

Department of Environmental Protection

Jeb Bush
Governor

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

David B. Struhs
Secretary

July 31, 2002

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. A. K. Sharma, P.E.
Director of Power Supply
Kissimmee Utility Authority
Post Office Box 423219
Kissimmee, Florida 34742-3219

Re: Request for Additional Information
DEP File Nos. PSD-FL-254, PA98-38
Cane Island Unit No. 3 – Excess Emissions During Start-Up

Dear Mr. Sharma:

The Department is in receipt of your letter dated July 10, 2002 related to PSD-FL-254. In order to continue processing your application, the Department will need the additional information below. Should your response to any of the below items require calculations, please submit the calculations, assumptions, reference material and any appropriate revised pages of the application.

Your letter makes requests, which cover two areas of the existing PSD permit:

- 1) Revise the definition a cold start-up, as a start-up to combined cycle operation following a complete shutdown lasting at least 8 hours rather than 48 hours which is currently specified
- 2) Increase the allowable period of excess emissions during cold start-ups to 5 hours rather than 4 hours which is currently authorized

The Department notes that the pertinent language contained in PSD-FL-254 is quite common for nearly every PSD permit issued over the past few years, where combined cycle units are involved. As you are likely aware, 62-210.700(1) allows excess emissions resulting from start-up and shutdown, "... but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration". In the past, we have been told by EPA that they expect us to be very judicious in our application of the rule, and EPA continues to comment adversely on draft permits where we have authorized up to 3 or 4 hours in a 24-hour period rather than the two hours written in the rule. We have had several discussions with Region IV on this precise topic, and have come to understand that their dissatisfaction stems from the underlying presumption that by allowing excess emissions to occur (with no defined limits) all pollutant levels are authorized to be unlimited for that entire period of time. Since we have not required applicants to do modeling during startup, some possibility exists that a permit could be issued which allows ambient air quality standards to be violated during those times. We believe that these are valid concerns.

"More Protection, Less Process"

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Mr. A.K. Sharma
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In the event that you wish to continue to process the request dealing with extensions of time for excess start-up emissions, we must have further information. The purpose of the additional information is to define with some precision:

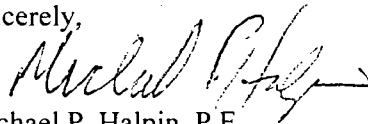
- a) How much time is required for each of the startup modes requested (to at least 1 hour of precision)
- b) Which pollutant(s) exceed the permitted limits during the above startup mode(s)
- c) What actual emission level(s) are observed during each of the startup modes and
- d) What emission level(s) are reasonably attainable during each of the startup modes

The above information will form the basis for a permit revision defining alternate (but not unlimited) emission levels during the affected startup mode. As indicated above, we believe that this approach is workable and is similar to the approach being utilized for Lakeland Electric's McIntosh facility.

Rule 62-4.050(3), F.A.C. requires that all applications for a Department permit must be certified by a professional engineer registered in the State of Florida. This requirement also applies to responses to Department requests for additional information of an engineering nature. Please note that per Rule 62-4.055(1): *"The applicant shall have ninety days after the Department mails a timely request for additional information to submit that information to the Department..... Failure of an applicant to provide the timely requested information by the applicable date shall result in denial of the application."* We suggest that when you provide the above requested information, you provide at least two of the portions from our standard application, those being the signature of the facility's authorized representative, and a PE signature.

If you have any questions, please call me at 850/921-9519.

Sincerely,



Michael P. Halpin, P.E.

DEP/DARM

New Source Review Section

cc: Buck Oven, DEP PPSO
Len Kozlov, DEP CD

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- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Sean Finnerty
 Vice President, Development
 CPV Gulfcoast Ltd.
 35 Braintree Hill Office Park
 Suite 107
 Braintree, Mass. 02184

2. Article Number (Copy from serv

7001 0320 0001 3692 8222

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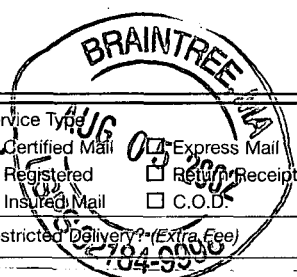
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