

September 25, 2000

RECEIVED
SEP 26 2000
BUREAU OF AIR REGULATION

Ms. Kathy Carter
Office of General Counsel
Florida Department of Environmental Protection
Room 638
3900 Commonwealth Boulevard
Tallahassee, FL 32399-3000

Re: Florida Power Corporation, Anclote Power Plant
REQUEST FOR EXTENSION OF TIME on the *Intent to Issue Title V Air
Operation Permit*
Draft Permit No. 1010017-005-AV

Dear Ms. Carter:

On March 31, 2000, Florida Power Corporation (FPC) received the above-referenced Intent to Issue Title V Air Operation Permit. A review of the permit conditions has revealed that several issues need to be resolved. Accordingly, FPC requests an enlargement of time, pursuant to Florida Administrative Code Rule 62-110.106(4), to and including November 30, 2000, in which to file a Petition for Administrative Proceedings in the above-styled matter. Granting of this request will not prejudice either party, but will further both parties mutual interest by hopefully avoiding the need to actually file a Petition for Administrative Proceeding in this matter. If the Department denies this request, FPC requests the opportunity to file a Petition for Administrative Proceeding within 10 days of such denial.

If you should have any questions, please contact Mr. Michael Kennedy at (727) 826-4334.

Sincerely,

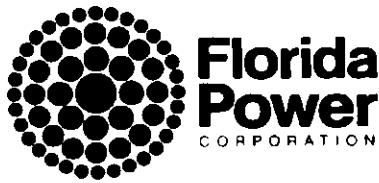
A handwritten signature in cursive script that reads "Robert Manning".

Robert A. Manning, Esq.
Hopping Green Sams & Smith

cc: Scott Sheplak, DEP
Doug Beason, DEP, OGC

9/29/00 cc: Scott Sheplak
Mike Halpin

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RECEIVED

SEP 21 2000

BUREAU OF AIR REGULATION

September 18, 2000

Mr. Scott Sheplak, P.E.
Florida Department of Environmental Protection
2600 Blair Stone Rd.
Tallahassee, Florida 32399-2400

Dear Mr. Sheplak:

Re: Florida Power Corporation's Anclote Facility
Draft Permit Revision No. 1010017-005-AV

On August 10, 2000, Florida Power Corporation (FPC) received preliminary Proposed Title V permit revision number 1010017-005-AV. This letter serves to provide additional comments on the preliminary proposal. Currently, FPC has requested an extension of time until September 30, 2000 for the permit review and consideration of comments. The comments contained in this letter provide additional information and rationale for two of the comments made in FPC's May 12, 2000 letter on the Draft Permit.

- May 12 comment: Section III, Subsection A: Condition A.1.2. should be qualified by adding a sentence as follows: "These limitations are exclusive of unit startups, shutdowns, unit upsets, and rapid load reductions to less than 80 MW." These are conditions during which the firing of natural gas may be infeasible. When stable operation at less than 80 MW is achieved, natural gas can be fired in accordance with the permit condition.

DEP's response to this comment was "This condition was taken verbatim from a SIP approved air construction permit (AC), and therefore will not be changed." FPC understands the response, but offers the following additional comments.

Experience with operation on natural gas has taught FPC that there are certain conditions during which it is infeasible to fire natural gas. These are usually fairly short periods of time, and they include startups, shutdowns, malfunctions, and rapid load changes. During stable operation at less than 80 MW natural gas can reliably be fired. Since Condition A.1.2 does not involve an emissions limit, the excess emissions provisions contained in Conditions A.11 and A.12 arguably do not apply to this situation. Therefore, FPC requested the addition of the language in the May 12 comment.

Regarding DEP's ability to change a construction permit condition, in 1999 DEP adopted Rule 62-210.300(1)(b)1., FAC, which provides the authority to change a construction permit

condition through the Title V permitting process. The only exceptions are if the change constitutes a "modification" or the construction permit arose from a major case-by-case determination, such as a PSD permit, nonattainment NSR permit, or MACT determination. Rule 62-210.300(1)(b)2., FAC, underlines this authority by stating that the "force and effect" of changing a construction permit condition in the Title V process is "the same as if such a change were made to the original air construction permit." Accordingly, FPC requests that DEP reconsider the additional language proposed by FPC to Condition A.1.2.

- May 12 comment: Section III, Subsection A. Condition A.20.3. should be revised as follows: "In cases where No. 6 fuel oil is received with a sulfur content exceeding 1.8%, by weight, and blending is required to obtain a fuel mix equal to ~~to~~ the applicable percent sulfur limit, an analysis of a fuel sample representative of fuel from the fuel storage tanks shall be performed ~~obtained~~ by FPC ~~prior to firing oil at the plant~~ to verify compliance with the 1.8% sulfur limit."

Prior to obtaining the laboratory analysis, a mass balance calculation can be performed to ensure compliance. The analysis will then verify compliance when it is received.

DEP's response to this comment was identical to that for the previous comment. FPC requested the change for the following reasons. First, the daily sulfur content limit is 1.8%; the annual average limit is 1.5%. Receipt of an oil shipment containing greater than 1.5% sulfur is not an issue unless the sulfur content is greater than 1.8%, which is the "applicable percent sulfur limit" on a daily basis. The suggested change aligns the percent sulfur number with the applicable standard for the time period in question.

The remaining proposed language changes are designed to make the permit condition more practical. FPC does not perform its own laboratory analysis. Analyses are performed by a laboratory under contract, hence the suggested change to "obtained" from "performed." In addition, the laboratory analyses often take up to a week to obtain. On a daily basis, the vendor sulfur analysis provided upon delivery of the oil combined with a mass balance calculation will ensure compliance. The laboratory analyses can then be used to verify compliance with the 1.8% sulfur daily limit.

Finally, for the reason given in the previous comment, DEP has the authority to change the language of the construction permit condition in this Title V permitting process.

Thank you for your consideration of these comments. Please contact me at (727) 826-4334 if you have any questions.

Sincerely,



J. Michael Kennedy, Q.E.P.
Manager, Air Programs

9/25/00 cc: Scott Sheplak
Tom Casco



July 26, 2000

Ms. Kathy Carter
Office of General Counsel
Florida Department of Environmental Protection
Room 638
3900 Commonwealth Boulevard
Tallahassee, FL 32399-3000

Re: Florida Power Corporation, Anclote Power Plant
REQUEST FOR EXTENSION OF TIME on the *Intent to Issue Title V Air
Operation Permit*
Draft Permit No. 1010017-005-AV

Dear Ms. Carter:

On March 31, 2000, Florida Power Corporation (FPC) received the above-referenced Intent to Issue Title V Air Operation Permit. A review of the permit conditions has revealed that several issues need to be resolved. Accordingly, FPC requests an enlargement of time, pursuant to Florida Administrative Code Rule 62-110.106(4), to and including September 29, 2000, in which to file a Petition for Administrative Proceedings in the above-styled matter. Granting of this request will not prejudice either party, but will further both parties mutual interest by hopefully avoiding the need to actually file a Petition for Administrative Proceeding in this matter. If the Department denies this request, FPC requests the opportunity to file a Petition for Administrative Proceeding within 10 days of such denial.

If you should have any questions, please contact Mr. Michael Kennedy at (727) 826-4334.

Sincerely,

A handwritten signature in cursive script that reads "Robert A. Manning".

Robert A. Manning, Esq.
Hopping Green Sams & Smith

cc: Scott Sheplak, DEP
Doug Beason, DEP, OGC

7/27/00 cc = Scott Sheplak
Gene Cascio

140885



June 22, 2000

RECEIVED

JUN 23 2000

BUREAU OF AIR REGULATION

Ms. Kathy Carter
Office of General Counsel
Florida Department of Environmental Protection
Room 638
3900 Commonwealth Boulevard
Tallahassee, FL 32399-3000

Re: Florida Power Corporation, Anclote Power Plant
REQUEST FOR EXTENSION OF TIME on the *Intent to Issue Title V Air
Operation Permit*
Draft Permit No. 1010017-005-AV

Dear Ms. Carter:

On March 31, 2000, Florida Power Corporation (FPC) received the above-referenced Intent to Issue Title V Air Operation Permit. A review of the permit conditions has revealed that several issues need to be resolved. Accordingly, FPC requests an enlargement of time, pursuant to Florida Administrative Code Rule 62-110.106(4), to and including July 31, 2000, in which to file a Petition for Administrative Proceedings in the above-styled matter. Granting of this request will not prejudice either party, but will further both parties mutual interest by hopefully avoiding the need to actually file a Petition for Administrative Proceeding in this matter. If the Department denies this request, FPC requests the opportunity to file a Petition for Administrative Proceeding within 10 days of such denial.

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Robert A. Manning, Esq.
Hopping Green Sams & Smith

cc: Scott Sheplak, DEP
Doug Beason, DEP, OGC

6/26/00 cc = Scott Sheplak
Tom Cascio

140885



RECEIVED

APR 18 2000

BUREAU OF AIR REGULATION

April 13, 2000

Mr. Scott M. Sheplak, P.E.
Bureau of Air Regulation
Florida Department of Environmental Protection
2600 Blair Stone Rd.
Tallahassee, Florida 32399-2400

Dear Mr. Sheplak:

Re: FPC Anclote Plant, *Notice of Intent to Issue Title V Air Operation Permit Revision*
Title V Draft Permit No. 1010017-005-AV

Enclosed please find the notarized proof of publication received from the St. Petersburg Times, Pasco Edition for the Florida Department of Environmental Protection *Notice of Intent to Issue Title V Air Operation Permit Revision* referenced to the above request. The notice was published on April 10, 2000.

If you should have any questions concerning this correspondence, please do not hesitate to contact me at (727) 826-4258.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Osbourn", written in a cursive style.

Scott H. Osbourn
Senior Environmental Engineer

cc: William Thomas, DEP SW District (w/attach)
Robert Manning, HGS&S

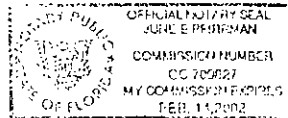
Attachment

990625773

PASCO TIMESPublished Daily
Port Richey, Pasco County, Florida 34683STATE OF FLORIDA
COUNTY OF PASCO

S.S.

BUREAU OF ENVIRONMENTAL PROTECTION

Before the undersigned authority personally appeared C. Eganwho on oath says that he is Legal Clerkof the Pasco Timesa daily newspaper published at Port Richey, in Pasco County, Florida; that the
attached copy of advertisement, being a Legal Notice
in the matter RE: DEP Notice of Intent To Issue Permitwas published in said newspaper in the issues of April 10, 2000Affiant further says the said Pasco Timesis a newspaper published at Port Richey, in said Pasco County, Florida, and that the said
newspaper has heretofore been continuously published in said Pasco County, Florida, each
day and has been entered as second class mail matter at the post office in New Port Richey, in
said Pasco County, Florida, for a period of one year next preceding the first publication of
the attached copy of advertisement, and affiant further says that he has neither paid nor
promised any person, firm, or corporation any discount, rebate, commission or refund for the
purpose of securing this advertisement for publication in the said newspaper.C. Egan
Signature of AffiantSworn to and subscribed before
me this 10th day of
April A.D. 20 00Jane E. Sherman
Notary Public

LEGAL NOTICE

PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTIONDRAFT Title V Air Operation Permit Revision No. 1010017-005-AV.
Anclote Power Plant
Pasco CountyThe Department of Environmental Protection (permitting authority) gives notice of its intent to issue a Title V
air operation permit revision to the Florida Power Corporation for the Anclote Power Plant located at 1729
Baleys Bluff Road, Holiday, Pasco County. The applicant's name and address are: Florida Power Corporation,
283 13th Avenue South, St. Petersburg, Florida 33701.The application requested that the specific conditions of construction permit 1010017-004-AC be incorpo-
rated. The construction permit authorized the modification of Anclote Power Plant Units 1 and 2 to accom-
modate the firing of natural gas. The permit also allows either one or both units to co-fire natural gas and the
currently permitted fuel oils. Initial compliance testing was completed on July 29, 1999 for Unit 1, and May 24,
1999 for Unit 2.The permitting authority will issue the PROPOSED Title V Air Operation Permit Revision, and subsequent
FINAL Title V Air Operation Permit Revision, in accordance with the conditions of the DRAFT Title V Air
Operation Permit Revision unless a response received in accordance with the following procedures results in a
different decision or significant change of terms or conditions. The permitting authority will accept written
comments concerning the proposed DRAFT Title V Air Operation Permit Revision issuance action for a period
of 30 (thirty) days from the date of publication of this Notice. Written comments should be provided to the
Department's Bureau of Air Regulation, 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-
2400. Any written comments filed shall be made available for public inspection. If written comments received
result in a significant change in the DRAFT Title V Air Operation Permit Revision, the permitting authority shall
issue a Revised DRAFT Title V Air Operation Permit Revision and require, if applicable, another Public Notice.A person whose substantial interests are affected by the proposed permitting decision may petition for an
administrative hearing in accordance with Sections 120.569 and 120.57 of the Florida Statutes (F.S.). The peti-
tion must contain the information set forth below and must be filed (received) in Office of General Counsel of
the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee,
Florida 32399-3000 (Telephone: 850/488-9730; Fax: 850/487-4938). Petitions filed by any persons other than
those entitled to written notice under Section 120.60(3), F.S., must be filed within fourteen days of publication
of the public notice or within fourteen days of receipt of the notice of intent, whichever occurs first. Under
Section 120.60(3), F.S., however, any person who asked the permitting authority for notice of agency action
may file a petition within fourteen days of receipt of that notice, regardless of the date of publication. A peti-
tioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The
filing of any person to file a petition within the applicable time period shall constitute a waiver of that person's
right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to inter-
vene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval
of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.A petition that disputes the material facts on which the permitting authority's action is based must contain
the following information:

- The name and address of each agency affected and each agency's file or identification number,
if known; or
- The name, address and telephone number of the petitioner; name address and telephone num-
ber of the petitioner's representative, if any, which shall be the address for service purposes dur-
ing the course of the proceeding; and an explanation of how petitioner's substantial rights will be
affected by the agency determination;
- A statement of how and when the petitioner received notice of the agency action or proposed
action;
- A statement of all disputed issues of material fact. If there are none, the petition must so state;
- A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle
petitioner to relief; and
- A demand for relief.

A petition that does not dispute the material facts upon which the permitting authority's action is based shall
state that no such facts are in dispute and otherwise shall contain the same information as set forth above,
as required by rule 28-106.301, F.A.C.Because the administrative hearing process is designed to formulate final agency action, the filing of a
petition means that the permitting authority's final action may be different from the position taken by it in this
notice of intent. Persons whose substantial interests will be affected by any such final decision of the permit-
ting authority on the application have the right to petition to become a party to the proceeding, in accordance
with the requirements set forth above.

Mediation is not available for this proceeding.

In addition to the above, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may
petition the Administrator of the EPA within 60 (sixty) days of the expiration of the Administrator's 45 (forty-five)
day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to issuance of any permit revision.
Any petition shall be based only on objections to the permit that were raised with reasonable specificity dur-
ing the 30 (thirty) day public comment period provided in this notice, unless the petitioner demonstrates to the
Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless
the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of
the EPA does not stay the effective date of any permit properly issued pursuant to the provisions of Chapter
62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section
7661d(b)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street, S.W., Washington,
D.C. 20460.A complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00
p.m., Monday through Friday, except legal holidays, at:

Permitting Authority:
Department of Environmental Protection
Bureau of Air Regulation
111 South Magnolia Drive, Suite 4
Tallahassee, Florida 32301
Telephone: 850/488-1344
Fax: 850/922-6979

Affected District Program:
Department of Environmental Protection
Southwest District Office
3804 Coconut Palm Drive
Tampa, Florida 33619-8218
Telephone: 813/744-6100
Fax: 813/744-6458

The complete project file includes the DRAFT Title V Air Operation Permit Revision, the application, and the
information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S.
Interested persons may contact Scott M. Sheplak, P.E., at the above address, or call 850/921-8532, for addi-
tional information.

(990625773) 4/10/00

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