

GERALD M. WARD, P.E.

Consulting Engineer

Coastal - Environmental

P.O. Box 10441

Riviera Beach, Florida 33419

RECEIVED

VIA FACSIMILE
& US MAIL
850/922-6979

6 October 2003

OCT 08 2003 Office Location:

Suite 202

31 W 20th Street

Telephone:

561/863-1215

561/863-1216 FAX

E-Mail:

wardgm@gate.net

Florida Department of Environmental Protection
2600 Blair Stone road, Mail Station 5505
Tallahassee, Florida 32399

BUREAU OF AIR REGULATION

Attn: Scott M. Sheplak, P.E. Administrator Title V Program

Re: DRAFT Permit Project No. 0990042-003-AV
Title V Air Operation Permit Renewal Application
Florida Power & Light Company Riviera Beach Plant
Riviera Beach, Palm Beach County, Florida

Gentlemen:

Your one hearing conflicted with my schedule and I was out-of-state so did not attend the Hearing at your local Program's office in West Palm Beach on 23 September 2003. The numbers that apparently did show at the hearing demonstrate that the existing operations at the Riviera Beach Station certainly do constitute a problem for Palm Beach County's air quality. We believe that after you analyze the complaints, concerns for compliance with state and federal rules and regulations that another hearing is warranted to review revisions you may propose.

I am a resident of Riviera Beach for well over three decades. In the early 1980's, we were assured by Florida Power & Light Company that the Riviera Beach Station was getting old and all four units would be dismantled by the early 1990s (1992?). In fact Units No. 1 and 2 were dismantled and shipped to South America. Our 1982 and 1989 Comprehensive Plans (Chapter 163 F.S.) clearly contemplated the removal of the power generating units and utilization of the transmission line corridor for commerce and industry to the benefit of Florida Power & Light Company. The 1990s decision not to dis-establish Units No. 3 and 4 has resulted in considerable reduction of the quality of life in mainland southeast Riviera Beach and certainly the lowest property values in that City area. The northeastmost part of the City of West Palm Beach also suffers a similar degradation of quality of life and property values.

As a white fiberglass vessel owner berthed directly north of the FP&L power station from 1973 through 1999, I can attest to the substantial nighttime particulate emissions from the plant. Reliability of the station decreased as time went on because of the reduction in maintenance. Such was evidenced by nighttime noise of "safety valves" lifting or major visible black emissions as a unit shut down unexpectedly. Even today nighttime emissions are often noticed.

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Re: DRAFT Permit Project No. 0990042-003-AV
Title V Air Operation Permit Renewal Application
Florida Power & Light Company Riviera Beach Plant
Riviera Beach, Palm Beach County, Florida
6 October 2003

We have expressed concern to various environmental agencies (particularly local program folk) over the past two decades about the operation of the plant. We understand the United States Environmental Protection Agency has shared similar concerns. In its review of the DRAFT permit we wish the local program, the Tallahassee Florida Department of Environmental Protection and the federal US Environmental Protection Agency to each evaluate whether their and citizens previous concerns have truly been addressed.

As noted above, visible emissions are most noticeable to me. (My office is a mere 18 blocks north northeast!) More monitoring, including by significantly revising DRAFT Permit Paragraph A.18 to eliminate any exemption from testing is needed. Likewise, as we have complained above, particulates are certainly a major problem, therefore, Paragraph A.19 needs similar significant revision. Both tests should be required at least monthly and routine compliance testing (paragraph A.17) on the same monthly frequency.

We are concerned that all of the General Procedures of 62-213.300(2) FAC be followed. For instance allowing the Plant to burn "used oil" (Paragraph A.37) is significant in providing "the potential to emit" pollutants in excess of normal emission standards. (For instance 500 pounds of lead may be contained in not that many gallons of used oil?) Allowance of such condition as A.37 needs to be justified in much greater detail. Has 62-213.300(2)(n) FAC been complied with over the term of the last permit. What competent certification(s) does the file reflect? We are within Palm Beach County. Prior to proceeding further with the application has the local program certified that full compliance has occurred over the last permit period (62-213.300(4)(e) FAC)?

We also desire that all monitoring-related records be available for at least five years pursuant to 40CFR70.6(a)(3)(ii)(B).

We recognize that the provisions of 62-296.405 FAC may tie your hands. At the same time it the responsibility of all three agencies to assure that permit conditions are clearly written stringent enough to assure that unrecorded emissions are documented in the future.

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Re: DRAFT Permit Project No. 0990042-003-AV
Title V Air Operation Permit Renewal Application
Florida Power & Light Company Riviera Beach Plant
Riviera Beach, Palm Beach County, Florida
6 October 2003

I wish to be fully notified of any additional hearings and/or opportunities for Comment on revisions to draft permit. In addition please furnish a copy of any further Agency Actions by the Department or the United States Environmental Protection Agency.

Very truly yours,



Gerald M. Ward, P.E.

0301DEP1

cc: Florida Department of Environmental Protection Agency Clerk
United States Environmental Protection Agency
Air Permits Section, Attn: Greg Worley
61 Forsythe Street
Atlanta, Georgia 30303 FAX 404/562-9019
Palm Beach County Health Department



Jeb Bush, Governor

John O. Agwumobi, M.D., M.B.A. Secretary

Post Meeting Comments, findings

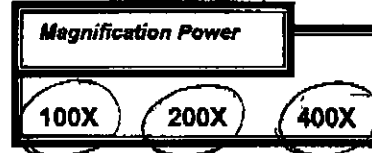
Microscopic Particulate Sample Analysis

Sample Identification Number: JS - 1,2,3,4

Sample Date: Sept. 23, 2003

Client: Mr. Bob Nelson

Inspector: James Stormer



Analytical Results:

- ❖ High mold spore influence
- ❖ Plant dusts and minerals (vegetative)
- ❖ Vegetative ash (possibly cigarette)

Sample Identification

Observations

JS - 1 Trash can lid dirt sample

Prolific Presence of mold spores, vegetative asphaltic and mineral agglomerates, Quartz Silicates, occasional vegetative ash, plant pieces, amber crystalline flakes, iron oxides, cellulose fragments & fibers, pollen, Stellate hairs (grass), metal dusts, pine pollen (Note: ash maybe cigarette ash).

JS - 2 Trash can lid

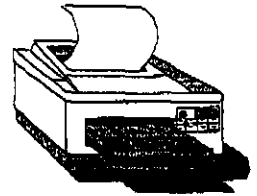
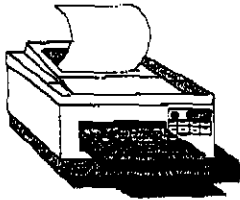
Same as JS-1 above, but not as concentrated a sample and more a sample of mold spores and vegetative influence, less mineral. Vegetative ash present.

Analyst:

Randall S. Miller, Env. Supv., Air Pollution Control

Date:

9/24/03



STATE OF FLORIDA
PALM BEACH COUNTY HEALTH
DEPARTMENT
P.O. BOX 29, WEST PALM BEACH, FL 33401

FACSIMILE TRANSMITTAL SHEET

To: <u>Scott Sheplak</u>	FROM <u>AS</u>
COMPANY: <u>DARM</u>	DATE: <u>10/23/03</u>
PHONE NUMBER: _____	TOTAL NO. OF PAGES INCLUDING COVER SHEET: <u>2</u>
FAX NUMBER _____	SENDER'S REFERENCE NUMBER: <u>(561) 804-9405</u>
RE: _____	YOUR REFERENCE NUMBER: <u>(561) 355-3136</u>

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

NOTES/COMMENTS:

*FPL/ Trash Can Lid
Analysis report*

AIR POLLUTION CONTROL SECTION

Sheplak, Scott

From: MandN29@aol.com
Sent: Saturday, October 04, 2003 10:12 PM
To: Sheplak, Scott
Cc: Triona.Vielhauer@dep.state.fl.us
Subject: Riviera Beach Power Plant permit renewal

About: Title V Air Operation Permit Renewal
DRAFT Permit Project no. 0990042-003-AV Riviera Beach
Power Plant, Palm Beach County Florida

I am very concerned that this old, outdated and dangerous situation will be allowed to continue to operate without bringing it up to the current standards for clean air. If not completely rebuilt, at the least it should be forced to comply with the requirements for a healthful operation and in consideration for the environment in which our citizens live.

Coincidentally, The Washington Post on Saturday, September 27, 2003, printed an article referring to a new White House study. To quote: "The study concludes that environmental regulations are well worth the costs they impose on industry and consumers, resulting in significant public health improvements and other benefits to society. The findings overturn a previous report that officials now say was defective."

Please do NOT grant this permit until FPL agrees to be a good neighbor.

Thank you.

Myrna Sossner
534 29th Street
West Palm Beach, FL 33407

-----Original Message-----

From: Vanpeez1@aol.com [mailto:Vanpeez1@aol.com]

Sent: Friday, October 03, 2003 3:50 PM

To: tsad@ix.netcom.com; Vielhauer, Trina

Subject: Concerned Residents Comments

Dear Tom and Trina:

Attached is a copy of a letter I, my wife, and daughter, Elissa, sent to Mr. Seplak, on 1, Oct., in which we express our great concerns about the outdated Riviera Beach FPL Power Plant's continuing toxic and particulate emissions polluting the atmosphere.

With best wished, we remain

Frederick Van Poznak, MD

Joan G. Van Poznak

Elissa Van Poznak

10/6/2003

**TO: MS. TRINA VIELHSUER
CHIEF
BUREAU OF AIR REGULATION
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
2600 BLAIR STONE ROAD
TALLAHASSEE, FLORIDA 32399-2400**

**RE: TITLE V AIR OPERATON PERMIT RENEWAL
DRAFT PERMIT PROJECT NO 0990042-003-AV
RIVIERA BEACH POWER PLANT, PALM BEACH COUNTY,
FLORIDA**

**FROM: RHONDA HEBERT
5600 N. FLAGLER DR. PH101
WEST PALM BEACH, FL 33407
561-844-1722**

Rhonda Hebert

MS. VIELHSUER,

I AM VERY CONCERNED ABOUT THE RIVIERA BEACH POWER PLANT. I LIVE JUST SOUTH OF THE POWER PLANT PROBABLY NO MORE THAN 3000 FOOT AWAY. I LIVE IN A 30 FLOOR HIGH RISE FACING THE PLANT. SINCE LIVING HERE FOR A OVER A YEAR, I HAVE EXPERIENCED A LARGE AMOUNT OF BLACK SOOT AND ASH ON MY BALCONY. IT HAS COVERED MY BALCONY FURNITURE AND I CANNOT EVEN WALK BAREFOOTED WITHOUT HAVING TO WASH MY FEET WHEN I COME IN. THEY SEEM TO BE EMITTING A DARK COLORED SMOKE FROM THE STACKES DURING THE DAY BUT AT NIGHT IT IS UNBELIEVEABLE. THEY APPEAR TO HIDE THEIR WORSE EMISSIONS UNDER THE COVER OF DARK. THE NOISE FROM THE PLANT IS TERRIBLE ESPECIALLY AROUND 2 AM. IT USUALLY WAKES ME UP WHEN THEY FIRE UP THE PLANT AND EVEN THRO IT IS DARK YOU CANNOT HELP BUT SEE THE HEAVY BLACK SMOKE COMING FROM THE STACKS.

IT IS ONLY REASONABLE TO BELIEVE THAT THIS PLANT HAS FAR OUT LIVED IT'S LIFETIME AND NEEDS TO BE REPLACED. I FIND IT HARD TO BELIEVE THAT THE GOVERNMENT CAN ALLOW SOMETHING LIKE THIS MONSTER TO EXIST IN TODAY'S WORLD. COME ON AND DO SOMETHING. YOU ARE SUPPOSE TO BE WORKING FOR THE PEOPLE. CLEAN THIS PLANT UP OR GET RID OF IT. IT'S UGLY, NOISY AND DIRTY. I'M ASHAMED TO BE LIVING NEXT DOOR TO IT. IF THIS IS WHAT WE HAVE TO CONTEND WITH THEN MAKE THEM LOWER OUR RATES SINCE THEY CERTAINLY ARE NOT KEEPING THEIR PLANT UP TO TODAY'S REGULATIONS AND DESTROYING THE BEAUTY OF THE TREASURE COAST. OUR PROPERTY VALUES ARE ALSO EFFECTED. NO ONE WANTS TO LIVE NEAR THIS MONSTER.

Sheplak, Scott

From: Vielhauer, Trina
Sent: Monday, October 06, 2003 9:15 AM
To: Sheplak, Scott
Subject: FW: Riviera Beach Plant:Title V Operation Permit renewal.

Scott,
One more that I received.

Trina

-----Original Message-----

From: Lucpetre@aol.com [mailto:Lucpetre@aol.com]
Sent: Sunday, October 05, 2003 9:14 PM
To: Vielhauer, Trina
Subject: Riviera Beach Plant:Title V Operation Permit renewal.

To: Ms trina Vielhauer
Chief Bureau of Air Regulation
Florida Department of Environmental Protection

From: Luc Petre
5911 North Flagler Drive
West Palm Beach, Florida 33407
Lucpetre@aol.com

Concern: Title V operation Permit Renewal
Draft Permit project # 0990042-003-AV
Riviera Beach power plant, Palm Beach County, Florida

Dear Ms. Vielhauer:

This email is to draw your attention to my very deep concern with the 50 years old Riviera Beach power plant.

As you may know, this plant is located on west side of the intracoastal waterway at the southern part of the city of Riviera Beach and is limitrophe to the city of West Palm Beach. The plant southern entrance is in fact off North Flagler Drive in West Palm Beach, a residential area.

Beside the aesthetic aspect of this plant, my main concerns are:

- excessive air pollution and:
- excessive noise pollution.

Related illness and premature death caused by the excess air pollution generated by power plants have been proven over and over. The Riviera Plant is on the top of the list of the 10 dirtiest power plants in Florida. Immunology studies demonstrated that the excess pollution resulting from non compliance by the Riviera Beach plan to updated EPA Standards causes over 30 premature deaths alone. The number of children and adults in the vicinity with asthma or other respiratory diseases is dramatically rising. In addition to the invisible pollution, there are tremendous damages to private and public properties caused by the soot released from the stacks resulting in costly accelerated maintenance.

The noise [pollution is an other serious concern.

The noise generated by the Riviera Beach Plant prevent the inhabitants in closed proximity to open their windows forcing a yearly use of costly air conditioner. The enjoyment of the outside yard is of course impossible. The noise level in the residential area adjacent to the plant is in excess of 60 dBA 24 hours a day and 365 days a year. This is in violation with the city of West Palm Beach code. The plant being located in Riviera Beach, the West Palm Beach code cannot be enforced.

10/6/2003

Being short to call FPL Management criminal, It is my deepest believe that in the present conditions the Operation Permit for that plant should not be renewed.

I also would like to point out the non compliance to the concept of Environmental Justice as endorsed by the US Department of Environmental Protection.

I dare to believe that you will share my concerns and will act consequently in order to obliterate this environmental crime

Sincerely

Luc Petre

10/6/2003



Singer Island Civic Association, Inc. RECEIVED

1281 N. Ocean Drive, Box #114
Singer Island, Florida 33404
www.sicasingerisland.com

OCT 06 2003

BUREAU OF AIR REGULATION

Anthony Gigliotti
President

BY FACSIMILE AND POSTAL MAIL

Al Rhodes
Vice President

October 2, 2003

Martin Rosen
Secretary

Florida Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Shirley Wells
Recording Secretary

William Radford
Treasurer

Attn: Trina Vielhauer, Chief, Bureau of Air Regulation

John S. Nevin
*Honorary Chairman
of the Board*

Dear Ms. Vielhauer:

DIRECTORS

- Raymond Adams
- Robert Barrie
- Martin Barzelay
- Susan Bennett
- Irving Booksin
- Thomas Chilcote
- Melissa Fritsche
- Anthony Gigliotti
- Alvin Goldstein
- William Gufert
- Joseph Haimes
- William Hayes
- Joseph Hilzer
- Jeffrey Kneen
- Charlene Lewis
- Nann Miller
- Thomas Mills
- William Radford
- Marvin Reiner
- Al Rhodes
- Bernard Rice
- Martin Rosen
- David Schnyer
- Doris Speckeen
- Sandra Tate
- James Williams
- Merle Wolf

I am writing on behalf of the Singer Island Civic Association and the over 4,000 residents who live on Singer Island with regard to the re-permitting of the Florida Power & Light Riviera Beach plant. First, thank you for holding the public meeting on September 23rd at the Palm Beach County Health Department, where others and I were given the opportunity to speak.

As was made abundantly clear at that public meeting, the plant is a public nuisance, spews forth vast quantities of soot and pollutants and must be either replaced or removed. Giving Grandfather or exemption status to this plant is unacceptable and the only basis for issuing a renewed permit would be one where a firm commitment is made to replace this plant with modern, clean technology within the next five years.

It was noteworthy that at the public meeting no one complained about a new plant being built in its present location. In fact, it was even suggested that a nuclear alternative be explored. It also noteworthy that the Federal Office of Budget and Management, just this week, issued a report which concluded that the benefits of the application of technological solutions to cleaning the environment outweigh the costs by a factor of up to three to one.

The Singer Island Civic Association is prepared to support whatever actions are necessary to improve the quality of our environment. We recommend that the permit be extended only with the condition of the firm commitment by FPL to build a new, clean plant, or that the plant be removed within the next five years. Thank you for your serious consideration.

**HONORARY
LIFE MEMBERS**

- Marge Callahan
- William Jehlen
- John S. Nevin

Very truly yours,

Anthony J. Gigliotti, President
Singer Island Civic Association

Copy: Greg Worley
U.S. EPA Air Permits Section

THE HISTORY OF THE UNITED STATES

The history of the United States is a story of growth and change. It begins with the first settlers who came to the eastern coast of North America. These settlers were mostly from Europe and they brought with them the culture and customs of their home countries. Over time, these settlers and their descendants became known as the American people.

The American people have always been a people of great energy and ambition. They have always been looking for new opportunities and new challenges. This has led to the westward expansion of the United States. The pioneers who went west were looking for land to farm and to raise their families. They were also looking for new markets for their goods.

The westward expansion of the United States was a process that took many years. It was a process that was full of hardship and danger. The pioneers had to travel long distances on foot, and they often had to fight with the native Americans. But they did it, and they built a great nation.

The United States is a nation of many different people. There are people of many different ethnicities and religions. But all of these people have one thing in common: they are all Americans. They all love their country and they all want to make it a better place for everyone.

The history of the United States is a story of hope and dreams. It is a story of a people who have always been looking for a better life. And it is a story of a nation that has always been growing and changing.

THE HISTORY OF THE UNITED STATES

THE HISTORY OF THE UNITED STATES

Sheplak, Scott

From: Vanpeez1@aol.com
Sent: Wednesday, October 01, 2003 1:08 PM
To: Sheplak, Scott; tsad@ix.netcom.com; aneda2@mac.com
Subject: FPL Riviera Beach Plant Pollution

Dear Mr. Sheplak:

My wife, daughter and I write, as residents at Placido Mar, 5200 N. Flagler Dr., WPB, in the immediate proximity of the Riviera Beach FPL plant, to express our great concerns about the continued atmospheric pollution caused by the emission from the plant which we understand to be outdated by many years and not in conformity with present day clean air requirements.

As a retired Thoracic Surgeon, I am too well aware of the dangers constant exposure to toxic emission perpetrate on the unsuspecting caused dangerous agents, primarily or secondarily, work related or otherwise, The plant has also emitting oily particulate matter that constantly precipitates on our condo balcony furniture and enters our apartment via cross ventilation collecting on interior screening. It is an unacceptable situation which is a constant concern regarding our health and maintaining our home in a clean condition.

I urge you and whatever authorities are concerned to demand that the Riviera Beach FPL plant either be forced to comply with current clean air standards by installing the most effective emission scrubbers available, (or lacking the willingness to do so regardless of cost), or that the plant be closed down, or completely rebuilt to meet the maximum clean air standards.

Thanking you for your attention to this letter and the continuing problems with the aforementioned FPL plant, we remain

Sincerely yours,
Frederick Van Poznak, MD FACS
Joan G. Van Poznak
Elissa Van Poznak

Ed
→
Sheplak, Scott

From: aneda sanders [aneda2@mac.com]
Sent: Monday, September 29, 2003 8:03 PM
To: Sheplak, Scott
Subject: Public Comments re/Riveria Beach Plant

Re: Title V Air Operation Permit Renewal for the Florida Power & Light Company's Riviera Beach Plant, Project #0990042-003-AV.

Attn.: Scott Sheplak

Following are my written public comments:

- 1) To truly evaluate the pollution that FPL's Riviera Beach plant is producing; I am requesting extensive testing and monitoring locally. This should be done before approving the Title V Permit Renewal.
- 2) **Would the decision to not retrofit the Riviera Beach Plant have been made, if it was not in an economically poor area?** I am requesting that FDEP comment on the likely negative effect on the minority community, and also a specific analysis of the effect this may be having on this community.
- 3) On a personal level, I am an asthma sufferer, whose health has been affected dramatically since becoming a resident of the area.
- 4) As a property owner and member of the board association of Placido Mar, we are experiencing constant soot on our building, cars and personal balconies; which result in additional maintenance and expense.

Sincerely,

Aneda Sanders & Milton Sanders

5200 N. Flagler Dr. #403
West Palm Beach, FL 33407
561.863.3272

9/30/2003

Florida Department of Environmental Protection

Office of Citizen Services

Fascimile Transmittal Sheet

To: *Trina*

Company:

From: *Joni Scott*

- John Peterson, Sen. Management Analyst Supvr.
- Joni Scott, Gov't. Operations Consultant*
- Lori Cox, Env'l. Specialist
- Laurie Wright, Admin. Asst
- Leah Donaldson, Mgmt. Analyst
- Krista Callen, Mgmt. Analyst

FAX: *922-6979*

NO. OF PAGES INCL. COVER: *2*

PHONE:

SENDER'S REF. NUMBER:

RE:

YOUR REF. NUMBER:

NOTES/COMMENTS: *Hi Trina, This letter was faxed to our machine by mistake.*

*thanks,
Joni*

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
 3900 COMMONWEALTH BLVD.
 MS 49
 TALLAHASSEE, FL 32399-3000
 PHONE: (850) 245-2118

September 24, 2003

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

Via Fax: 850-245-2128

Re: **Title V Air Operation Permit Renewal**
DRAFT Permit Project No. 0990042-003-AV
Riviera Beach Power Plant, Palm Beach County, Florida

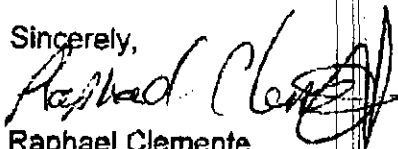
Dear Ms. Vielhauer:

I am writing to request an extension of the 30 day public comment process under Rule 62-110.106 of the Florida Administrative Code for the Title V Air Operation Permit Renewal No. 0990042-003-AV, for the Riviera Beach Power Plant facility in Palm Beach County, Florida.

It is necessary to keep the public comment period open to allow community members and other interested parties to review the permits and voice their concerns and comments. As a member of a community affected by the Riviera Power Plant's emissions, I am concerned that the limited comment period has not allowed others like me to properly grasp the issues involved with such a major source of air pollution like Riviera Beach power plant. By limiting the public comment period, many community groups and small organizations are disenfranchised from effectively participating in the permitting process.

Therefore, I request that you extend the public comment period for the Title V Air Operation Permit for the Riviera Beach Power Plant in Palm Beach County, Florida.

Sincerely,



Raphael Clemente
719 Newark Street
West Palm Beach, FL 33401
(561) 820-9739

cc: Mr. Greg Worley

Sheplak, Scott

From: Vielhauer, Trina
Sent: Thursday, September 25, 2003 8:12 AM
To: Sheplak, Scott
Subject: FW: Riviera Beach Power Plant Title V Air Permit Renewal

-----Original Message-----

From: DBEINWPBFL@aol.com [mailto:DBEINWPBFL@aol.com]
Sent: Wednesday, September 24, 2003 10:55 PM
To: Vielhauer, Trina
Subject: Riviera Beach Power Plant Title V Air Permit Renewal

Ms. Vielhauer, attached is my letter requesting an extension of the 30-day public comment period on FPL's application for the Title V Air Permit Renewal. Thank you.
Debbie Evans

**DEBORAH B. EVANS
12307 OLD COUNTRY ROAD
WELLINGTON, FL 33414**

September 24, 2003

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

**Re: Title V Air Operation Permit Renewal
DRAFT Permit Project No. 0990042-003-AV
Riviera Beach Power Plant, Palm Beach County, Florida**

Dear Ms. Vielhauer:

I am writing to request that the 30-day public comment period under Rule 62-110.106 of the Florida Administrative Code be reopened or extended for the above referenced Title V Air Operation Permit Renewal. I am asking that this public comment period be kept open for such time as is necessary to allow members of the and interested parties to review the above referenced permit and to prepare substantive comments.

I am not an engineer, chemist or other environmental professional. I am an FPL customer in Palm Beach County concerned about FPL's intentions to keep this 40- or 50-year plant on line without any apparent upgrades. Having never commented on a Title V Air Operation Permit Renewal before, I find myself stealing every spare minute I can during my work day and in the evenings to educate myself on this process and to obtain needed technical information.

Therefore, I would appreciate an extension of the 30-day comment period to enable me to make some intelligent comments on FPL's Title V operation permit renewal for its Riviera Beach Power Plant in Palm Beach County, Florida. Thank you for your assistance in this matter.

Sincerely,

Deborah B. Evans

cc: Mr. Greg Worley
US EPA
Air Permits Section
61 Forsythe Street
Atlanta, GA 30303
Fax (404) 562-9019

Sheplak, Scott

From: Vielhauer, Trina
Sent: Thursday, September 25, 2003 8:07 AM
To: Sheplak, Scott
Subject: FW: Riviera Beach FPL Concerns

-----Original Message-----

From: John & Kay Gates [mailto:johnkay@mindspring.com]
Sent: Wednesday, September 24, 2003 11:44 AM
To: Vielhauer, Trina
Cc: Tom Sadler
Subject: Riviera Beach FPL Concerns

Dear FL DEP;

Please allow more time for concerns about the Riviera Beach FPL Plant to be heard, evaluated and judged before granting a renewal license.

It was good that DEP heard people speak yesterday at WPB Health Center. But notice was late and insufficiently posted.

Respectfully,
Kay Gates, Loxahatchee Group, Sierra Club Chair

To: Trina

rhonda hebert

From: "rhonda hebert" <rhobe170@fla.gov>
Sent: Wednesday, September 24, 2003 1:35 PM

September 23, 2003

Ms. Trina Vielhauser
Chief
Bureau of Air Regulation
Florida Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, Florida 32300-2400

Re: Title V Air Operation Permit Renewal
DRAFT Permit Project No. 0900042-003-AV
Riviera Beach Power Plant, Palm Beach County, Florida

Dear Ms. Vielhauser,

This is to request that the 30 day public comment process under Rule 62-110.106 of the Florida Administrative Code be reopened for the above referenced Title V Air Operation Permit Renewal No. 0900042-003-AV, for the Riviera Beach Power Plant facility in Palm Beach County, Florida.

The public comment period should be kept open for such time as is necessary to allow community members and interested parties to review the above reference permits and to prepare substantive comments.

By limiting the comment period to 30 days, community members and interested parties are placed at a significant disadvantage. As non-professionals, the amount of time required for members of the general public to review and prepare effective comments as part of the Title V process far exceeds the allotted 30 day period.

Further, many interested organizations meet only once in any given 30 day time period. These groups cannot effectively engage in the Title V review process with proper organizational authority and approval. As such, many interested parties are

9/24/2003

disenfranchised from informing themselves about the operation of major sources of air pollution like Riviera Beach power plant and are precluded from availing themselves of this official forum for voicing their concerns

For the aforementioned reasons, I request that you extend the public comment period for the Title V Air Operation Permit for the Riviera Beach Power Plant in Palm Beach County, Florida.

Thank you for your attention to this matter

Sincerely,

Rhonda L Hebert
5600 N. Flagler Dr PH 101
WPB, FL 33407
561-844-1272

cc: Mr Greg Worley
US EPA
Air Permits Section
61 Forsythe Street
Atlanta, GA 30305
Fax (404) 562-9019

9/24/2003

SEP-24-2003 11:16AM FROM-

T-818 P.001/002 F-062

10: TRINA VILHAUER

Katy Leidel

From: Tom Sadler [tsad@ix.netcom.com]
Sent: Wednesday, September 24, 2003 12:40 AM
To: Wanda Oleson; aneda sanders; Bruce Offord; Carol Garber; Catherine Dwore; Cindy Vallo; Dean Evans; Debbie Evans; Elizabeth Wade; Fred Van Poznak; Fred Van Poznak; Gerald M. Ward; Harold E. Nord; JoAnn Miner; John & Kay Gates; Katy Lidel; Luc Petre; Michael D. Brown; Ned Barnes; Raphael Clemente; Rebecca Brown; Rhonda Hebert; Rose Anne Brown; Sarah Weise; Shirley Meek
Cc: Vilhauer, Trina
Subject: Request for extension of public comment period
Importance: High

Congratulations to everyone!

The hearing tonight was a great success. Thanks to everyone for coming out and supporting the effort.

TASK:

We need to press hard for an extension of the public comment period. Attached below is a draft letter requesting an extension of the public comment period. Sign your name to the request and email it or fax it to Trina Vilhauer her email is Trina.Vilhauer@dep.state.fl.us and her fax is 850-245-2128.

Please send this tomorrow if at all possible. FDEP needs to hear from as many of us as possible before the public comment period closes on Thursday.

Thanks...

Tom Sadler
 Florida Representative
 National Environmental Trust
 PO Box 277866
 Miramar, Florida 33029
 954.442.2169
 954.442.2176 (telecopier)

September 23, 2003

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

Re: Title V Air Operation Permit Renewal
 DRAFT Permit Project No. 0990042-003-AV
 Riviera Beach Power Plant, Palm Beach County, Florida

Dear Ms. Vilhauer:

This is to request that the 30 day public comment process under Rule 62-110.106 of the Florida Administrative Code be reopened for the above referenced Title V Air Operation Permit Renewal No. 0990042-003-AV, for the Riviera Beach Power Plant facility in Palm Beach County, Florida.

The public comment period should be kept open for such time as is necessary to allow community members and interested

9/24/2003

parties to review the above reference permits and to prepare substantive comments.

By limiting the comment period to 30 days, community members and interested parties are placed at a significant disadvantage. As non-professionals, the amount of time required for members of the general public to review and prepare effective comments as part of the Title V process far exceeds the allotted 30 day period.

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For the aforementioned reasons, I request that you extend the public comment period for the Title V Air Operation Permit for the Riviera Beach Power Plant in Palm Beach County, Florida.

Thank you for your attention to this matter.

Sincerely,

Katharine Liddel
Director of Communications
American Lung Association

cc: Mr. Greg Worley
US EPA
Air Permits Section
61 Forsythe Street
Atlanta, GA 30303
Fax (404) 562-9019

9/24/2003

Florida Department of Environmental Protection

Office of Citizen Services

Fascimile Transmittal Sheet

To: *Trina Vielhauer*

Company: *DARX*

From:

- John Peterson, Sen. Management Analyst Supvr.
- Joni Scott, Gov't. Operations Consultant
- X* Lori Cox, Env'l. Specialist
- Laurie Wright, Admin. Asst
- Leah Donaldson, Mgmt. Analyst
- Krista Callen, Mgmt. Analyst

FAX: *921-9533*

NO. OF PAGES INCL. COVER: *8*

PHONE:

SENDER'S REF. NUMBER:

RE:

YOUR REF. NUMBER:

NOTES/COMMENTS:

Vicky-These were sent to the Office of Citizen Services (248-2128). The sender should be notified of correct fax to ensure timely delivery of documents.

Thanks, Lori Cox

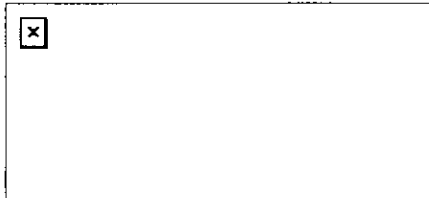
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
 3900 COMMONWEALTH BLVD.
 MS 49
 TALLAHASSEE, FL 32399-3000
 PHONE: (850) 245-2118

Sheplak, Scott

From: Vielhauer, Trina
Sent: Thursday, September 25, 2003 8:07 AM
To: Sheplak, Scott
Subject: FW: Request for extension of public comment period

-----Original Message-----

From: JoAnn Miner [mailto:NSUBabble@msn.com]
Sent: Wednesday, September 24, 2003 7:36 AM
To: Vielhauer, Trina
Cc: Tom Sadler; John & Kay Gates
Subject: Request for extension of public comment period



Loxahatchee Group
P.O. Box 6271
Lake Worth, FL 33462-6271
Phone (561) 833-0405

September 24, 2003

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

Re: Title V Air Operation Permit Renewal
DRAFT Permit Project No. 0990042-003-AV
Riviera Beach Power Plant, Palm Beach County, Florida

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9/25/2003

for voicing their concerns.

For the aforementioned reasons, I request that you extend the public comment period for the Title V Air Operation Permit for the Riviera Beach Power Plant in Palm Beach County, Florida.

Thank you for your attention to this matter.

Sincerely,

JoAnn Miner
Conservation Chair

9/25/2003

Sheplak, Scott

From: Vielhauer, Trina
Sent: Thursday, September 25, 2003 8:07 AM
To: Sheplak, Scott
Subject: FW: Request for extension of public comment period
Importance: High

-----Original Message-----

From: Wanda Oleson [mailto:woleson@flite.net]
Sent: Wednesday, September 24, 2003 8:53 AM
To: Vielhauer, Trina
Subject: Request for extension of public comment period
Importance: High

September 24, 2003

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

**Re: Title V Air Operation Permit Renewal
DRAFT Permit Project No. 0990042-003-AV
Riviera Beach Power Plant, Palm Beach County, Florida**

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For the aforementioned reasons, I request that you extend the public comment period for the Title V Air Operation Permit for the Riviera Beach Power Plant in Palm Beach County, Florida.

Thank you for your attention to this matter.

Sincerely,

Wanda Oleson
5600 N. Flagler Drive, No. 2401

9/25/2003

West Palm Beach, FL 33407
[Palm Beach House resident and homeowner]

cc: Mr. Greg Worley
US EPA
Air Permits Section
61 Forsythe Street
Atlanta, GA 30303
Fax (404) 562-9019

Sheplak, Scott

From: Vielhauer, Trina
Sent: Thursday, September 25, 2003 8:05 AM
To: Sheplak, Scott
Subject: FW: Riviera Beach power plant: Title V permit renewal

I'm going to forward mine to you so we have all of them for the files. I have 9:00 and 10:30 meetings with Mike so I am sure I will be updating him on details...!

-----Original Message-----

From: Lucpetre@aol.com [mailto:Lucpetre@aol.com]
Sent: Wednesday, September 24, 2003 7:13 PM
To: Vielhauer, Trina
Subject: Riviera Beach power plant: Title V permit renewal

From: Luc Petre
 5911 North Flagler Drive
 West Palm Beach, Florida 33407

September 23, 2003

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

**Re: Title V Air Operation Permit Renewal
 DRAFT Permit Project No. 0990042-003-AV
 Riviera Beach Power Plant, Palm Beach County, Florida**

Dear Ms. Vielhauer:

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For the aforementioned reasons, I request that you extend the public comment period for the Title V Air Operation Permit for the Riviera Beach Power Plant in Palm Beach County, Florida.

Thank you for your attention to this matter.

9/25/2003

Sincerely,
Luc Petre

cc: Mr. Greg Worley
US EPA
Air Permits Section
61 Forsythe Street
Atlanta, GA 30303
Fax (404) 562-9019

9/25/2003

Sheplak, Scott

From: Vielhauer, Trina
Sent: Thursday, September 25, 2003 8:13 AM
To: Sheplak, Scott
Subject: FW: Request for extension of public comment period

-----Original Message-----

From: Vanpeez1@aol.com [mailto:Vanpeez1@aol.com]
Sent: Wednesday, September 24, 2003 6:18 AM
To: Vielhauer, Trina; tsad@ix.netcom.com
Subject: Re: Request for extension of public comment period

Dear Ms. Vielhauer:

As residents of West Palm Beach living in very near the Riviera Beach FPL Power Plant and subject to the atmospheric and oily particulate pollution emitted from that facility, my wife, daughter, and I request an extension period to allow for further unrushed public consideration and comment about the future of this now outdated Power Plant and if it really is needed at all.

Thanking you for your consideration of this important matter, we remain

Sincerely yours,

Frederick Van Poznak, MD

Joan G. Van Poznak

Elissa Van Poznak

Placido Mar, #1203

5200 North Flagler Drive

West Palm Beach, FL 33407

Tel./Fax 561-863-831

E-mail: vanpeez1@aol.com



CITY OF RIVIERA BEACH

800 WEST BLUE HERON BOULEVARD • RIVIERA BEACH, FLORIDA 33404
(561) 845-4018 • Fax (561) 863-3236 • rabrown@rivierabch.com

Office of the Chief of Staff

September 23, 2003

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

**Re: Title V Air Operation Permit Renewal
DRAFT Permit Project No. 0990042-003-AV
Riviera Beach Power Plant, Palm Beach County, Florida**

Dear Ms. Vielhauer:

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Further, many of our neighborhood associations meet only once per month. This does not afford them adequate time to effectively engage in the Title V review process with consent and direction from their membership. As such, they are precluded from availing themselves of this official forum to voice their opinions about the operation of the FP&L Riviera Beach power plant, a major sources of air pollution in our community.

For the aforementioned reasons, I request that you extend the public comment period for the Title V Air Operation Permit for the Riviera Beach Power Plant in Palm Beach County, Florida.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in cursive script that reads "Rose Anne Brown".

Rose Anne Brown
Chief of Staff / Public Information Officer

cc: Mr. Greg Worley
US EPA - Air Permits Section

RIVIERA BEACH, FLORIDA... "The Best Waterfront City In Which To Live, Work, & Play"



FACSIMILE COMMUNICATION

CITY OF RIVIERA BEACH

OFFICE OF THE Mayor & City Council

600 WEST BLUE HERON BOULEVARD
RIVIERA BEACH, FLORIDA 33404
PHONE - (561) 845-4095 / FAX - (561) 863-3236

TO: Ms. Trina Vielhauer	
COMPANY: Florida Department of Environmental Protection	
FAX #: (850) 245-2128	VOICE #: ()
FROM: Rose Anne Brown	
SUBJECT: Florida Power & Light Title V Air Operation Permit Renewal	
DATE: 9 /24 /03	PAGE(S): 2, Including Cover Sheet
COMMENTS:	
cc: Mr. Greg Worley, US EPA - Air Permits Section (404) 562-9019	

THOMAS JAMES SADLER

September 23, 2003

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

RECEIVED

SEP 23 2003

BUREAU OF AIR REGULATION

**Re: Title V Air Operation Permit Renewal
DRAFT Permit Project No. 0990042-003-AV
Riviera Beach Power Plant, Palm Beach County, Florida**

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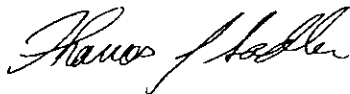
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For the aforementioned reasons, I request that you extend the public comment period for the Title V Air Operation Permit for the Riviera Beach Power Plant in Palm Beach County, Florida.

Thank you for your attention to this matter.

Sincerely,



cc: Mr. Greg Worley
US EPA
Air Permits Section
61 Forsythe Street
Atlanta, GA 30303
Fax (404) 562-9019

**Anda Sanders
5200 N. Flagler Dr. #703
West Palm Beach, FL 33407
561.863.3272**

Sept. 24, 2003

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

**Title V Air Operation Permit Renewal
DRAFT Permit Project No. 0990042-003-AV
Riviera Beach Power Plant, Palm Beach County, Florida**

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For the aforementioned reasons, I request that you extend the public comment period for the Title V Air Operation Permit for the Riviera Beach Power Plant in Palm Beach County, Florida.

Thank you for your attention to this matter.

Sincerely,

Aneda Sanders & Milton Sanders

cc: Mr. Greg Worley
USEPA
Air Permits Section
61 Forsythe Street
Atlanta, GA 30303

3 pages including cover page

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

RECEIVED

SEP 23 2003

September 23, 2003

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

BUREAU OF AIR REGULATION

**Re: Title V Air Operation Permit Renewal
DRAFT Permit Project No. 0990042-003-AV
Riviera Beach Power Plant, Palm Beach County, Florida**

Dear Ms. Vielhauer:

These comments are submitted on behalf of myself and the Palm Beach County Clean Power Coalition, a coalition of concerned citizens working to enhance and protect local air quality. We thank the Florida Department of Environmental Protection for this opportunity to comment on this important matter. Our specific comments and concerns about the Draft Permit, our concerns about the Riviera Beach Power Plant, and our concerns about the Title V air operation permitting process and other permitting processes in general, are set forth below.

I. Inadequacy of Public Notice

Under 40 C.F.R. §70.7(h) "all permit proceedings... shall provide adequate procedures for public notice including an opportunity for public comment and a hearing on the draft permit." Presently Florida Department of Environmental Protection requires only that notice be published in the notice section of a single daily newspaper. We request that FDEP amend its rules and require: one, that all Title V Air Operation Permit notices be published in the Florida Administrative Weekly as the official publication of record; two, that all permits be published on the internet web site; and three, that all notices be published in at least one local daily newspaper and that the notice appear in a prominent location within the newspaper.

II. General Concerns

Riviera Beach Power Plant (RBPP) first began operation in 1953. The remaining power generation Units 3 and Units 4 began operation in 1962 and 1964 respectively. These units were constructed prior to the Clean Air Act of 1970 and as such have been exempted from the most stringent emissions restrictions of the present Clean Air Act. The result is that these units are allowed to emit air pollution at a rate far exceeding emissions from facilities built subsequent to the Clean Air Act of 1970. In 2000, RBPP emitted 16,770 tons of sulfur dioxide and 5,606 tons of nitrogen dioxide emissions. By comparison, the Lauderdale facility, managed by Florida

Power and Light in Broward County, emitted just 16 tons of sulfur dioxide and 3,143 tons of nitrogen dioxide, while generating almost three times as much power as RBPP.

It is obvious that the technology needed to significantly reduce emissions from RBPP is readily available to the managers of this facility. We call on FDEP to use the permitting process and its authority as Florida's primary regulator of power plant emissions to require FPL to bring RBPP out from under the "grandfather" provisions of the Clean Air Act and require FPL to meet the highest standard for emission control consistent with best available control technology as soon as technically feasible.

III. Environmental Justice

The Riviera Beach Power plant is located on the southeast corner of the municipality of Riviera Beach. As such, its operations have a direct and significant impact on the health and well being of residents throughout south Florida. The municipalities of West Palm Beach, Riviera Beach, and Palm Beach are especially affected by these operations. Residing within the immediate proximity to RBPP is a significant low-income, minority community. This community is forced to assume a disproportionate share of the negative impacts of the air pollution emitted from this facility.

The US Department of Environmental Protection has endorsed the concept of Environmental Justice. Environmental Justice is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. Fair treatment means that no group of people, including a racial, ethnic, or a socioeconomic group should bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations.

We request that FDEP address this issue of environmental justice as part of the Title V permitting process, and include comment on specific steps which will be taken to mitigate the disproportional impact of the air operations of RBPP on the low-income, minority residents living in close proximity to this facility.

IV. December 1997 EPA Objection Letter

On December 11, 1997, the U.S. Department of Environmental Protection sent an letter to the Florida Department of Environmental Protection, objecting to the approval of the Title V draft permit that was under consideration at that time. See attachment A. The letter outlined a series of specific concerns related to the air operations of RBPP.

We request that FDEP include specific notes and comments as part of the final Title V Air Operation Permit for Riviera Beach Power Plant outlining the specific steps taken to address the concerns outlined in the 1997 EPA objection letter, and the ongoing procedures for ensuring continued compliance in addressing these concerns.

V. Permitting Frequency

While Title V air operation permits are general renewed every five years, it is within the discretion of FDEP to require that the permit be renewed more frequently. We request that the FDEP require Title V permitting for older facilities like RBPP be renewed on a three year basis.

VI. RBPP Specific Title V Permitting Concerns

1. Burning of Used Oil – Paragraph A.37 allows the burning of used fuel oil at RBPP. We request that this language be stricken from the permit, and that the fuel mix at RBPP be limited to the natural gas and the cleanest grades of fuel oil.
2. Continuous Air Monitoring (CAM) – Section III, Subsection A seems to indicate that Continuous Air Monitoring does not apply to generation unit 3 or unit 4. Under the CAM rule published by EPA on October 22, 1997, sources subject to the rule must follow established criteria in monitoring the operation and maintenance of control equipment. This rule would seem to apply to RBPP. As such we request that FDEP strike the language in Subsection A, and make the CAM rule applicable to RBPP.
3. Excess Emissions – The language in Draft Permit A.11 is vague. It seems to allow excess emissions from malfunctioning equipment on an indefinite basis. We request that this paragraph provide specific direction as to what best management practices are to be deployed to ensure that the absolute minimal excess emissions occur as a result of any malfunction.
4. VE Tests should be required for all operations – The provisions of Paragraph A.18 exempting certain operations from visible emissions (VE) compliance testing should be eliminated.
5. PM Tests should be required for all operations -- The provisions of Paragraph A.19 exempting certain operations from particulate matter (PM) testing compliance testing should be eliminated.
6. Testing Methods – Language proscribing methods of testing appearing in Paragraphs III and A.20, A.22, A.23 and elsewhere should be reworded. As drafted, this language may be construed to limit the use of credible evidence, and thus may be used to limit what evidence may be used to prove violations. This language should be reworded to reflect that data collected through comparable testing methods is valid in proving violations.
7. Frequency of Testing for VE – Testing as outlined in paragraph A.5 for visible emissions should occur more frequently. We request that FDEP require monthly testing for VE emission compliance.
8. Frequency of Testing – Testing as outlined in paragraph A.14 should be done on a monthly basis
9. Sulfur Dioxide Testing – Accuracy auditing of SO₂ emissions monitoring as outlined in paragraph A.15 should be done on a monthly basis.
10. Frequency of Compliance Testing – General compliance testing as provided for in paragraph A.17 should be done on a monthly basis.

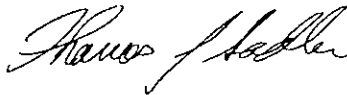
11. Permit Shield – The Draft Permit fails to make any mention of the provisions necessary for establishing a permit shield for the applicant. These provisions should be specifically outlined in the permit.
12. Acid Rain Program Requirements -- The Draft Permit indicates that the RBPP facility is subject to the provisions of the Title IV acid rain program requirements. The acid rain provision of the Draft Permit provide no comments, notes or justifications for the permit application. We request that this section for the permit include comments related to the adequacy of past and future compliance.
13. Specific language missing from the Draft Permit -- The Draft Permit fails to include the following required conditions. These conditions should be included in the permit:
 - a. Permit Term §70.6(a)(2) – The permit term shall not exceed 5 years.
 - b. Severability Clause – 70.6(a)(5) – In the event of challenge to any portion of the permit, the rest of the permit remains valid.
 - c. Duty to Comply 70.6(a)(6)(I) – The permittee must comply with all conditions of the permit. Noncompliance constitutes a violation of the Act and is grounds for enforcement, permit termination, revocation and reissuance, or modification, or for denial of permit renewal.
 - d. Halting/reducing activity not a defense – 70.6(a)(6)(ii)
 - e. Reopening for Cause – 70.6(a)(6)(iii) The permit may be modified, revoked, reopened, or terminated for cause. Filing of requests for permit action by permittee does not stay any permit condition.
 - f. Reopening for Cause – 70.7(f) Conditions for reopening and revising a permit.
 - g. Property Rights – 70.6(a)(6)(iv) No property rights are conferred by the permit.
 - h. Duty to provide information – 70.6(a)(6)(v)
 - i. Payment of fees – 70.6(a)(7)
 - j. Inspection and entry – 70.6(c)(2)
 - k. Permittee will comply with future requirements -- 70.5(c)(8)(iii)(B) & 70.6(c)(3)

VII. Conclusion

We respectfully request that these specific changes be incorporated into the Title V Air Operations Permit for the Riviera Beach Power Plant, and that the proposed permit be rewritten to comply with all federal and District regulations.

Thank you for your time and consideration in addressing our concerns. If you have any questions, please contact Tom Sadler at (954) 442-2169.

Sincerely,

A handwritten signature in cursive script, appearing to read "Tom Sadler".

cc: Mr. Greg Worley
US EPA
Air Permits Section
61 Forsythe Street
Atlanta, GA 30303
Fax (404) 562-9019

ATTACHMENT A

December 11, 1997

4APT-ARB

Howard L. Rhodes, Director
Air Resources Management Division
Florida Department of Environmental Protection
Mail Station 5500
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

SUBJ: EPA's Review of Proposed Title V Permits for Florida Power & Light

Dear Mr. Rhodes:

The purpose of this letter is to provide comments to the Florida Department of Environmental Protection (DEP) on the following proposed title V operating permits for Florida Power & Light (FP&L): Manatee Plant, Putnam Plant, Lauderdale Plant, Martin Plant, Port Everglades Plant, Riviera Plant, and Turkey Point Plant, which were consecutively posted on DEP's web site from October 31, 1997, to November 17, 1997. Based on the Environmental Protection Agency's (EPA's) review of these proposed permits and the supporting information for each plant, EPA formally objects, under the authority of Section 505(b) of the Clean Air Act (the Act) and 40 C.F.R. § 70.8(c) (see also Florida Regulation 62-213.450), to the issuance of all seven permits on the basis that the permits do not fully meet the periodic monitoring requirements of § 70.6(a)(3)(i). In addition, EPA objects to some of the proposed permits because they contain deviations from applicable requirements and some of the permits do not ensure practical enforceability of certain permit terms.

As you know, 40 C.F.R. § 70.8(c) requires EPA to object to the issuance of a proposed permit in writing within 45 days of receipt of the proposed permit (and all necessary supporting information) if EPA determines that the permit is not in compliance with the applicable requirements under the Act or 40 C.F.R. Part 70. Section 70.8(c)(4) and Section 505(c) of the Act further provide that if the State fails to revise and resubmit a proposed permit within 90 days to satisfy the objection, the authority to issue or deny the permit passes to EPA and EPA will act accordingly. Because the objection issues must be fully addressed within the 90 days, we suggest that the revised permits be submitted in advance in order that any outstanding issues may be addressed prior to the expiration of the 90-day period.

Pursuant to 40 C.F.R. § 70.8(c), this letter and the enclosures to it provide a statement of EPA's reasons for its objection. Enclosures 1 through 7 contain a detailed explanation of the objection issues specific to each permit and the changes necessary to make each permit consistent with the requirements of 40 C.F.R. Part 70. In some cases, the enclosure also contains general comments with regard to the individual permit.

With regard to the objection issue relating to periodic monitoring, EPA would like to emphasize that a permit that does not

contain adequate periodic monitoring, does not meet the requirements of 40 C.F.R. Part 70. Florida rule 62-213.440(1)(b)1.b. states that each Part 70 permit shall specify the following requirements with respect to monitoring:

"Where the applicable requirement does not specify a method for periodic testing or instrumental or noninstrumental monitoring, periodic monitoring sufficient to yield reliable data and demonstrate compliance with the permit. Such monitoring requirements shall assure use of recordkeeping terms, test methods, units, averaging periods, and other statistical conventions consistent with the applicable requirement."

The cited State regulation is based on 40 C.F.R. § 70.6(a)(3)(i)(B), which requires each Part 70 permit to contain the following requirements with respect to monitoring: "Where the applicable requirement does not require periodic testing or instrumental or noninstrumental monitoring (which may consist of recordkeeping designed to serve as monitoring), periodic monitoring sufficient to yield reliable data from the relevant time period that are representative of the source's compliance with the permit...."

Part 70's periodic monitoring requirements implement, in part, Section 504(a) of the Act, which requires that Part 70 permits contain "conditions as are necessary to assure compliance with applicable requirements of [the] Act, including the requirements of the applicable implementation plan" and Section 504(c), which requires "monitoring, compliance certification, and reporting requirements to assure compliance with the permit terms and conditions." In addition, Section 114 of the Act requires "enhanced monitoring" for major stationary sources. The EPA's recently-issued compliance assurance monitoring (CAM) rule indicates that Part 70 periodic monitoring satisfies enhanced monitoring under the Act for emissions units not subject to Part 64's CAM requirements. See 62 Fed. Reg. 54900, 54904 (Oct. 22, 1997).

In determining whether a permit application has appropriate periodic monitoring to assure compliance with all permit terms and conditions and all applicable requirements, a permitting authority must first determine whether an applicable requirement already requires periodic testing or instrumental or noninstrumental monitoring. See 40 C.F.R. § 70.6(a)(3)(i)(B); 62-213.440(1)(b)1.b, F.A.C. Whether an underlying applicable requirement contains periodic monitoring or testing must be judged according to the criteria defining and governing periodic monitoring: namely, whether it is sufficient to yield reliable data from the relevant time period that are representative of the source's compliance with the permit. In order for each permit to include monitoring that is sufficient to assure compliance with all applicable requirements, an applicant or permitting authority may have to enhance or supplement monitoring or testing in an existing applicable requirement through periodic monitoring that yields reliable and representative compliance data.(1) Alternatively, the underlying applicable requirement may already contain monitoring or testing sufficient to yield reliable data from the relevant time period that are representative of the source's

compliance with the permit, in which case the periodic monitoring requirement is satisfied and no additional monitoring is necessary.

We understand DEP's view of periodic monitoring to be that "additional monitoring requirements are to be imposed only when the applicable requirement does not specify or require any monitoring." [Letter from C.H. Fancy, Chief, Bureau of Air Regulation, Florida DEP to R. Douglas Neeley, Chief, Air and Radiation Technology Branch, Air, Pesticides and Toxics Management Division, U.S. EPA Region 4, (Nov. 6, 1997) (emphasis in original).] DEP has asserted that "[t]he 'adequacy' of such monitoring is not addressed nor defined in either Part 70 or Chapter 62-213, F.A.C." Id. We do not agree. As discussed above, periodic monitoring under Part 70 -- which is identical in material respects to Florida's regulations -- is defined by the criteria that govern the adequacy of periodic monitoring, whether that monitoring is contained in an applicable requirement or supplements an applicable requirement. All monitoring must be sufficient to yield reliable data from the relevant time period that are representative of the source's compliance with the permit.

One of our concerns is that DEP's view of periodic monitoring means that monitoring in an existing applicable requirement -- no matter how infrequent and no matter how inadequate to the task of compliance assurance -- may never be enhanced in order to assure compliance with an applicable requirement of the Clean Air Act. We do not believe that this gives the meaning due "enhanced monitoring" under Section 114 of the Act. If existing monitoring is inadequate to assure compliance and we accept DEP's view that the adequacy of such monitoring may not be addressed through supplemental periodic monitoring, then Title V permits would not meet the statutory and regulatory requirement to contain monitoring that is adequate to assure compliance with all applicable requirements. An applicable requirement which contains any monitoring that recurs on some cyclical basis -- which presumably could be once every year, five years, ten years or more -- does not mean such monitoring is "periodic" for purposes of Title V and the Clean Air Act.

Where EPA determines that permits do not contain periodic monitoring that will assure compliance with a permit's terms and conditions, EPA may object to those proposed permits and require that any final issued permits be reopened to address any deficiencies. EPA Region 4 will work with DEP to determine whether any of the State's final issued permits must be reopened to address issues relative to periodic monitoring.

We regret that we were unable to resolve these issues with your office prior to the expiration of the 45-day review period. However, we are fully confident that Florida DEP will act to respond to these concerns in a timely manner. If you have any questions or wish to discuss this further, please contact Mr. Douglas Neeley, Chief, Air & Radiation Technology Branch or Ms. Carla Pierce, Chief, Operating Source Section at (404) 562-9105. Should your staff need additional information they may

contact Ms. Yolanda Adams, Title V Technical Expert at (404) 562-9116, Mr. David McNeal, Monitoring Expert, at (404) 562-9102, or Ms. Lynda Crum, Associate Regional Counsel, at (404) 562-9524.

Sincerely,

/S/ James S. Kutzman for

Winston A. Smith
Director
Air, Pesticides & Toxics
Management Division

Enclosures

cc: Mr. Adalberto Alfonso
Plant General Manager
FPL - Turkey Point Plant
P.O. Box 088801
North Palm Beach, FL 33408

Mr. John Stanton
Plant General Manager
FPL - Port Everglades and Lauderdale Plants
11770 U.S. Highway One
North Palm Beach, FL 33408

Mr. W.T. Bethea
Plant General Manager
FPL - Putnam Plant
11770 U.S. Highway One
North Palm Beach, FL 33408

Mr. James A. Keener
Plant General Manager
FPL - Martin Plant
11770 U.S. Highway One
North Palm Beach, FL 33408

Mr. John M. Lindsay
Plant General Manager
FPL - Riviera Plant
11770 U.S. Highway One
North Palm Beach, FL 33408

Mr. J.M. Parent
Plant General Manager
FPL - Manatee Plant
11770 U.S. Highway One
North Palm Beach, FL 33408

1. See, e.g., 62 Fed. Reg. at 54904 ("Part 70 currently requires all title V operating permits to include monitoring to assure compliance with the permit. This includes all existing monitoring requirements as well as additional monitoring (generally referred to as 'periodic monitoring') if current requirements fail to specify appropriate monitoring. ...[E]xisting monitoring when supplemented as necessary by periodic monitoring is sufficiently enhanced for emissions units not subject to part 64.")

Enclosure 6

U.S. EPA Region 4 Objections
Proposed Part 70 Operating Permit
Florida Power & Light, Riviera Plant

EPA objects to the issuance of this permit due to the following reasons:

(1) Periodic Monitoring - The permit does not require sufficient periodic monitoring to ensure compliance with the applicable opacity standard. The Riviera permit only requires an annual one hour Method 9 visible emissions reading. This does not constitute adequate periodic monitoring to ensure continuous compliance with the opacity standard. Since continuous opacity monitors (COMs) have been installed on the units in question, these monitors should be used to ensure compliance with the opacity standard. Requiring that the opacity monitors be used for conducting periodic monitoring imposes little or no additional burden on FP&L.

(2) Periodic Monitoring - The permit does not require sufficient periodic monitoring to ensure compliance with the applicable particulate matter standard. The Riviera permit requires an annual emission test to verify compliance with the applicable three-hour particulate emission standard. It has not been demonstrated that an annual emission test alone will constitute the basis for a credible certification of compliance with the particulate emission standard for Units 1 and 2. If the State believes that no additional monitoring is warranted to ensure compliance with the particulate standard it must provide a technical demonstration in the statement of basis identifying the rationale for basing the compliance certification only on data from a short-term annual test. Otherwise, the permit must be revised to identify additional monitoring that will be conducted in order to ensure compliance with the particulate matter standard. We suggest the following approaches to periodic monitoring:

- a) Correlate COM data to PM standard - this approach would not require additional monitoring equipment to be installed.
- b) Correlate injection rate of specific compounds to ash content of the fuel and emission rate. Recordkeeping would consist of ash content and corresponding injection rate.

c) Other monitoring approach demonstrated by the permittee to be a valid method for assuring compliance with the applicable three-hour particulate matter standard.

In addition, the Riviera permit states that magnesium oxide, magnesium hydroxide and related compounds may be injected into each boiler. Information provided to EPA indicates that these injected compounds (additives) are used to control both particulate matter and nitrogen oxide emissions and that the amount of additive is dependent upon the ash content of the fuel. No provision exists within the permit which addresses the approval and use of additives. The units should be required to operate during compliance tests at an injection rate consistent with normal operations. This could be corrected by adding to the particulate compliance language: "the tests shall be conducted under both sootblowing and non-sootblowing conditions, and shall be conducted while injecting approved additives consistent with normal operating practices approved by the Department."

(3) Deviation from Applicable Requirement - Florida rule 62-296.405(1)(f) 1.a, requires all emissions units to install continuous monitoring systems for monitoring opacity. The only exemption appears to be for units that do not use emission control equipment. Since emissions from these units are controlled with multiple cyclones, it appears that Florida regulations would require the use of COMs to determine compliance with the opacity standard. This applicable requirement must be included in the permit, or clarification must be provided in the statement of basis as to why this requirement does not apply.

(4) Deviation from Applicable Requirement - Florida rule 62-296.405(1)(a) requires fossil fuel steam generators to comply with a 20 percent opacity standard, with the exception that sources electing to test for particulate matter emission compliance quarterly shall be allowed visible emissions of 40 percent opacity. The Riviera permit requires compliance with a 40 percent opacity standard; however, it only requires an annual compliance test for particulate matter emissions. We understand that this variance from the SIP's quarterly testing requirement was granted by a State Order. However, this variance was never submitted by the State of Florida as a SIP revision, and therefore, was never approved into the SIP. Therefore, the Manatee permit must ensure compliance with the requirements of the SIP as stated in rule 62-296.405(1)(a).

(5) Deviation from Applicable Requirement - Condition A.9 states that 'The sulfur dioxide emission limitation shall apply at all times including startup, shutdown, and load change, but shall not apply during malfunction provided best operational practices to minimize emissions are adhered to and the duration of excess emissions are minimized and does not exceed two hours in any 24-hour period.' These units do not have sulfur dioxide controls. Please provide a definition of what constitutes a malfunction as used in this permit condition for the Riviera Plant. The SIP rules (62- 296.405(1)(c) and 62-296.405)(1)(c) do not provide for a relaxation of the SIP limit during a malfunction. This condition should be revised to be consistent with the applicable regulations.

(6) Exemptions from Permitting: Appendix E-1- It is our understanding that the changes to F.A.C. rules 62-213.300, and 62-213. 420-440 addressed in a preliminary draft dated June 2, 1997, were officially adopted by the State on November 13, 1997. Therefore, the State needs to revise the permit, specifically Section II, item 6 and Appendix E-1, to delete the term "exempted from permitting" and replace it with the language contained in rules 62-213.300, and 62-213. 420-440. Additionally, as agreed in previous conversations between Regional staff and the State, the State needs to remove the reference to F.A.C. rule 62-4, since it is not related to activities that may be considered "insignificant" under the title V program.

(7) Periodic Monitoring - Condition A.8 allows particulate matter emissions up to an average of 0.3 lbs. per million BTU heat input during a 3-hour period in any 24-hour period for soot blowing and load change. In addition, Condition A.6 allows visible emissions up to 60 percent opacity during soot blowing and load changes. A load change is defined to occur when the operational capacity of a unit is in the 10 percent to 100 percent capacity range, other than startup or shutdown, which exceeds 10 percent of the unit's rated capacity and which occurs at a rate of 0.5 percent per minute or more. There does not, however, appear to be any conditions that require the source to record the time, date, and duration of these events. The permit must require that the facility keep records of these events to ensure compliance with this requirement.

In addition to the above objections, our review has identified the following concerns regarding the Riviera permit:

1. Section II, Facility-Wide Conditions.

Condition 7 should be identified as "Not Federally Enforceable."

2. Conditions A.15 and A.23 indicate that the permittee shall demonstrate compliance with the sulfur dioxide limit using CEMs.

Condition A.23 also appears to offer the source the opportunity to use EPA test methods 6, 6A, 6B, 6C for demonstrating

compliance with the applicable SO₂ standard. If the source is required to use CEMs as a method of demonstrating compliance,

it is unclear why Condition A.23 indicates alternative test methods. The Region recommends that the language in A.23, which

allows the above test methods for measuring sulfur dioxide emissions, be removed from

Condition A.23 in order to avoid confusion.

Condition A.23 also allows the source to obtain an alternate procedure under the provisions of Rule 62-297.620, F.A.C.. Rule

62-297.620 (Exceptions and Approval of Alternate Procedures and Requirements) does not allow the source to obtain an

alternative to continuous monitoring requirements. Therefore, it appears that the language in Condition A.23 which suggests that

the source has the option of obtaining an alternative procedure to CEMs for demonstrating compliance with the SO₂ limit

should be removed to avoid confusion. Please, refer to the Turkey Point permit which contains requirements for CEMs in

conditions A.9 and A.13, but does not include the confusing language mentioned above.

Sheplak, Scott

From: DBEINWPBFL@aol.com
Sent: Thursday, September 25, 2003 4:17 PM
To: Sheplak, Scott
Subject: Riviera Beach Power Plant Comment Letter

Mr. Sheplak, attached are my written comments on FPL's application for the renewal of the Title V Air Operation Permit for its Riviera Beach Power Plant.

Debbie Evans
561-798-8205

**DEBORAH B. EVANS
12307 OLD COUNTRY ROAD
WELLINGTON, FL 33414**

September 25, 2003

Via email: Scott.Sheplak@dep.state.fl.us
Scott M. Sheplak, P.E.
Administrator Title V Program
Florida Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

**Re: Title V Air Operation Permit Renewal
DRAFT Permit Project No. 0990042-003-AV
Facility ID No. 0990042
Riviera Beach Power Plant, Palm Beach County, Florida**

Dear Mr. Sheplak:

In addition to the oral comments I gave at the public hearing on September 23, 2003, I wish to make the following written comments regarding FPL's application for air operation permit renewal:

1. This draft renewal permit seems to be the same as the final permit no. 0990042-001-AV. As five years have passed since the date of the previous permit, I was expecting to find some changes.
2. Given the geriatric age of this plant, its lack of up-to-date emission controls, and that it is a major source of hazardous air pollutants, it is disconcerting to see that it is permitted to burn used oil. It is also disconcerting to see that it is permitted to burn HDPE. What happened to recycling?
3. Regarding Section III.A., second paragraph, last sentence, "CAM does not apply." What is CAM? Would you please define this abbreviation and explain what it means.
4. Regarding Section III, A.14 and A.15, again, given the geriatric age of this plant, I am amazed to see that these tests are required only annually. I was expecting to find them performed at least monthly or quarterly. As this geriatric plant is a major source of hazardous air pollutants, I would feel more comfortable with a more frequent monitoring schedule.

5. Regarding Section III, A.17(a), General Compliance Testing, I notice there is no paragraph 1 and the paragraph after number 5 is numbered 9. Are these typographical errors or are there missing paragraphs?
6. On January 22, 2002, Florida Public Service Commission Administrative Rule 25-6.065, Interconnection of Small Photovoltaic Systems, became effective. To fully realize the potential of these clean, renewable energy systems, we need cleaner skies. FPL may not want to clean up this dirty, aged power plant, but it should not be allowed to interfere with the efficient operation of anyone's PV system by depositing soot from its dirty power plant all over our communities.
7. As FPL seems unwilling to initiate upgrading the plant to a cleaner fuel, I hope that DEP and EPA will severely limit the hours of this plant's operation. We have a decent reserve margin in Florida (15-20% I believe); and as FPL has informed me that this plant is only operating at 30% to 40% of its generating capacity, I see no reason that it should be operating period.
8. Given the scientific knowledge we have about the harmful effects of pollutants emitted by power plants, I would like to see power plants become zero emission facilities. Require tree planting to sequester the carbon dioxide emitted from the stacks. If trees are planted to reduce energy use in buildings and create cooler climates, we may not even need as many of these power plants.

Please review FPL's application carefully. Please do not just "rubber stamp" their application. Since a power plant of this nature could not be constructed today, please include every regulation and condition possible to force FPL to make this a better plant.

Sincerely,

Deborah B. Evans

cc: Mr. Greg Worley
US EPA
Air Permits Section
61 Forsythe Street
Atlanta, GA 30303
Fax (404) 562-9019

WRITTEN COMMENT INFORMATION

If you wish to provide written comments to the Department on this project to be considered and addressed in the permit process, comments must be received by the Department by 5:00 p.m. on September 25, 2003. You may write your comments below and place this form in the comment box located at the table as you came in the door, or you may send your comments to:

Mr. Scott M. Sheplak, P.E.
Administrator Title V Program
Florida Department of Environmental Protection
2600 Blair Stone Road, Mail Station #5505
Tallahassee, Florida 32399-2400
Or email:
Scott.Sheplak@dep.state.fl.us

COMMENTS:

The FPL power plant in Riveria Bch, FL, ~~should~~^{must} be made to "more" conform to the latest Air Pollution standards of Law in FL, most probably with "scrubbers".

Anthony J. Cannon
Ret. Civil Engr.
Grimly City Engr.

RECEIVED

SEP 23 2003

BUREAU OF AIR REGULATION

WRITTEN COMMENT INFORMATION

If you wish to provide written comments to the Department on this project to be considered and addressed in the permit process, comments must be received by the Department by 5:00 p.m. on September 25, 2003. You may write your comments below and place this form in the comment box located at the table as you came in the door, or you may send your comments to:

Mr. Scott M. Sheplak, P.E.
Administrator Title V Program
Florida Department of Environmental Protection
2600 Blair Stone Road, Mail Station #5505
Tallahassee, Florida 32399-2400
Or email:
Scott.Sheplak@dep.state.fl.us

COMMENTS:

The FPL Riverbank Electric Power Plant should be dismantled. To continue operating a plant that is so dirty it jeopardizes the health of the local community, and is a significant contributor to Global Warming. The irresponsible leadership from the White House is no excuse for a monopolistic Corporation to not be responsible to its surrounding communities. FPL SHOULD CLEAN UP THEIR ACT

RECEIVED

SEP 23 2003

BUREAU OF AIR REGULATION

John H. Gates
JOHN H. GATES
9693 E CLAY LAUCH RD
BOYNTON BEACH, FL 334137

ENV. HEALTH & ENG.

03 SEP 23 PH 1: 23

September 22, 2003

Environmental Science and Engineering
901 Evernia Street
West Palm Beach, Fl 33401

Gentlemen:

We are home owners in Northwood at 427 26th Street, West Palm Beach, Fl 33407 and want you to know that we are opposed to the renewal of the permit for the horrible power plant that is blight on our neighborhood and to our environment. Please do not renew the permit and insist that the plant relocate and, before it does, clean up its emissions.

Thank you,


Anne Obolensky Owens
P.O. Box 691
Palm Beach, Fl 33480

RECEIVED

SEP 23 2003

BUREAU OF AIR REGULATION

SPEAKER CARD
DEP PUBLIC MEETING
SEPTEMBER 23, 2003

(Please Print)

NAME: Bettye Alexander-Hodges

ADDRESS: 817 Avenue "S"
Riviera Beach, FL 33404

over →

A 45 year Resident have been breathing
this bad air for this many years. I too
am as thramatic and is experiencing an
attack now.

Please help me to ~~B~~ live and breathe
longer. I agree with a larger facility
and a later time for meeting. We are working
Citizens.

RECEIVED

SEP 23 2003

BUREAU OF AIR REGULATION

9/23/2003 hearing in West Palm Beach re FPL pollution in Riviera Beach

Ladies and Gentlemen: My name is SAL. I live in the north end of Palm Beach, opposite the plant. I am an engineer with extensive background in combustion engineering.

I can provide some history and background to what is being addressed here today. I regret that Mr. Abrishame is not here. He was in charge of the plant some 10 years ago. I remember him as an exceptionally fine gentleman, as well as being competent. As a representative for many Northend residents, I met with Mr. Abrishami to look into a severe, low frequency noise coming from the plant, that truly shook some windows and was disturbing the piece and quiet. I suggested, that the plant in trying to achieve better combustion efficiency, was preheating the oil to a too high temperature, thereby "detonating" the fuel, rather than burning it, not only causing vibrations, but also doing damage to the plant's combustion chambers. I served as a remote listening post for Mr. Abrishami and

I am happy that he listened to me as well. The plant then made extensive and expensive changes to the combustion system, which solved the problem, for both the plant and the suffering "listeners", I am happy to acknowledge.

There are large amounts of soot coming from the stacks, some of it dropping down on my boat, creating a mess. I met with people at the plant about that problem a few years ago, but ultimately got a typical corporate brush-off and denials. What we are discussing here today is a form of "double-speak". On the one side, we can read in the newspapers that corporate FPL is one of the cleanest in the country, but also that the local plant is one of the dirtiest. If you want to see how dirty the exhaust really is, I suggest that you look up against the sky after dark, when you can see what is not there during daylight hours, perhaps because the plant is then burning cleaner alternate fuels.

I have read that power concerns can apply "brown" points (no pun intended) or credits from plants that are running cleaner and below the maximum federal standards and apply those credits to other dirty plants. That will accomplish to clean up the average, but will not change the smoke in the air and what is blown in your eyes. *It is still 2x higher than it was, so more*

I am happy that the EPA is looking into the matter and hope that there will finally be action to protect the environment, our health, as well as my boat. Thank you for listening.

generally advised

ⓧ several \$ millions

RECEIVED

SEP 23 2003

BUREAU OF AIR REGULATION

SPEAKER CARD
DEP PUBLIC MEETING
SEPTEMBER 23, 2003

(Please Print)

NAME: SCOTT ADDLESBERGER

ADDRESS: 435 56th ST WPB, FL 33407

AS AN OWNER 3 BLOCKS SOUTH
OF THE PLANT I AM UNABLE
TO OPEN MY WINDOWS DUE
TO THE POLLUTION. MY DOCTOR
ASKED ABOUT CHANGES IN MY
ENVIRONMENT AS MY COLD &
ALLERGY PROBLEMS STARTED &
EXPANDED. MY NEW CAR IS
DIRTY FROM AIR POLLUTION
WITHIN 24 HOURS OF
WASHING. MY OLD ADDRESS
20 BLOCKS SOUTH TOOK
2 WEEKS BEFORE NEEDING
ANOTHER WASH. POLLUTION IS
REAL. IT IS ABLE TO BE
CHANGED. IT SHOULD BE
ADDRESSED. RIGHT IS DEFINED
BY ACTIONS NOT BY
REQUIREMENTS.

SUD
RECEIVED
SEP 23 2003

BUREAU OF AIR REGULATION

WRITTEN COMMENT INFORMATION

If you wish to provide written comments to the Department on this project to be considered and addressed in the permit process, comments must be received by the Department by 5:00 p.m. on September 25, 2003. You may write your comments below and place this form in the comment box located at the table as you came in the door, or you may send your comments to:

Mr. Scott M. Sheplak, P.E.
Administrator Title V Program
Florida Department of Environmental Protection
2600 Blair Stone Road, Mail Station #5505
Tallahassee, Florida 32399-2400
Or email:
Scott.Sheplak@dep.state.fl.us

COMMENTS:

I am fed up with having to
wash my car every day &
having to wash my clothes
again after hanging them outside

RECEIVED

SEP 23 2003

BUREAU OF AIR REGULATION

Sheplak, Scott

From: Vielhauer, Trina
Sent: Thursday, September 25, 2003 1:55 PM
To: Sheplak, Scott
Subject: FW: Title V permit deadline extension

-----Original Message-----

From: Sarah [mailto:sweise@bellsouth.net]
Sent: Thursday, September 25, 2003 1:18 PM
To: Vielhauer, Trina
Subject: Title V permit deadline extension

Dear Trina Vielhauer,

Thank you for conducting the hearing for the Riviera Beach power plant Title V permit renewal. I was pleased to offer comments for the public on this important matter.

I am writing to you today to ask that you extend the deadline for public comments to allow for more of our families at Northboro Elementary to participate in this hearing. As I informed you at the meeting, the hearing was scheduled at the same time as our Open House. I had opted to attend the hearing instead of speaking with my son's teacher, but as I am always at the school this was not a problem. I know that many of our families are concerned about the proximity of the power plant to the school and the effects that the air pollution has on their children.

Please provide them an opportunity to have their comments added to the many voices that you heard at the hearing by extending the deadline and providing another hearing (preferably on Saturday).

Thank you,

Sarah Y. Weise
Northboro Elementary PTA
President

extending request



FACSIMILE COMMUNICATION

CITY OF RIVIERA BEACH

OFFICE OF THE Mayor & City Council

600 WEST BLUE HERON BOULEVARD
RIVIERA BEACH, FLORIDA 33404
PHONE - (561) 845-4095 / FAX - (561) 863-3236

TO: Ms. Trina Vielhauer	
COMPANY: Florida Department of Environmental Protection <i>922-6979</i>	
FAX #: (850) 245-1128	VOICE #: ()
FROM: Rose Anne Brown	
SUBJECT: Florida Power & Light Title V Air Operation Permit Renewal	
DATE: 9/24/03	PAGE(S): 2, Including Cover Sheet
COMMENTS: cc: Mr. Greg Worley, US EPA - Air Permits Section (404) 562-9019	



CITY OF RIVIERA BEACH

600 WEST BLUE HERON BOULEVARD • RIVIERA BEACH, FLORIDA 33404
(305) 845-4018 • Fax (561) 863-3238 • rabrown@rivierabch.com

Office of the Chief of Staff

September 23, 2003

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

**Re: Title V Air Operation Permit Renewal
DRAFT Permit Project No. 0990042-003-AV
Riviera Beach Power Plant, Palm Beach County, Florida**

Dear Ms. Vielhauer:

This is to request that the 30 day public comment process under Rule 62-110.106 of the Florida Administrative Code be reopened for the above referenced Title V Air Operation Permit Renewal No. 0990042-003-AV, for the Riviera Beach Power Plant facility in Palm Beach County, Florida.

The public comment period should be kept open for such time as is necessary to allow community members and interested parties to review the above reference permits and to prepare substantive comments.

By limiting the comment period to 30 days, community members and interested parties are placed at a significant disadvantage. As non-professionals, the amount of time required for members of the general public to review and prepare effective comments as part of the Title V process far exceeds the allotted 30 day period.

Further, many of our neighborhood associations meet only once per month. This does not afford them adequate time to effectively engage in the Title V review process with consent and direction from their membership. As such, they are precluded from availing themselves of this official forum to voice their opinions about the operation of the FP&L Riviera Beach power plant, a major sources of air pollution in our community.

For the aforementioned reasons, I request that you extend the public comment period for the Title V Air Operation Permit for the Riviera Beach Power Plant in Palm Beach County, Florida.

Thank you for your attention to this matter.

Sincerely,

Rose Anne Brown
Chief of Staff / Public Information Officer

cc: Mr. Greg Worley
US EPA - Air Permits Section

Sheplak, Scott

From: Vielhauer, Trina
Sent: Thursday, September 25, 2003 4:19 PM
To: 'Tom Sadler'; Wanda Oleson; aneda sanders; Bruce Offord; Carol Garber; Catherine Dwore; Cindy Vallo; Dean Evans; Debbie Evans; Elizabeth Wade; Fred Van Poznak; Fred Van Poznak; Gerald M. Ward; Harold E. Nord; JoAnn Miner; John & Kay Gates; Katy Lidel; Luc Petre; Michael D. Brown; Ned Barnes; Raphael Clemente; Rebecca Brown; Rhonda Hebert; Rose Anne Brown; Sarah Weise; Shirley Meek
Cc: Sheplak, Scott; Katie Forney
Subject: RE: Congratulations! RB Power Plant Hearing News Item

NOTICE

The Department of Environmental Protection, Division of Air Resource Management, announces that it has extended the period for receiving written public comments on the Title V Air Operation Permit Renewal for the Florida Power & Light Company's Riviera Beach Plant, Project # 0990042-003-AV, until 5:00 p.m. on October 6, 2003. Comments may be sent

To:

Mr. Scott M. Sheplak, P.E.
Administrator Title V Program
Florida Department of Environmental Protection
2600 Blair Stone Road, Mail Station #5505
Tallahassee, Florida 32399-2400
Or email:
Scott.Sheplak@dep.state.fl.us
Or fax:
[\(850\) 922-6979, Attention Scott Sheplak](tel:(850)922-6979)

Notice of the Department's Intent to Issue for this project was published on August 26, 2003.

-----Original Message-----

From: Tom Sadler [mailto:tsad@ix.netcom.com]
Sent: Thursday, September 25, 2003 12:07 PM
To: Wanda Oleson; aneda sanders; Bruce Offord; Carol Garber; Catherine Dwore; Cindy Vallo; Dean Evans; Debbie Evans; Elizabeth Wade; Fred Van Poznak; Fred Van Poznak; Gerald M. Ward; Harold E. Nord; JoAnn Miner; John & Kay Gates; Katy Lidel; Luc Petre; Michael D. Brown; Ned Barnes; Raphael Clemente; Rebecca Brown; Rhonda Hebert; Rose Anne Brown; Sarah Weise; Shirley Meek
Cc: Vielhauer, Trina; Sheplak, Scott; Katie Forney
Subject: Congratulations! RB Power Plant Hearing News Item

Dear Coalition Partners-

Congratulations to all on an amazing hearing!

9/25/2003

We simply could not have hoped for a better turnout or for a more effective, informed, and engaging group of residents to present the concerns of the community to the Florida Department of Environmental Protection (FDEP).

Attached is the news item that appeared in Wednesday's *Palm Beach Post*. I think it perfectly captures the sentiment of the hearing.

It is obvious that the hearing officer and the representatives from FDEP were surprised and impressed. I am certain that the passion and commitment of the community to cleaning up the outdated Riviera Beach Power Plant was not lost on these important decision makers.

We should have a decision sometime today from FDEP on our request for extending the public comment period open. There are a number of concerned individuals and groups requesting more time to review the permit and prepare written comments. As such, it seems likely that they will exercise their discretion in granting our request for extension.

The Title V air operation permit renewal is an important opportunity to voice our concerns about the power plant. We must demand that FDEP carefully review this permit. We must demand that FDEP include every possible regulation and condition prior to issuing any renewal of this permit. In all likelihood, the permit will be renewed. However, a properly written permit will provide us with a tool to hold the managers of FPL accountable for every category of emission from this facility and for every operational decision made at this facility.

However, the Title V permit hearing is only a first step. As concerned citizens we have many tools at our disposal for demanding that the Riviera Beach Power Plant be cleaned up. The key to success will be your continued engagement and commitment. If we can sustain our efforts and continue to hold FPL and the various state and local regulators and public officials accountable for the operation of this facility, we will eventually achieve our ultimate goal.

Please continue to stay engaged in this effort. It is important that we continue to grow our coalition. Talk to your friends and neighbors about this problem, and reach out to community organizations and associations. If you have any questions, feel free to contact me via email or phone.

Again, congratulations and thanks to all who helped make Tuesday's hearing a huge success.

Best,

Tom Sadler
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Wednesday, September 24

Residents complain about FPL Riviera plant

By Scott McCabe, Palm Beach Post Staff Writer
Wednesday, September 24, 2003

WEST PALM BEACH -- About 75 people packed the fluorescent yellow room to talk about their substance abuse problem.

"Hi, I'm Luvenia Washington and I'm full of soot," began one 70-year-old Riviera Beach resident.

Washington was one of about two dozen who spoke against the Florida Power & Light plant in Riviera Beach, which they say is addicted to burning oil and dumping the black residue all over their neighborhoods and into their lungs.

Florida Department of Environmental Protection held the hearing to determine whether the government should renew the 42-year-old plant's air permit.

Opponents argue that its emissions, although within the rules set when it started working in the early 1960s, are too dirty by today's standards. If the company wanted to build the plant today, it couldn't.

Speakers included representatives from the city of Riviera Beach, the Northboro Elementary PTA, the American Lung Association and the Sierra Club, as well as residents from surrounding neighborhoods.

Some complained of a corporate disconnect between company executives making tens of millions of dollars and the public. They complained that the company puts profits over people.

"When you raise my electric bill," Washington said, "raise my ability to breathe."

Bob Nelson of West Palm Beach submitted as evidence his trash can lid, thick with filthy soot.



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"This is what we're breathing every day," he said, wiping the top with a paper towel, revealing black ash.

Tom Sadler of the National Environmental Trust has been studying the plant for three years. The plant has been on environmentalists' list of Florida's "dirtiest dozen."

He's asked Florida DEP to adequately post public notices, extend the public comments to 90 days, consider the consequences of pumping pollutants over an economically poor area, eliminate the burning of used oil, monitor the emissions more frequently than once a year and consider objections that the U.S. Environmental Protection Agency outlined in 1997 during the last air permit process.

Sadler said he's asked the company to answer one question: "When will you take the plant out of the loophole and upgrade it to the most stringent standards?"

FPL isn't offering any answer, he said.

FPL representatives have said they've lowered emissions since the plant was built -- once in the 1980s and again in the 1990s -- and have the plant listed as "a potential" on the company's 10-year plan.

But the power company doesn't have to upgrade the plant because it is grandfathered in under the old laws.

"It just keeps poofing and poofing, it doesn't stop. It has to be a health hazard," said Audrey Franklin of West Palm Beach. "I just think it's time that Florida Power & Light becomes a good neighbor."

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