was unrelated to the DBA and NN project but was required in a federally enforceable permit to avoid triggering a prevention of significant deterioration (PSD) review for NO_x on the separately permitted integrated coal gasification and combined cycle (IGCC) project originally planned as Stanton Unit B.

Recently the Department issued a PSD permit for a natural gas-fueled combined cycle (NGCC) project as Stanton Unit B in lieu of the since-cancelled IGCC project. The PSD permit included a determination of best available control technology (BACT) for NO_x emissions from Stanton Unit B. Therefore, the NO_x emissions cap on Units 1 and 2 is not required to avoid triggering PSD for NGCC version of Stanton Unit B.

I recommend your approval of the attached Draft Permit package.

Attachments

PROFESSIONAL ENGINEER CERTIFICATION STATEMENT

PERMITTEE

Orlando Utilities Commission (OUC)
Post Office Box 3193
Orlando, Florida 32802

DEP File No. 0950137-025-AC
Curtis H. Stanton Energy Center Units 1 and 2
Removal of NO_x Emissions Cap
Orange County, Florida

Project: On August 13, 2008, OUC submitted a permit modification application requesting removal of the nitrogen oxides (NO_x) emissions cap applicable to Units 1 and 2. The cap was included in a project to install dibasic acid and neural network systems on Units 1 and 2. The cap was unrelated to the project but was required in a federally enforceable permit applicable to Units 1 and 2 to avoid triggering a prevention of significant deterioration (PSD) review for NO_x on the integrated coal gasification and combined cycle (IGCC) project originally planned as Stanton Unit B.

Recently the Department issued a PSD permit for a natural gas-fueled combustion cycle (NGCC) project as Stanton Unit B in lieu of the since-cancelled IGCC project. NO_x emissions from the replacement NGCC version will be less than 10 percent of the emissions from the cancelled IGCC project. The PSD permit included a determination of best available control technology (BACT) for NO_x emissions from Stanton Unit B. Therefore, the NO_x emissions cap on Units 1 and 2 is not required to avoid triggering PSD for Stanton Unit B.

I HEREBY CERTIFY that the air pollution control engineering features described in the above referenced application and subject to the proposed permit conditions provide reasonable assurance of compliance with applicable provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Chapters 62-4 and 62-204 through 62-297. However, I have not evaluated and I do not certify aspects of the proposal outside of my area of expertise (including, but not limited to, the electrical, mechanical, structural, hydrological, geological, and meteorological features).

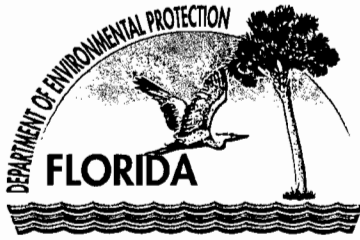


8/25/08

Alvaro A. Linero, P.E.
Registration Number: 26032

(Date)





Florida Department of Environmental Protection

Bob Martinez Center
2600 Blairstone Road
Tallahassee, Florida 32399-2400

Charlie Crist
Governor
Jeff Kottkamp
Lt. Governor
Michael W. Sole
Secretary

August 27, 2008

Electronically Sent – Received Receipt Requested.

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

Re: DEP File No. 0950137-025-AC
Removal of Nitrogen Oxides (NO_x) Emissions Cap
Curtis H. Stanton Energy Center Units 1 and 2
Dibasic Acid Additive (DBA) System and Neural Network (NN) Project

Dear Ms. Stalls:

On August 13, 2008, OUC submitted a permit modification application requesting removal of the NO_x emissions cap applicable to Stanton Units 1 and 2 (reference Permit No. 0950137-011-AC). Enclosed are the following documents:

- Written Notice of Intent to Issue Air Permit Modification;
- Public Notice of Intent to Issue Air Permit Modification;
- Technical Evaluation and Preliminary Determination;
- Draft Permit (letter) Modification.

The Public Notice of Intent to Issue Air Permit Modification is the actual notice that you must have published in the legal advertisement section of a newspaper of general circulation in the area affected by this project.

If you have any questions, please contact the Project Engineer, David Read, at (850) 414-7236 or A. A. Linero, Program Administrator at (850) 921-9523.

Sincerely,

Trina Vielhauer, Chief
Bureau of Air Regulation

TLV/aal/dr

Enclosures

WRITTEN NOTICE OF INTENT TO ISSUE AIR PERMIT MODIFICATION

In the Matter of an
Application for Air Permit by:

Ms. Denise Stalls, V.P. Environmental Affairs
Authorized Representative
Orlando Utilities Commission (OUC)
Post Office Box 3193
Orlando, Florida 32802

DEP File No. 0950137-025-AC
Curtis H. Stanton Energy Center Units 1 and 2
Removal of NO_x Emissions Cap
Dibasic Acid and Neural Network Projects
Orange County, Florida

Facility Location: The applicant, OUC, operates the existing Curtis H. Stanton Energy Center, which is located in Orange County at 5100 South Alafaya Trail, Orlando, Florida.

Project: On August 13, 2008, OUC submitted a permit modification application requesting removal of the nitrogen oxides emissions (NO_x) cap applicable to Units 1 and 2. The cap was included in a project to install dibasic acid and neural network systems on Units 1 and 2. The cap was unrelated to the project but was required in a federally enforceable permit applicable to Units 1 and 2 to avoid triggering a prevention of significant deterioration (PSD) review for NO_x on the integrated coal gasification and combined cycle (IGCC) project originally planned as Stanton Unit B.

Recently, the Department issued a PSD permit for a natural gas-fueled combined cycle (NGCC) project as Stanton Unit B in lieu of the since-cancelled IGCC project. The PSD permit included a determination of best available control technology (BACT) for NO_x emissions from Stanton Unit B. Therefore, the NO_x emissions cap on Units 1 and 2 is not required to avoid triggering PSD for Stanton Unit B.

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

Project File: A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at address indicated above for the Permitting Authority. The complete project file includes the Draft Permit Modification, the applications, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address or phone number listed above. In addition, electronic copies of these documents are available by entering the file number provided above where indicated on the following web site:

<http://www.dep.state.fl.us/air/eproducts/apds/default.asp> .

Notice of Intent to Issue Permit Modification: The Permitting Authority gives notice of its intent to issue an air permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of the proposed equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296 and 62-297, F.A.C. The Permitting Authority will issue a Final Permit in

WRITTEN NOTICE OF INTENT TO ISSUE AIR PERMIT MODIFICATION

accordance with the conditions of the proposed Draft Permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

Public Notice: Pursuant to Section 403.815, F.S. and Rules 62-110.106 and 62-210.350, F.A.C., you (the applicant) are required to publish at your own expense the enclosed Public Notice of Intent to Issue Air Permit (Public Notice). The Public Notice shall be published one time only as soon as possible in the legal advertisement section of a newspaper of general circulation in the area affected by this project. The newspaper used must meet 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 Permitting Authority at above address or phone number. Pursuant to Rule 62-110.106(5) and (9), F.A.C., the applicant shall provide proof of publication to the Permitting Authority at the above address within 7 days of publication. Failure to publish the notice and provide proof of publication may result in the denial of the permit pursuant to Rule 62-110.106(11), F.A.C.

Comments: The Permitting Authority will accept written comments concerning the proposed Draft Permit for a period of 14 days from the date of publication of the Public Notice. Written comments must be received by the Permitting Authority by close of business (5:00 p.m.) on or before the end of this 14-day period. If written comments received result in a significant change to the Draft Permit, the Permitting Authority shall revise the Draft Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

Petitions: A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed with (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399-3000. Petitions filed by the applicant or any of the parties listed below must be filed within 14 days of receipt of this Written Notice of Intent to Issue Air Permit. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the attached Public Notice or within 14 days of receipt of this Written Notice of Intent to Issue Air Permit, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority for notice of agency action may file a petition within 14 days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Permitting Authority's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination; (c) A statement of when and how each petitioner received notice of the agency

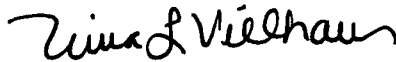
WRITTEN NOTICE OF INTENT TO ISSUE AIR PERMIT MODIFICATION

action or proposed decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so state; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action including an explanation of how the alleged facts relate to the specific rules or statutes; and, (g) A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the agency to take with respect to the agency's proposed action. A petition that does not dispute the material facts upon which the Permitting Authority's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

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

Mediation: Mediation is not available in this proceeding.

Executed in Tallahassee, Florida.



Trina L. Vielhauer, Chief
Bureau of Air Regulation

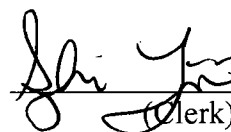
CERTIFICATE OF SERVICE

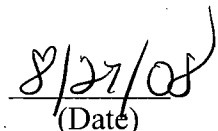
The undersigned duly designated deputy agency clerk hereby certifies that this Notice of Intent to Issue Air Permit package (including the Written Notice of Intent to Issue Air Permit Modification, the Public Notice of Intent to Issue Air Permit and the Draft Permit) was sent by electronic mail with received receipt requested before the close of business on 8/27/08 to the persons listed below.

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

Clerk Stamp

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



(Clerk)
(Date)

PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT MODIFICATION

Florida Department of Environmental Protection
Division of Air Resource Management, Bureau of Air Regulation
Draft Air Permit No. 0950137-025-AC
Orlando Utilities Commission
Curtis H. Stanton Energy Center Combined Cycle Units 1 and 2
Orange County

Applicant: The applicant for this project is the Orlando Utilities Commission (OUC). The applicant's authorized representative and mailing address is: Ms. Denise Stalls, Vice President, Environmental Affairs, Orlando Utilities Commission, Post Office Box 3193, Orlando, Florida 32802.

Facility and Location: OUC operates the existing Curtis H. Stanton Energy Center, which is located in Orange County at 5100 South Alafaya Trail, Orlando, Florida. The UTM coordinates for the site are 483.6 km East and 3151.1 North. The existing facility consists of two fossil fuel fired steam electric generating units (Stanton Units 1 and 2), and one natural gas-fueled combined cycle unit (Stanton Unit A). Another natural gas-fueled combined cycle (NGCC) unit (Stanton B) is under construction. There are storage and handling facilities for solid fuels, fly ash, limestone, gypsum, slag, and bottom ash.

Project: On August 13, 2008, OUC submitted a permit modification application requesting removal of the nitrogen oxides (NO_x) emissions cap applicable to Units 1 and 2. The cap was included in a project to install dibasic acid and neural network systems on Units 1 and 2. The cap was unrelated to the project but was required in a federally enforceable permit applicable to Units 1 and 2 to avoid triggering a prevention of significant deterioration (PSD) review for NO_x on the integrated coal gasification and combined cycle (IGCC) project originally planned as Stanton Unit B.

Recently, the Department issued a PSD permit for a NGCC project as Stanton Unit B in lieu of the since-cancelled IGCC project. The PSD permit included a determination of best available control technology (BACT) for NO_x emissions from Stanton Unit B. Therefore, the NO_x emissions cap on Units 1 and 2 is not required to avoid triggering PSD for Stanton Unit B.

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

Project File: A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at address indicated above for the Permitting Authority. The complete project file includes the Draft Permit Modification, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address or phone number listed above. In addition, electronic copies of these documents are available by entering the file number provided above where indicated on the following web site:

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Notice of Intent to Issue Permit Modification: The Permitting Authority gives notice of its intent to issue an air permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of the proposed equipment will not adversely impact air quality and

that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296 and 62-297, F.A.C. The Permitting Authority will issue a Final Permit in accordance with the conditions of the proposed Draft Permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

Comments: The Permitting Authority will accept written comments concerning the proposed Draft Permit for a period of 14 days from the date of publication of the Public Notice. Written comments must be received by the Permitting Authority by close of business (5:00 p.m.) on or before the end of this 14-day period. If written comments received result in a significant change to the Draft Permit, the Permitting Authority shall revise the Draft Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

Petitions: A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed with (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S. must be filed within 14 days of publication of this Public Notice or receipt of a written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority for notice of agency action may file a petition within 14 days of receipt of that notice, regardless of the date of publication.

A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Permitting Authority's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination; (c) A statement of when and how each petitioner received notice of the agency action or proposed decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so state; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action including an explanation of how the alleged facts relate to the specific rules or statutes; and, (g) A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the agency to take with respect to the agency's proposed action. A petition that does not dispute the material facts upon which the Permitting Authority's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

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

Mediation: Mediation is not available in this proceeding.

TECHNICAL EVALUATION
AND
PRELIMINARY DETERMINATION

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

Removal of Nitrogen Oxides (NO_x) Emissions Cap

Orange County

DEP File No. 0950137-025-AC
Modification of Permit No. 0950137-011-AC



Florida Department of Environmental Protection
Division of Air Resource Management
Bureau of Air Regulation
Special Projects Section

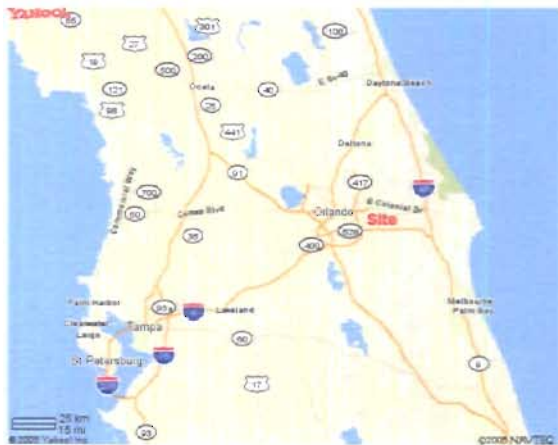
August 27, 2008

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

Facility Description and Location

The OUC Stanton Energy Center (the Stanton Plant) consists of: two 468 megawatts (MW) fossil fuel-fired steam electric generating units (Units 1 and 2) that began operation in 1987 and 1996 respectively; a 640 MW gas-fueled combined cycle unit (Unit A) that began operation in 2003; and a nominal 300 MW gas-fueled combined cycle unit (Unit B) that is under construction.

The Stanton Plant is located in Orange County, Southeast of Orlando and North of Highway 528 at 5100 South Alafaya Trail. The site is located 144 kilometers (km) southeast from the Chassahowitzka National Wildlife Area; the nearest Federal PSD Class I Area. The UTM coordinates for this site are 483.6 km East and 3151.1 km North. The location of the Stanton Plant is shown below.



Location of the Stanton Plant near Orlando and Stanton Units 1 and 2.

Facility Regulatory Categories

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

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

Title V: The existing facility is a Title V major source of air pollution in accordance with Chapter 213, Florida Administrative Code (F.A.C.)

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

Project Description and Analysis

OUC submitted an application for a modification of Permit No. 0950137-011-AC. The permit authorized installation of a dibasic acid (DBA) additive system on the wet flue gas desulfurization (wet FGD) scrubbers and a combustion optimization neural network-based (NN) on Units 1 and 2. The requested modification is removal of a combined NO_x emissions cap of 8,300 tons per year (TPY) on Units 1 and 2. The affected permit is at the following link:

www.dep.state.fl.us/Air/permitting/construction/ouc-stanton/stanton_unit/011FPermit.pdf

The cap was unrelated to the project but was required in a federally enforceable permit applicable to Units 1 and 2 to avoid triggering a PSD review for NO_x on an integrated coal gasification and combined cycle (IGCC) project originally planned as Unit B. The purpose of and calculations associated with establishment of the cap are given at the following link:

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

www.dep.state.fl.us/Air/permitting/construction/ouc_southern/oucnetting.pdf

The cap would have applied beginning the first month of first fire of the IGCC project. That date would have occurred sometime between 2010 and 2012. The IGCC project for which the cap was needed was replaced with a natural gas-fueled combined cycle (NGCC) project, for which a PSD permit was issued in May, 2008. Unlike the cancelled IGCC project, the replacement project was subjected to a PSD review and a determination of best available control technology (BACT) for NO_x. The PSD review and BACT determination for the NGCC Unit B are available in the document at the following link:

www.dep.state.fl.us/Air/permitting/construction/ouc-stanton/TECHNICAL373A.pdf

The DBA and NN permit for Units 1 and 2 was issued at about the same time as the permit for the IGCC version of the Unit B project. The DBA and NN permit provided a convenient opportunity to include the cap affecting the Units 1 and 2.

Because the IGCC project was cancelled and the replacement NGCC project subjected to PSD and BACT for NO_x, the emission cap is not necessary. Because construction was not completed on the IGCC project, Units 1 and 2 have not yet been required to operate under the requirements of the emissions cap.

Another important consideration is that the cancelled IGCC version of Unit B was permitted to emit 1006 TPY of NO_x. The replacement NGCC project was permitted to emit only 80 TPY of NO_x. A full comparison of the emissions from the two versions of the project is shown in the following table:

<u>Pollutants</u>	IGCC Case Potential Emissions (TPY)	NGCC Case Potential Emissions (TPY)
Carbon Monoxide (CO)	654	163
Nitrogen Oxides (NO _x)	1006 (-19)*	80
Particulate Matter (PM/PM ₁₀)	189/179	110/109
Sulfuric acid mist (SAM)	22.4	8
Sulfur Dioxide (SO ₂)	162	55
Volatile Organic Compounds (VOC)	129	19

* Negative value is after consideration of concurrent reductions from Units 1 and 2.

Besides the DBA and NN projects on Units 1 and 2, OUC is presently implementing a project on the same units to install or upgrade low NO_x burners (LNB) and overfire air (OFA) during outages in spring and fall 2008. The project reference is Permit No. 0950137-015-AC (PSD-FL-395). The details are described in the technical evaluation available at the following link:

www.dep.state.fl.us/Air/permitting/construction/ouc-stanton/TECHNICAL015.pdf

Notwithstanding the vacature of the Clean Air Interstate Rule (CAIR), OUC will implement the measures (LNB and OFA) that will achieve reductions in NO_x emissions irrespective of the described NO_x emissions cap.

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

For reference, in 2007 NO_x emissions from Units 1 and 2 were 6,170 and 2,590 TPY respectively or combined emissions of 8,760. A reasonable expectation is that the LNB and OFA project on Unit 1 will reduce its NO_x emissions by at least 1,000 TPY.

Given the foregoing discussion, it is reasonable to predict that measured NO_x emissions from the Stanton Plant will likely be less in the future than during the past whether or not the cap is maintained on Units 1 and 2.

Proposed Changes to Permit No. 0950137-011-AC

Because the NO_x emissions cap is in a federally enforceable permit, a permit modification is needed to remove the applicable requirement. Following are the proposed changes to the subject permit in strike through (~~strike through~~) and double underline format.

Section I, General Information, Facility Description

The existing facility consists of two 468 MW fossil fuel fired steam electric generating stations (Units 1 and 2), and one 640 MW combined cycle unit. There are storage and handling facilities for solid fuels, fly ash, limestone, gypsum, slag, and bottom ash. A draft PSD permit was recently issued for the construction of a nominal 285 300 MW ~~integrated gasification~~ natural gas-fueled combined cycle unit (Unit B) planned to be operational by 2012.

Section III, Specific Condition 4

4. ~~NO_x Emissions Cap: Units 1 and 2 will meet the following NO_x emissions limits.~~

- a. ~~Existing Units 1 and 2: The combined NO_x emissions from existing coal fired boiler steam electric generating Stanton Unit 1 and Stanton Unit 2 shall not exceed 8,300 tons per year on a 12-month rolling total. Total NO_x emissions shall be based on data collected from the Unit 1 and Unit 2 NO_x CEMS. Compliance shall be determined after each calendar month by calculating the total emissions from that calendar month and the last 11 calendar months beginning the first month of first fire of IGCC Unit B and thereafter.~~
- b. ~~If the combined NO_x emissions from Units 1 and 2 exceed 8,300 tons during any 12-month period, and/or the total NO_x emissions from Unit B exceeds 1,006 tons during any 12-month period, Unit B shall be subject to PSD preconstruction review at that time, and a determination of BACT for NO_x shall be made.~~
- c. ~~For purposes of meeting the NO_x emissions caps, annual emission of NO_x from existing Units 1 and 2, and Unit B shall be calculated with no allowable data exclusions. All valid hours of data (including startup and shutdown) must be included in the rolling 12-month totals. Also, the data substitution procedures of Part 75 for missing data shall not be used in these calculations.~~

~~{62-210.200 (net emissions increase), 62-210.370 (emissions computation), and 62-212.400(12) (Source Obligation), F.A.C.}~~

~~{Permitting Note: IGCC Unit B did not trigger PSD for NO_x due to a NO_x emissions cap taken on existing coal fired boiler steam electric generating Unit 1 and Unit 2. The above conditions establish the requirements for meeting the NO_x emissions limitations for purposes of avoiding PSD preconstruction review by Unit B. These requirements in no way supersede any federal requirement of the applicable NSPS or NESHAP provisions.}~~

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

Section III, Specific Condition 6

6. ~~SIP Quarterly Report: In addition to, and included in, the SIP quarterly excess emissions report required for Unit B the permittee shall submit a report to the Compliance Authority summarizing the previous three 12-month totals of NO_x emissions from Units 1 and 2. The quarterly report is due within 30 days following the end of each calendar quarter.~~
[Rule 62-4.070, F.A.C.]

2. PRELIMINARY DETERMINATION

The Department makes a preliminary determination that the proposed project will comply with all applicable state and federal air pollution regulations as conditioned by the draft permit. This determination is based on a technical review of the complete application, reasonable assurances provided by the applicant, and the conditions specified in the draft permit. No air quality modeling analysis is required because the project does not result in a significant increase in emissions. Al Linero is the project engineer responsible for reviewing the application and drafting the permit. Additional details of this analysis may be obtained by contacting the project engineer at the Department's Bureau of Air Regulation at Mail Station #5505, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

Livingston, Sylvia

From: Livingston, Sylvia
Sent: Wednesday, August 27, 2008 5:03 PM
To: Linero, Alvaro; Read, David
Cc: Walker, Elizabeth (AIR); Gibson, Victoria
Subject: FW: OUC Stanton Energy Center; 0950137-025-AC

From: Livingston, Sylvia
Sent: Wednesday, August 27, 2008 4:58 PM
To: 'dstalls@ouc.com'
Cc: Bradner, James; 'lori.cunniff@ocfl.net'; 'forney.kathleen@epa.gov'; 'newlandlt@bv.com'; Halpin, Mike
Subject: OUC Stanton Energy Center; 0950137-025-AC

Dear Sir/Madam:

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

This is the official notification of the **Draft Permit** and its associated documents for the following project:

Owner/Company Name: ORLANDO UTILITIES COMMISSION
Facility Name: STANTON ENERGY CENTER
Project Number: 0950137-025-AC
Permit Status: DRAFT
Permit Activity: CONSTRUCTION/ Removal of Nitrogen Oxides (NOX) Emissions Cap
Facility County: ORANGE
Processor: David Read/ Al Linero

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

http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf_permit_zip_files/0950137.025.AC.D_pdf.zip

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

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

Sylvia Livingston
Bureau of Air Regulation
Division of Air Resource Management (DARM)
850/921-9506

Livingston, Sylvia

From: Stalls, Denise M. [DStalls@ouc.com]
Sent: Thursday, August 28, 2008 9:14 AM
To: Livingston, Sylvia
Subject: RE: OUC Stanton Energy Center; 0950137-025-AC

Received.

From: Livingston, Sylvia [mailto:Sylvia.Livingston@dep.state.fl.us]
Sent: Wednesday, August 27, 2008 4:58 PM
To: Stalls, Denise M.
Cc: Bradner, James; lori.cunniff@ocfl.net; forney.kathleen@epa.gov; newlandlt@bv.com; Halpin, Mike
Subject: OUC Stanton Energy Center; 0950137-025-AC

Dear Sir/Madam:

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Facility Name: STANTON ENERGY CENTER

Project Number: 0950137-025-AC

Permit Status: DRAFT

Permit Activity: CONSTRUCTION/ Removal of Nitrogen Oxides (NOX) Emissions Cap

Facility County: ORANGE

Processor: David Read/ Al Linero

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http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf_permit_zip_files/0950137.025.AC.D_pdf.zip

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

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

Sylvia Livingston
Bureau of Air Regulation
Division of Air Resource Management (DARM)
850/921-9506

9/9/2008

Livingston, Sylvia

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Sent: Wednesday, August 27, 2008 4:58 PM
To: Livingston, Sylvia
Subject: Successful Mail Delivery Report

Attachments: Delivery report; Message Headers



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Headers.txt (2 KB)

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sent 48B5BFD5_31687_324089_2 D711A442E5

Orlando Utilities Commission
500 South Orange Avenue
P.O. Box 3193
Orlando, Florida 32802
Phone: 407.423.9100
Administrative Fax: 407.236.9616
Purchasing Fax: 407.384.4141
Website: www.ouc.com



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August 8, 2008

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AUG 13 2008

BUREAU OF AIR REGULATION

Ms. Trina L. Vielhauer
Chief, Bureau of Air Regulation
Florida Department of Environmental Protection
2600 Blair Stone Road, MS-5505
Tallahassee, Florida 32399-2400

Re: Permit No.: 0950137-⁰²⁵~~011~~-AC

Dear Ms. Vielhauer:

On January 10, 2007 Orlando Utilities Commission ("OUC") received the final permit for the installation of a dibasic acid additive and neural network system for Stanton Energy Centers Unit 1 and 2. These projects are identified by DEP File No. 0950137-⁰²⁵~~011~~-AC.

In review of this permit OUC has identified several conditions applicable to the formerly approved IGCC unit. During the permitting process for the IGCC unit, OUC netted out of PSD requirements for NOx, with a cap to NOx emissions for Units 1 and 2. Due to OUC and the Southern Power Company's decision not to construct the IGCC unit, the recent modification of Unit B to a 1X1 natural gas combined cycle unit was approved July 24, 2008. During the modification review for Unit B, a BACT determination was performed for NOx.

Pursuant to approval of this modification for Unit B, emission requirements #4 (a) and (b) and reporting requirement #6 of this permit which specifically address the NOx emission cap for the IGCC plant are no longer applicable. OUC therefore requests an amendment to this permit by the Department to remove the emissions requirements of #4 (a), (b) and #6. We also ask that the last sentence of the Facility Description on page 2 and the Permitting Note on Page 6 be deleted.

Thank you for your consideration in this matter.

Sincerely,

Denise M. Stalls, Vice President
Environmental Affairs

Providing innovative, friendly, dependable service.

DMS:rc
Attachment



Florida Department of Environmental Protection

Bob Martinez Center
2600 Blairstone Road
Tallahassee, Florida 32399-2400

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary - Designee

PERMITTEE:

Orlando Utilities Commission
500 South Orange Avenue
Orlando, Florida 32802

Authorized Representative:

Frederick Haddad, Jr.
V.P., Power Resources Business Unit

DEP File No. 0950137-011-AC
Curtis H. Stanton Energy Center
Dibasic Acid Additive System
Neural Network Systems
Stanton Units 1 and 2
Orange County, Florida

PROJECT AND LOCATION

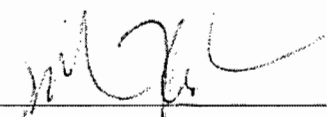
This permit authorizes the addition of a dibasic acid additive delivery system to the existing wet flue gas desulfurization systems, and a neural network-based combustion optimization system to Units 1 and 2 at the Curtis H. Stanton Energy Center. The facility is located at 5100 Alafaya Trail, Orlando, Orange County.

STATEMENT OF BASIS

This permit is issued under the provisions of Chapter 403 of the Florida Statutes (F.S.), and Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297 of the Florida Administrative Code (F.A.C.). The permittee is authorized to perform the proposed work in accordance with the conditions of this permit and as described in the application, approved drawings, plans, and other documents on file with the Department of Environmental Protection (Department). This permit supplements all other air construction and operation permits for the affected emissions units and does not alter any requirements from such previously issued air permits.

The attached Appendices are made a part of this permit:

Appendix GC Construction Permit General Conditions



Joseph Kahn, Director
Division of Air Resource Management

SECTION I. GENERAL INFORMATION

FACILITY DESCRIPTION

The existing facility consists of two 468 MW fossil fuel fired steam electric generating stations (Units 1 and 2), and one 640 MW combined cycle unit. There are storage and handling facilities for solid fuels, fly ash, limestone, gypsum, slag, and bottom ash. A draft PSD permit was recently issued for the construction of a nominal 285 MW integrated gasification combined cycle unit (Unit B) planned to be operational by 2012.

PROJECT DESCRIPTION

The projects under this permit include installation of a dibasic acid (DBA) additive system on the existing wet scrubber flue gas desulfurization (WFGD) systems for Units 1 and 2, and a neural network-based combustion optimization system on Units 1 and 2.

The DBA system includes: three metering pumps; one DBA storage tank; associated piping, valves, and components; and instrumentation and controls. This project will accomplish further SO₂ reductions beyond the existing systems that may suffice for reductions pursuant to the Clean Air Interstate Rule.

Installation of the neural network-based combustion optimization system is the first measure identified by OUC towards meeting the requirements pursuant to the IGCC Unit B permit (PSD-FL-373) and is consistent with efforts pursuant to CAIR. The system will run on its own dedicated server pc, and will communicate directly with the plant distributed control system.

EMISSIONS UNITS

This permit addresses the following emissions units:

EU ID	Emissions Unit Description
001	Fossil Fuel Fired Steam Electric Generator No. 1
002	Fossil Fuel Fired Steam Electric Generator No. 2

REGULATORY CLASSIFICATION

Title I, Part C, Clean Air Act (CAA): The facility is a PSD-major facility pursuant to Rule 62-212, F.A.C.

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

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

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

Title V, CAA: The facility is a Title V or "Major Source of air pollution" in accordance with Chapter 62-213, F.A.C.

CAIR: As an electric generating unit, Units 1 and 2 may be subject to the Clean Air Interstate Rule pending finalization of DEP rules.

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

SECTION I. GENERAL INFORMATION

PERMITTING AUTHORITY

All documents related to applications for permits to construct, operate or modify an emissions unit shall be submitted to the Bureau of Air Regulation of the Florida Department of Environmental Protection (DEP) at 2600 Blair Stone Road (MS #5505), Tallahassee, Florida 32399-2400. Copies of all such documents shall also be submitted to the Compliance Authority.

COMPLIANCE AUTHORITY

All documents related to compliance activities such as reports, tests, and notifications shall be submitted to the Department of Environmental Protection Central District Office at 3319 Maguire Boulevard, Suite 232, Orlando Florida 32803-3767.

RELEVANT DOCUMENTS

The documents listed below are not a part of this permit; however, this information is specifically related to the permitting action and is on file with the Department.

- Application for installation of DBA and neural network systems received September 7, 2006.
- Department's Technical Evaluation and Preliminary Determination issued November 22, 2006.
- Department's Final Determination issued concurrently with this Final Permit.

SECTION II. ADMINISTRATIVE REQUIREMENTS

1. General Conditions: The permittee shall operate under the attached General Conditions listed in Appendix GC of this permit. General Conditions are binding and enforceable pursuant to Chapter 403 of the Florida Statutes. [Rule 62-4.160, F.A.C.]
2. Applicable Regulations, Forms and Application Procedures: Unless otherwise indicated in this permit, the construction and operation of the subject emissions unit shall be in accordance with the capacities and specifications stated in the application. The facility is subject to all applicable provisions of: Chapter 403 of the Florida Statutes (F.S.); Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-296, and 62-297 of the Florida Administrative Code (F.A.C.); and the Title 40, Parts 51, 52, 60, and 63 of the Code of Federal Regulations (CFR), adopted by reference in Rule 62-204.800, F.A.C. The permittee shall use the applicable forms listed in Rule 62-210.900, F.A.C. and follow the application procedures in Chapter 62-4, F.A.C. Issuance of this permit does not relieve the permittee from compliance with any applicable federal, state, or local permitting or regulations. [Rules 62-204.800, 62-210.300 and 62-210.900, F.A.C.]
3. Construction and Expiration: Authorization to construct shall expire if construction is not commenced within 18 months after receipt of the permit, if construction is discontinued for a period of 18 months or more, or if construction is not completed within a reasonable time. The Department may extend the 18-month period upon a satisfactory showing that an extension is justified. [Rules 62-4.070(4), 62-4.080, 62-210.300(1), F.A.C.]
4. New or Additional Conditions: For good cause shown and after notice and an administrative hearing, if requested, the Department may require the permittee to conform to new or additional conditions. The Department shall allow the permittee a reasonable time to conform to the new or additional conditions, and on application of the permittee, the Department may grant additional time. [Rule 62-4.080, F.A.C.]
5. Source Obligation.
 - a. At such time that a particular source or modification becomes a major stationary source or major modification (as these terms were defined at the time the source obtained the enforceable limitation) solely by virtue of a relaxation in any enforceable limitation which was established after August 7, 1980, on the capacity of the source or modification otherwise to emit a pollutant, such as a restriction on hours of operation, then the requirements of subsections 62-212.400(4) through (12), F.A.C., shall apply to the source or modification as though construction had not yet commenced on the source or modification.
 - b. At such time that a particular source or modification becomes a major stationary source or major modification (as these terms were defined at the time the source obtained the enforceable limitation) solely by exceeding its projected actual emissions, then the requirements of subsections 62-212.400(4) through (12), F.A.C., shall apply to the source or modification as though construction had not yet commenced on the source or modification.[Rule 62-212.400(12), F.A.C.]
6. Modifications: No emissions unit or facility subject to this permit shall be constructed or modified without obtaining an air construction permit from the Department. Such permit shall be obtained prior to beginning construction or modification. [Chapters 62-210 and 62-212, F.A.C.]
7. Title V Permit: This permit authorizes construction or modification of the permitted emissions units and initial operation to determine compliance with Department rules. A Title V operation permit is required for regular operation of the permitted emissions units. The permittee shall apply for a Title V operation permit at least 90 days prior to expiration of this permit, but no later than 180 days after commencing operation. To apply for a Title V operation permit, the applicant shall submit the appropriate application form, compliance test results, and such additional information as the Department may by law require. The application shall be submitted to the Compliance Authority. [Rules 62-4.030, 62-4.050, 62-4.220 and Chapter 62-213, F.A.C.]

SECTION III - EMISSIONS UNITS SPECIFIC CONDITIONS
Units 1 and 2 Fossil Fuel Fired Steam Generators (EU 001 and 002)

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

Emissions Unit 001 and 002

Fossil Fuel Fired Steam Generators 1 and 2 are wall-fired, dry bottom boilers, firing pulverized coal as the primary fuel and No. 6 fuel oil for purposes of startup and flame stabilization. Each unit has a maximum heat input rate of 4,286 mmBtu per hour with a nominal generating capacity of 468 MW. Each unit is equipped with an electrostatic precipitator (ESP) for control of particulate matter (PM/PM₁₀), and a WFGD system for sulfur dioxide (SO₂) control. Unit 2 is also equipped with low NO_x burners and a selective catalytic reduction (SCR) system for control of nitrogen oxide (NO_x) emissions. The following parameters are continuously monitored on both units: NO_x, opacity, SO₂, CO₂, and stack gas flow rate.

ADMINISTRATIVE REQUIREMENTS

1. Relation to Other Permits: The conditions of this permit are in addition to those of any other air construction or operation permits for these units. [Rule 62-4.030, 62-4.210, and 62-210.300(1)(b), F.A.C.]

EQUIPMENT AND CONTROL TECHNOLOGY

2. Dibasic Acid Additive System: The permittee is authorized to install and maintain a dibasic acid (DBA) additive system associated with the existing WFGD systems on Units 1 and 2 for the purpose of improving SO₂ removal efficiencies and enhancing overall scrubber performance. The additive system consists of the following components:

- Three skid-mounted DBA metering pumps with associated valves and equipment;
- DBA storage tank;
- DBA addition piping and valves from storage tank to pump skid and from pump skid to the existing scrubber additive storage tanks; and
- Instrumentation and controls.

[Applicant Request, and Rule 62-210.300 (Permits Required), F.A.C.]

3. Neural Network Combustion Optimization System: The permittee is authorized to install and maintain a neural network-based combustion optimization system to interface with the existing plant distributed control system for the purpose of optimizing boiler operations.

[Applicant Request, and Rule 62-210.300 (Permits Required), F.A.C.]

EMISSIONS REQUIREMENTS

4. NO_x Emissions Cap: Units 1 and 2 will meet the following NO_x emissions limits.
 - a. Existing Units 1 and 2: The combined NO_x emissions from existing coal fired boiler steam electric generating Stanton Unit 1 and Stanton Unit 2 shall not exceed 8,300 tons per year on a 12-month rolling total. Total NO_x emissions shall be based on data collected from the Unit 1 and Unit 2 NO_x CEMS. Compliance shall be determined after each calendar month by calculating the total emissions from that calendar month and the last 11 calendar months beginning the first month of first fire of IGCC Unit B and thereafter.
 - b. If the combined NO_x emissions from Units 1 and 2 exceed 8,300 tons during any 12-month period, and/or the total NO_x emissions from Unit B exceeds 1,006 tons during any 12-month period, Unit B shall be subject to PSD preconstruction review at that time, and a determination of BACT for NO_x shall be made.

SECTION III - EMISSIONS UNITS SPECIFIC CONDITIONS

Units 1 and 2 Fossil Fuel Fired Steam Generators (EU 001 and 002)

- c. For purposes of meeting the NO_x emissions caps, annual emission of NO_x from existing Units 1 and 2, and Unit B shall be calculated with no allowable data exclusions. All valid hours of data (including startup and shutdown) must be included in the rolling 12-month totals. Also, the data substitution procedures of Part 75 for missing data shall not be used in these calculations.

[62-210.200 (net emissions increase), 62-210.370 (emissions computation), and 62-212.400(12) (Source Obligation), F.A.C.]

{Permitting Note: IGCC Unit B did not trigger PSD for NO_x due to a NO_x emissions cap taken on existing coal fired boiler steam electric generating Unit 1 and Unit 2. The above conditions establish the requirements for meeting the NO_x emissions limitations for purposes of avoiding PSD preconstruction review by Unit B. These requirements in no way supersede any federal requirement of the applicable NSPS or NESHAP provisions.}

REPORTING AND NOTIFICATION REQUIREMENTS

5. **Notification:** Within one week of beginning construction of the DBA additive system, the permittee shall notify the Compliance Authority that the project has commenced and provide a general schedule of construction activities. Within one week following the end of construction, the permittee shall notify the Compliance Authority that the project was completed. Within one week of completing installation of the neural network-based combustion optimization system, the permittee shall notify the Compliance Authority that the project was completed. [Rule 62-4.210, F.A.C.]
6. **SIP Quarterly Report:** In addition to, and included in, the SIP quarterly excess emissions report required for Unit B the permittee shall submit a report to the Compliance Authority summarizing the previous three 12-month totals of NO_x emissions from Units 1 and 2. The quarterly report is due within 30 days following the end of each calendar-quarter. [Rule 62-4.070, F.A.C.]

Appendix GC - Construction Permit General Conditions

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

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

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

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:
 - a. A description of and cause of non-compliance; and
 - b. The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance.

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

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Sections 403.73 and 403.111, Florida Statutes. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

Appendix GC - Construction Permit General Conditions

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

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

Orlando Utilities Commission
500 South Orange Avenue
P.O. Box 3193
Orlando, Florida 32802
Phone 407.423.9100
Administrative Fax: 407.236.9616
Purchasing Fax: 407.384.4141
Website: www.ouc.com



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Return Receipt Requested

August 8, 2008

RECEIVED

AUG 13 2008

BUREAU OF AIR REGULATION

Ms. Trina L. Vielhauer
Chief, Bureau of Air Regulation
Florida Department of Environmental Protection
2600 Blair Stone Road, MS-5505
Tallahassee, Florida 32399-2400

Re: Permit No.: 0950137-⁰²⁵~~011~~-AC

Dear Ms. Vielhauer:

On January 10, 2007 Orlando Utilities Commission ("OUC") received the final permit for the installation of a dibasic acid additive and neural network system for Stanton Energy Centers Unit 1 and 2. These projects are identified by DEP File No. 0950137-⁰²⁵~~011~~-AC.

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Pursuant to approval of this modification for Unit B, emission requirements #4 (a) and (b) and reporting requirement #6 of this permit which specifically address the NOx emission cap for the IGCC plant are no longer applicable. OUC therefore requests an amendment to this permit by the Department to remove the emissions requirements of #4 (a), (b) and #6. We also ask that the last sentence of the Facility Description on page 2 and the Permitting Note on Page 6 be deleted.

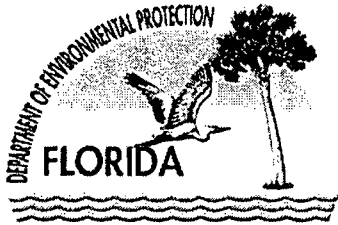
Thank you for your consideration in this matter.

Sincerely,

Denise M. Stalls, Vice President
Environmental Affairs

Providing innovative, friendly, dependable service.

DMS:rc
Attachment



Florida Department of Environmental Protection

Bob Martinez Center
2600 Blairstone Road
Tallahassee, Florida 32399-2400

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary - Designee

PERMITTEE:

Orlando Utilities Commission
500 South Orange Avenue
Orlando, Florida 32802

Authorized Representative:

Frederick Haddad, Jr.
V.P., Power Resources Business Unit

DEP File No. 0950137-011-AC
Curtis H. Stanton Energy Center
Dibasic Acid Additive System
Neural Network Systems
Stanton Units 1 and 2
Orange County, Florida

PROJECT AND LOCATION

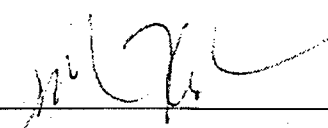
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STATEMENT OF BASIS

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Joseph Kahn, Director
Division of Air Resource Management

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- Department's Final Determination issued concurrently with this Final Permit.

SECTION II. ADMINISTRATIVE REQUIREMENTS

1. General Conditions: The permittee shall operate under the attached General Conditions listed in Appendix GC of this permit. General Conditions are binding and enforceable pursuant to Chapter 403 of the Florida Statutes. [Rule 62-4.160, F.A.C.]
2. Applicable Regulations, Forms and Application Procedures: Unless otherwise indicated in this permit, the construction and operation of the subject emissions unit shall be in accordance with the capacities and specifications stated in the application. The facility is subject to all applicable provisions of: Chapter 403 of the Florida Statutes (F.S.); Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-296, and 62-297 of the Florida Administrative Code (F.A.C.); and the Title 40, Parts 51, 52, 60, and 63 of the Code of Federal Regulations (CFR), adopted by reference in Rule 62-204.800, F.A.C. The permittee shall use the applicable forms listed in Rule 62-210.900, F.A.C. and follow the application procedures in Chapter 62-4, F.A.C. Issuance of this permit does not relieve the permittee from compliance with any applicable federal, state, or local permitting or regulations. [Rules 62-204.800, 62-210.300 and 62-210.900, F.A.C.]
3. Construction and Expiration: Authorization to construct shall expire if construction is not commenced within 18 months after receipt of the permit, if construction is discontinued for a period of 18 months or more, or if construction is not completed within a reasonable time. The Department may extend the 18-month period upon a satisfactory showing that an extension is justified. [Rules 62-4.070(4), 62-4.080, 62-210.300(1), F.A.C.]
4. New or Additional Conditions: For good cause shown and after notice and an administrative hearing, if requested, the Department may require the permittee to conform to new or additional conditions. The Department shall allow the permittee a reasonable time to conform to the new or additional conditions, and on application of the permittee, the Department may grant additional time. [Rule 62-4.080, F.A.C.]
5. Source Obligation.
 - a. At such time that a particular source or modification becomes a major stationary source or major modification (as these terms were defined at the time the source obtained the enforceable limitation) solely by virtue of a relaxation in any enforceable limitation which was established after August 7, 1980, on the capacity of the source or modification otherwise to emit a pollutant, such as a restriction on hours of operation, then the requirements of subsections 62-212.400(4) through (12), F.A.C., shall apply to the source or modification as though construction had not yet commenced on the source or modification.
 - b. At such time that a particular source or modification becomes a major stationary source or major modification (as these terms were defined at the time the source obtained the enforceable limitation) solely by exceeding its projected actual emissions, then the requirements of subsections 62-212.400(4) through (12), F.A.C., shall apply to the source or modification as though construction had not yet commenced on the source or modification.
[Rule 62-212.400(12), F.A.C.]
6. Modifications: No emissions unit or facility subject to this permit shall be constructed or modified without obtaining an air construction permit from the Department. Such permit shall be obtained prior to beginning construction or modification. [Chapters 62-210 and 62-212, F.A.C.]
7. Title V Permit: This permit authorizes construction or modification of the permitted emissions units and initial operation to determine compliance with Department rules. A Title V operation permit is required for regular operation of the permitted emissions units. The permittee shall apply for a Title V operation permit at least 90 days prior to expiration of this permit, but no later than 180 days after commencing operation. To apply for a Title V operation permit, the applicant shall submit the appropriate application form, compliance test results, and such additional information as the Department may by law require. The application shall be submitted to the Compliance Authority. [Rules 62-4.030, 62-4.050, 62-4.220 and Chapter 62-213, F.A.C.]

SECTION III - EMISSIONS UNITS SPECIFIC CONDITIONS
Units 1 and 2 Fossil Fuel Fired Steam Generators (EU 001 and 002)

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

Emissions Unit 001 and 002

Fossil Fuel Fired Steam Generators 1 and 2 are wall-fired, dry bottom boilers, firing pulverized coal as the primary fuel and No. 6 fuel oil for purposes of startup and flame stabilization. Each unit has a maximum heat input rate of 4,286 mmBtu per hour with a nominal generating capacity of 468 MW. Each unit is equipped with an electrostatic precipitator (ESP) for control of particulate matter (PM/PM₁₀), and a WFGD system for sulfur dioxide (SO₂) control. Unit 2 is also equipped with low NO_x burners and a selective catalytic reduction (SCR) system for control of nitrogen oxide (NO_x) emissions. The following parameters are continuously monitored on both units: NO_x, opacity, SO₂, CO₂, and stack gas flow rate.

ADMINISTRATIVE REQUIREMENTS

1. Relation to Other Permits: The conditions of this permit are in addition to those of any other air construction or operation permits for these units. [Rule 62-4.030, 62-4.210, and 62-210.300(1)(b), F.A.C.]

EQUIPMENT AND CONTROL TECHNOLOGY

2. Dibasic Acid Additive System: The permittee is authorized to install and maintain a dibasic acid (DBA) additive system associated with the existing WFGD systems on Units 1 and 2 for the purpose of improving SO₂ removal efficiencies and enhancing overall scrubber performance. The additive system consists of the following components:

- Three skid-mounted DBA metering pumps with associated valves and equipment;
- DBA storage tank;
- DBA addition piping and valves from storage tank to pump skid and from pump skid to the existing scrubber additive storage tanks; and
- Instrumentation and controls.

[Applicant Request, and Rule 62-210.300 (Permits Required), F.A.C.]

3. Neural Network Combustion Optimization System: The permittee is authorized to install and maintain a neural network-based combustion optimization system to interface with the existing plant distributed control system for the purpose of optimizing boiler operations.

[Applicant Request, and Rule 62-210.300 (Permits Required), F.A.C.]

EMISSIONS REQUIREMENTS

4. NO_x Emissions Cap: Units 1 and 2 will meet the following NO_x emissions limits.
 - a. Existing Units 1 and 2: The combined NO_x emissions from existing coal fired boiler steam electric generating Stanton Unit 1 and Stanton Unit 2 shall not exceed 8,300 tons per year on a 12-month rolling total. Total NO_x emissions shall be based on data collected from the Unit 1 and Unit 2 NO_x CEMS. Compliance shall be determined after each calendar month by calculating the total emissions from that calendar month and the last 11 calendar months beginning the first month of first fire of IGCC Unit B and thereafter.
 - b. If the combined NO_x emissions from Units 1 and 2 exceed 8,300 tons during any 12-month period, and/or the total NO_x emissions from Unit B exceeds 1,006 tons during any 12-month period, Unit B shall be subject to PSD preconstruction review at that time, and a determination of BACT for NO_x shall be made.

SECTION III - EMISSIONS UNITS SPECIFIC CONDITIONS

Units 1 and 2 Fossil Fuel Fired Steam Generators (EU 001 and 002)

- c. For purposes of meeting the NO_x emissions caps, annual emission of NO_x from existing Units 1 and 2, and Unit B shall be calculated with no allowable data exclusions. All valid hours of data (including startup and shutdown) must be included in the rolling 12-month totals. Also, the data substitution procedures of Part 75 for missing data shall not be used in these calculations.

[62-210.200 (net emissions increase), 62-210.370 (emissions computation), and 62-212.400(12) (Source Obligation), F.A.C.]

{Permitting Note: IGCC Unit B did not trigger PSD for NO_x due to a NO_x emissions cap taken on existing coal fired boiler steam electric generating Unit 1 and Unit 2. The above conditions establish the requirements for meeting the NO_x emissions limitations for purposes of avoiding PSD preconstruction review by Unit B. These requirements in no way supersede any federal requirement of the applicable NSPS or NESHAP provisions.}

REPORTING AND NOTIFICATION REQUIREMENTS

5. Notification: Within one week of beginning construction of the DBA additive system, the permittee shall notify the Compliance Authority that the project has commenced and provide a general schedule of construction activities. Within one week following the end of construction, the permittee shall notify the Compliance Authority that the project was completed. Within one week of completing installation of the neural network-based combustion optimization system, the permittee shall notify the Compliance Authority that the project was completed. [Rule 62-4.210, F.A.C.]
6. SIP Quarterly Report: In addition to, and included in, the SIP quarterly excess emissions report required for Unit B the permittee shall submit a report to the Compliance Authority summarizing the previous three 12-month totals of NO_x emissions from Units 1 and 2. The quarterly report is due within 30 days following the end of each calendar-quarter. [Rule 62-4.070, F.A.C.]

Appendix GC - Construction Permit General Conditions

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

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

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

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:
 - a. A description of and cause of non-compliance; and
 - b. The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance.

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

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Sections 403.73 and 403.111, Florida Statutes. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

Appendix GC - Construction Permit General Conditions

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

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

DRAFT PERMIT

Day Month, 2008

Sent by Electronic Mail – Received Receipt Requested

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

Re: DEP File No. 0950137-025-AC
Removal of Nitrogen Oxides (NO_x) Emissions Cap
Curtis H. Stanton Energy Center Units 1 and 2
Dibasic Acid Additive (DBA) System and Neural Network Systems

Dear Ms. Stalls:

On August 13, 2008, OUC submitted a permit modification application requesting removal of the NO_x emissions cap applicable to Units 1 and 2 (reference Permit No. 0950137-011-AC). The cap was included in a project to install DBA and neural network systems on Units 1 and 2. The cap was unrelated to the project but was required in a federally enforceable permit to avoid triggering a prevention of significant deterioration (PSD) review for NO_x on the integrated coal gasification and combined cycle (IGCC) project originally planned as Stanton Unit B.

Recently the Department issued a PSD permit for a natural gas-fueled combined cycle project as Stanton Unit B in lieu of the since-cancelled IGCC project. The PSD permit included a determination of best available control technology (BACT) for NO_x emissions from Stanton Unit B. Therefore, the NO_x emissions cap on Units 1 and 2 is not required to avoid triggering PSD for Stanton Unit B.

The following sections or conditions in Permit No. 0950137-011-AC are hereby amended or deleted as shown below in strike through (~~strike through~~) and double underline format.

Section I, General Information, Facility Description

The existing facility consists of two 468 MW fossil fuel fired steam electric generating stations (Units 1 and 2), and one 640 MW combined cycle unit. There are storage and handling facilities for solid fuels, fly ash, limestone, gypsum, slag, and bottom ash. A draft PSD permit was recently issued for the construction of a nominal ~~285~~ 300 MW ~~integrated gasification~~ natural gas-fueled combined cycle unit (Unit B) planned to be operational by 2012.

Section III, Specific Condition 4.

4. ~~NO_x Emissions Cap:~~ Units 1 and 2 will meet the following NO_x emissions limits.

- a. ~~Existing Units 1 and 2:~~ The combined NO_x emissions from existing coal fired boiler steam electric generating Stanton Unit 1 and Stanton Unit 2 shall not exceed 8,300 tons per year on a 12 month rolling total. Total NO_x emissions shall be based on data collected from the Unit 1 and Unit 2 NO_x CEMS. Compliance shall be determined after each calendar month by calculating the total emissions from that calendar month and the last 11 calendar months beginning the first month of first fire of IGCC Unit B and thereafter.
- b. If the combined NO_x emissions from Units 1 and 2 exceed 8,300 tons during any 12-month period, and/or the total NO_x emissions from Unit B exceeds 1,006 tons during any 12 month period, Unit B shall be subject to PSD preconstruction review at that time, and a determination of BACT for NO_x shall be made.
- c. For purposes of meeting the NO_x emissions caps, annual emission of NO_x from existing Units 1 and 2, and Unit B shall be calculated with no allowable data exclusions. All valid hours of data (including startup and shutdown) must be included in the rolling 12 month totals. Also, the data substitution procedures of Part 75 for missing data shall not be used in these calculations.

~~{62-210.200 (net emissions increase), 62-210.370 (emissions computation), and 62-212.400(12) (Source Obligation), F.A.C.}~~

~~{Permitting Note: IGCC Unit B did not trigger PSD for NO_x due to a NO_x emissions cap taken on existing coal fired boiler steam electric generating Unit 1 and Unit 2. The above conditions establish the requirements for meeting the NO_x emissions limitations for purposes of avoiding PSD preconstruction review by Unit B. These requirements in no way supersede any federal requirement of the applicable NSPS or NESHAP provisions.}~~

Section III, Specific Condition 6.

6. ~~SIP Quarterly Report:~~ In addition to, and included in, the SIP quarterly excess emissions report required for Unit B the permittee shall submit a report to the Compliance Authority summarizing the previous three 12-month totals of NO_x emissions from Units 1 and 2. The quarterly report is due within 30 days following the end of each calendar quarter.

~~{Rule 62-4.070, F.A.C.}~~

A copy of this permit modification shall be filed with the Permit No. 0950137-011-AC and shall become part of that permit. This permitting decision is issued pursuant to Chapter 403, Florida Statutes (F.S.).

Any party to this permit modification (order) has the right to seek judicial review of it under section 120.68 of the Florida Statutes, by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department of Environmental Protection in the Office of General Counsel, Mail Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The notice must be filed within thirty days after this order is filed with the clerk of the Department.

Executed in Tallahassee, Florida.

Joseph Kahn, Director
Division of Air Resource Management

TLV/aal/dr

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this permit modification was sent by electronic mail with received receipt requested to the persons listed below.

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

Clerk Stamp

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

(Clerk)

(Date)