



copy to Ed Svec
Ed Svec
DA-190 = 12/10/99
Scott

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NOV 17 1999

BUREAU OF AIR REGULATION

November 8, 1999

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 Bartow Facility
EPA Objection to Proposed Title V Permit No. 1030011-002-AV

Florida Power Corporation (FPC) is in receipt of a letter from the U.S. EPA, Region IV, dated September 16, 1999, objecting to the issuance of the above-referenced permit. The EPA has objected based on their belief that the Proposed permit does not fully meet periodic monitoring requirements, contains conditions which are unclear as to what the source must demonstrate compliance with, and is missing some Acid Rain requirements. This letter serves to provide responses to the EPA's objections in the order they were listed.

EPA Objection Issues

1. Emissions Limitations- The statement of basis indicates that each emission unit is subject to a particulate matter emissions limit of 0.1 lb/MMBtu, and this limit is effectively equivalent to 0.149 lb/MMBtu due to rounding. This is also stated for conditions of soot blowing, where the particulate matter emission limit of 0.3 lb/MMBtu would be equivalent to 0.349 lb/MMBtu. However, these statements are incorrect. A measured emission rate of 0.149 lb/MMBtu actually rounds to 0.15 lb/MMBtu rather than 0.1 lb/MMBtu, which is in excess of the emission limit, and therefore not allowable¹.

Part 70 authorizes EPA to object "to issuance of any proposed permit determined by the Administrator not to be in compliance with applicable requirements or requirements under [part 70]." See 40 C.F.R. Section 70.8(c)(1). We are objecting to the statement in the statement of basis indicating that the permit's 0.1 lb/MMBtu particulate limit is "effectively equivalent to 0.149 lb/MMBtu because of rounding." This represents an improper and incorrect statement of the legal and factual basis for the permit's 0.1 lb/MMBtu particulate limit, and therefore issuance of the proposed permit with this statement of basis does not

comply with the requirement of part 70 at 40 C.F.R. Section 70.7(a)(5). Moreover, emission levels of 0.149 lb/MMBtu will not assure compliance with the 0.1 lb/MMBtu particulate limit. Accordingly, issuance of the proposed permit with this statement of basis would not assure compliance with the applicable requirement represented by the 0.1 lb/MMBtu particulate limit.

The statement of basis justifies use of rounding based on "the agreement of March 10, 1998, between EPA, Region 4 and the Department to resolve an objection on this specific issue." However, EPA's March 16, 1998, response to FDEP's March 10, 1998, letter specifically requested that language on rounding be removed from the statement of basis for five Florida Power and Light permits "in order to avoid misinterpretation." As a result, all references to rounding must be removed from the statement of basis.

Future permit determinations should provide justification for allowing annual particulate matter stack testing based on past compliance with emission limits and the potential for variability of emissions based on review of historical data. Periodic monitoring should be based on a case-by-case evaluation of emissions data rather than on a "bright line" test of whether average emissions exceed fifty percent of a "rounded" emission limit.

Response – FPC does not agree with EPA's objection, but does not intend to object to the removal of the specified language from the Statement of Basis.

- 2. Appropriate Averaging Times – The particulate matter emission limits in conditions A.7 and A.8 do not contain averaging times. Because the stringency of emission limits is a function of both magnitude and averaging time, appropriate averaging times must be added to the permit in order for the limits to be practicably enforceable. An approach that may be used to address this deficiency is to include a general condition in the permit stating that the averaging times for all specified emission standards are tied to or based on the run time of the test method(s) used for determining compliance.*

Response - The subject conditions in the Proposed Title V permit already contains all that is necessary to make them completely (and therefore practicably) enforceable: a requirement, and a method for determining compliance with that requirement. The subject conditions are identical, and read as follows: "Particulate matter emissions shall not exceed 0.1 pound per million Btu heat input, as measured by applicable compliance methods." This language, which is incorporated from Florida's EPA-approved SIP, clearly provides the requirement (a 0.1 lb/mmBTU particulate matter limit) and the method for determining compliance ("as measured by applicable compliance methods"). The Proposed Title V permit clearly defines the "applicable compliance methods" -- the permit specifies the test method, the number of sampling runs required, how to calculate the actual emission rate, as well as the sampling time, volume and flow rate. Where the applicable compliance method is this specific (particularly where the test method has a specified duration), enforceability is ensured at all times. Therefore, because the particulate matter limits in FPC's Bartow Proposed Title V permit are completely enforceable through the use of these existing conditions, the Final Title

V Permit conditions relating to particulate matter for this facility should be issued without change.

However, in an effort to move the Title V permitting process to conclusion, FPC is willing to accept the inclusion of a "permitting note" following Conditions A.7 and A.8, as follows:

The averaging time for the particulate matter standard corresponds to the cumulative sampling time of the specified test method.

FPC's suggested resolution of this matter does not constitute or imply concurrence with EPA's position. The Title V process is intended to consolidate existing applicable requirements for each Title V permit on a case-by-case basis, and FPC's suggested resolution applies only to the Bartow Title V facility/permit. Moreover, the language suggested above is applicable only to the existing particulate matter limit and only for the existing compliance determination method for this limit.

General Comments

3. General Comment – *The title page of the permit specifies that this permit determination is both a proposed title V permit and a draft construction permit. The statement of basis and the permit should both identify which conditions are part of the draft construction permit, and/or which units are subject to the construction permit.*

Response – The construction permit is meant to address the modification of the fly ash collection system associated with the Unit 1 electrostatic precipitator (ESP). The modification implemented a closed-loop system, resulting in the elimination of an emission point (ARMS Emission Unit 009). The fly ash system is now included under the listing of insignificant emission units.

4. CAM Applicability – *The Unit No. 1 discussions in the statement of basis and in Section III, Subsection A on page 6 of the permit, state that "the provisions of 40 C.F.R. 64 do not apply [40 C.F.R. 64.2(b)(ii)]." While the electrostatic precipitator for Unit No. 1 may not meet the applicability requirement for CAM specified under 40 C.F.R. Section 64.2(a)(2), Region 4 believes that CAM should not be referenced in the permit until a formal applicability determination has been made through the title V permit renewal process. Furthermore, reference to CAM is not necessary to support the claim that particulate and opacity limits can be met without use of the ESP.*

Response – Because 40 CFR Part 64 has been in effect for nearly two years, it is appropriate to make a CAM applicability determination in the Statement of Basis at this time. FPC has provided appropriate documentation, and the DEP has formally concurred, that CAM does not apply to this pollutant-specific emissions unit. Accordingly, FPC requests that this determination remain in the Statement of Basis.

5. Statement of Basis – The discussions for units 1 through 3 provide justification for annual testing of particulate matter based on five years of data showing emissions at less than half of the allowable limit. Review of the permit application indicates that FPC petitioned for annual particulate testing in accordance with the provisions of 62-296.405(1)(a) F.A.C. so that they would be allowed a visible emissions limit of 40 percent with annual, rather than quarterly, particulate testing. The statement of basis should be modified to reflect the allowance of annual particulate testing with a 40 percent VE in accordance with the SIP and supporting orders issued by FDEP.

Response - FPC is in agreement that the proposed change to the statement of basis should be made.

6. Compliance Certification – Facility-wide Condition 11 of the permit should specifically reference the required components of Appendix TV-3, item 51, which lists the compliance certification requirements of 40 C.F.R. 70.6(c)(5)(iii), to ensure that complete certification information is submitted to EPA.

Response - FPC has no objection to the inclusion of the proposed language.

7. Minimum Sample Volume for Particulate Testing – Condition A.20. specifies a minimum sample volume of 30 dry standard cubic feet for particulate testing, in accordance with 62-296.405(e)2.F.A.C. of the SIP. Condition A.26.(b) specifies a minimum sample volume of 25 dscf, or other volume as required by rule. Since these permit conditions are contradictory, a permitting note should be added to Conditions A.26.(b) to clarify that the required sample volume is 30 dry standard cubic feet.

Response - FPC's initial comment is that the correct citation for the rule referenced above is 62-296.405(1)(e)(2). FPC further researched the State of Florida provisions under "General Compliance Test Requirements", specifically 62-297.310(4)(a)(1) and 310(4)(c). These provisions require a minimum sampling time of one hour and a minimum required flow rate of 0.5 cubic feet per minute, respectively. Effectively, these two provisions result in a minimum sample volume of 30 dscf. Therefore, FPC agrees with the change proposed by the EPA.

8. Record keeping – Condition D.19 and D.20 address record keeping for the relocatable generators. The permit states that this generator will be operated at six different facilities, five of which are not covered under this permit. This emission unit should also be included in the permits for the other five facilities. Please clarify in the statement of basis whether or not this is the case. The above referenced permit conditions require the source to keep records for the hours of operation as well as the fuel oil sulfur content in order to demonstrate compliance with operational and emission limitations. However, the permit does not indicate whether the records will be transferred with the emission unit when it is moved to another facility, or if each facility will be responsible for maintaining their own

records. The permit and/or statement of basis should specify how these records will be maintained and if record keeping activities must be coordinated among the facilities.

Response - The relocatable diesel generators are proposed to be operated at six different facilities, five of which are not covered by this permit. As correctly noted above, identical permit language has been placed in the permits for these other five facilities. The current language in each of these permits is very specific in terms of the records that must be maintained. FPC's preference is that the records be maintained at each individual site. FPC's corporate environmental services department is responsible for agency notifications and reporting and is functionally structured to provide coordination among the facilities.

9. Acid Rain Requirements - *Please note that the allowances allocated to the Bartow facility units 001 through 003, as indicated under Section IV, Condition A.2. of the proposed permit have been changed. This revision was published in the Federal Register on September 28, 1998 (Vol. 63 No. 187, pp 51706-51765). We recommend that the allowances that are indicated for these units be adjusted to reflect the revised allocation.*

Response - FPC agrees with this comment. The revised allowance allocations for Bartow Units 1, 2 and 3 (through 2009) are as follows: Unit 1: 2,805; Unit 2: 2,961; and Unit 3: 5,428.

Thank you for your attention to these issues. If you have any questions regarding FPC's response or wish to discuss this matter further, please contact Scott Osbourn at (727) 826-4258 or me at (727) 826-4301.

Sincerely,



W. Jeffrey Pardue, C.E.P.
Director, FPC Environmental Services Department
Responsible Official for Bartow Title V permit

cc: Howard Rhodes, DEP
Clair Fancy, DEP
Winston A. Smith, EPA
Greg Worley, EPA
Elizabeth Bartlett, EPA
Robert Manning, HGSS

Edi Sves



Department of Environmental Protection

Jeb Bush
Governor

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

David B. Struhs
Secretary

September 22, 1999

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. W. Jeffrey Pardue
Director, Environmental Services Department
Florida Power Corporation
3201 34th Street South
St. Petersburg, Florida 33711

Re: EPA Objection to PROPOSED Title V Permit No. 1030011-002-AV
Bartow Power Plant

Dear Mr. Pardue:

On September 16, the department received a timely written objection from the United States Environmental Protection Agency to the referenced proposed permit. A copy of EPA's objection is attached.

In accordance with Section 403.0872(8), Florida Statutes (F.S.), the department must not issue a final permit until the objection is resolved or withdrawn. Pursuant to Section 403.0872(8), F.S., the applicant may file a written reply to the objection within 45 days after the date on which the department serves the applicant with a copy of the objection. The written reply must include any supporting materials that the applicant desires to include in the record relevant to the issues raised by the objection. The written reply must be considered by the department in issuing a final permit to resolve the objection of EPA. Please submit any written comments you wish to have considered concerning the objection to Mr. Scott M. Sheplak, P.E., at the above letterhead address.

Pursuant to 40 CFR 70.8(c)(4) the department will have to resolve the objection by issuing a permit that satisfies EPA within 90 days of the objection, or EPA will assume authority for the permit.

If you should have any questions, please contact Mr. Scott M. Sheplak, P.E., at 850/921-9532.

Sincerely,

C. H. Fancy, P.E.
Chief
Bureau of Air Regulation

CHF/sms/k

Enclosure

cc: Pat Comer, OGC w/ enclosure
Douglas Neeley, USEPA w/o enclosure
Gregg Worley, USEPA w/o enclosure

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

SEP 16 1999

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

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SEP 20 1999
DIVISION OF AIR
RESOURCES MANAGEMENT

SUBJ: EPA's Review of Proposed Title V Permit
Florida Power Corporation
Bartow Power Plant
Permit No. 1030011-002-AV

Dear Mr. Rhodes:

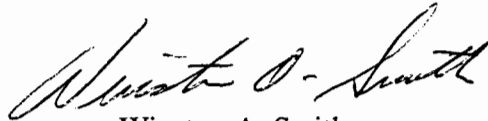
The purpose of this letter is to provide comments to the Florida Department of Environmental Protection (DEP) on the proposed title V operating permit for Florida Power Corporation, Bartow Power Plant, which was posted on DEP's web site on August 3, 1999. Based on the Environmental Protection Agency's (EPA's) review of the proposed permit and the supporting information for this facility, 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 the title V permit for this facility. The basis of EPA's objection is that the permit does not ensure compliance with the applicable requirements of 40 C.F.R. § 70.6(a)(1).

Section 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 permit 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 its enclosure contain a detailed explanation of the objection issues and the changes necessary to make the permit consistent with the requirements of 40 C.F.R. Part 70. The enclosure also contains general comments applicable to the permit.

If you have any questions or wish to discuss this further, please contact Mr. Gregg Worley, Chief, Operating Source Section at (404) 562-9141. Should your staff need additional information they may contact Ms. Elizabeth Bartlett, Florida Title V Contact, at (404) 562-9122, or Ms. Angelia Souder-Blackwell, Associate Regional Counsel, at (404) 562-9527.

Sincerely,

A handwritten signature in black ink, appearing to read "Winston A. Smith". The signature is fluid and cursive, with the first name "Winston" being the most prominent.

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

Enclosure

cc: Mr. W. Jeffrey Pardue, Director
Environmental Services Dept.
Florida Power Corporation

Enclosure

**U.S. EPA Region 4 Objection
Proposed Part 70 Operating Permit
Florida Power Corporation
Bartow Power Plant
Permit no. 1030011-002-AV**

I. EPA Objection Issues

1. Emissions Limitations - The statement of basis indicates that each emission unit is subject to a particulate matter emissions limit of 0.1 lb/MMBtu, and this limit is effectively equivalent to 0.149 lb/MMBtu due to rounding. This is also stated for conditions of soot blowing, where the particulate matter emission limit of 0.3 lb/MMBtu would be equivalent to 0.349 lb/MMBtu. However, these statements are incorrect. A measured emission rate of 0.149 lb/MMBtu actually rounds to 0.15 lb/MMBtu rather than 0.1 lb/MMBtu, which is in excess of the emission limit, and therefore not allowable¹.

Part 70 authorizes EPA to object “to issuance of any proposed permit determined by the Administrator not to be in compliance with applicable requirements or requirements under [part 70].” See 40 C.F.R. § 70.8(c)(1). We are objecting to the statement in the statement of basis indicating that the permit’s 0.1 lb/MMbtu particulate limit is “effectively equivalent to 0.149 lb/mmbtu because of rounding.” This represents an improper and incorrect statement of the legal and factual basis for the permit’s 0.1 lb/MMbtu particulate limit, and therefore issuance of the proposed permit with this statement of basis does not comply with the requirement of part 70 at 40 C.F.R. § 70.7(a)(5). Moreover, emission levels of 0.149 lb/MMbtu will not assure compliance with the 0.1 lb/MMBtu particulate limit. Accordingly, issuance of the proposed permit with this statement of basis would not assure compliance with the applicable requirement represented by the 0.1 lb/MMBtu particulate limit.

¹ According to the June 6, 1990 memorandum “Performance Test Calculation Guidelines”, issued by William G. Laxton, Director of the Technical Support Division, OAQPS, and John S. Seitz, Director of the Stationary Source Compliance Division, OAQPS, when calculating and reporting emission rates and concentrations in determining compliance with the new source performance standards (NSPS) and national emission standards for hazardous pollutants (NESHAP), as well as state implementation plans (SIP’s), all emission standards should be considered to have at least two significant figures (SF’s), but no more than three. Therefore, since the 0.1 lb/MMBtu emission limit for particulate matter comes from the Florida state SIP, it should be considered to have two SF’s. In this case, the emission limit effectively becomes 0.10 lb/MMBtu. In order to comply with the emission limit of 0.1 lb/MMBtu, the highest allowable measured emission rate (measured to four SF’s) is 0.1049 lb/MMBtu.

The statement of basis justifies use of rounding based on “the agreement of March 10, 1998, between EPA, Region 4 and the Department to resolve an objection on this specific issue.” However, EPA’s March 16, 1998, response to FDEP’s March 10, 1998, letter specifically requested that language on rounding be removed from the statement of basis for five Florida Power and Light permits “in order to avoid misinterpretation.” As a result, all references to rounding must be removed from the statement of basis.

Future permit determinations should provide justification for allowing annual particulate matter stack testing based on past compliance with emission limits and the potential for variability of emissions based on review of historical data. Periodic monitoring should be based on a case-by-case evaluation of emissions data rather than on a “bright line” test of whether average emissions exceed fifty percent of a “rounded” emission limit.

2. Appropriate Averaging Times - The particulate matter emission limits in conditions A.7 and A.8 do not contain averaging times. Because the stringency of emission limits is a function of both magnitude and averaging time, appropriate averaging times must be added to the permit in order for the limits to be practicably enforceable. An approach that may be used to address this deficiency is to include a general condition in the permit stating that the averaging times for all specified emission standards are tied to or based on the run time of the test method(s) used for determining compliance.

II. General Comments

3. General Comment - The title page of the permit specifies that this permit determination is both a proposed title V permit and a draft construction permit. The statement of basis and the permit should both identify which conditions are part of the draft construction permit, and/or which units are subject to the construction permit.
4. CAM Applicability - The Unit No. 1 discussions in the statement of basis and in Section III, Subsection A on page 6 of the permit, state that “the provisions of 40 CFR 64 do not apply [40 CFR 64.2(b)(ii)].” While the electrostatic precipitator for Unit No. 1 may not meet the applicability requirement for CAM specified under 40 C.F.R. § 64.2(a)(2), Region 4 believes that CAM should not be referenced in the permit until a formal applicability determination has been made through the title V permit renewal process. Furthermore, reference to CAM is not necessary to support the claim that particulate and opacity limits can be met without use of the ESP.

5. Statement of Basis - The discussions for units 1 through 3 provide justification for annual testing of particulate matter based on five years of data showing emissions at less than half of the allowable limit. Review of the permit application indicates that FPC petitioned for annual particulate testing in accordance with the provisions of 62-296.405(1)(a) F.A.C. so that they would be allowed a visible emissions limit of 40 percent with annual, rather than quarterly, particulate testing. The statement of basis should be modified to reflect the allowance of annual particulate testing with a 40 percent VE in accordance with the SIP and supporting orders issued by FDEP.
6. Compliance Certification - Facility-wide Condition 11 of the permit should specifically reference the required components of Appendix TV-3, item 51, which lists the compliance certification requirements of 40 C.F.R. 70.6(c)(5)(iii), to ensure that complete certification information is submitted to EPA.
7. Minimum Sample Volume for Particulate Testing - Condition A.20. specifies a minimum sample volume of 30 dry standard cubic feet for particulate testing, in accordance with 62-296.405(e)2. F.A.C. of the SIP. Condition A.26.(b) specifies a minimum sample volume of 25 dscf, or other volume as required by rule. Since these permit conditions are contradictory, a permitting note should be added to Conditions A.26.(b) to clarify that the required sample volume is 30 dry standard cubic feet.
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September 16, 1999

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 Permit
Florida Power Corporation
Bartow Power Plant
Permit No. 1030011-002-AV

Dear Mr. Rhodes:

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Section 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 permit be submitted in advance in order that any outstanding issues may be addressed prior to the expiration of the 90-day period.

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Sincerely,

/s/ Winston A. Smith

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

Enclosure

cc: Mr. W. Jeffrey Pardue, Director
Environmental Services Dept.
Florida Power Corporation

Enclosure

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Proposed Part 70 Operating Permit
Florida Power Corporation
Bartow Power Plant
Permit no. 1030011-002-AV**

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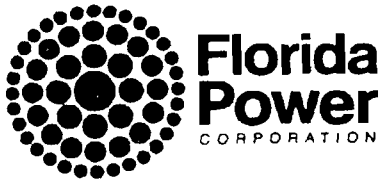
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5. Statement of Basis - The discussions for units 1 through 3 provide justification for annual testing of particulate matter based on five years of data showing emissions at less than half of the allowable limit. Review of the permit application indicates that FPC petitioned for annual particulate testing in accordance with the provisions of 62-296.405(1)(a) F.A.C. so that they would be allowed a visible emissions limit of 40 percent with annual, rather than quarterly, particulate testing. The statement of basis should be modified to reflect the allowance of annual particulate testing with a 40 percent VE in accordance with the SIP and supporting orders issued by FDEP.
6. Compliance Certification - Facility-wide Condition 11 of the permit should specifically reference the required components of Appendix TV-3, item 51, which lists the compliance certification requirements of 40 C.F.R. 70.6(c)(5)(iii), to ensure that complete certification information is submitted to EPA.
7. Minimum Sample Volume for Particulate Testing - Condition A.20. specifies a minimum sample volume of 30 dry standard cubic feet for particulate testing, in accordance with 62-296.405(e)2. F.A.C. of the SIP. Condition A.26.(b) specifies a minimum sample volume of 25 dscf, or other volume as required by rule. Since these permit conditions are contradictory, a permitting note should be added to Conditions A.26.(b) to clarify that the required sample volume is 30 dry standard cubic feet.

8. Record keeping - Conditions D.19 and D.20 address record keeping for the relocatable generators. The permit states that this generator will be operated at six different facilities, five of which are not covered under this permit. This emission unit should also be included in the permits for the other five facilities. Please clarify in the statement of basis whether or not this is the case. The above referenced permit conditions require the source to keep records for the hours of operation as well as the fuel oil sulfur content in order to demonstrate compliance with operational and emission limitations. However, the permit does not indicate whether the records will be transferred with the emission unit when it is moved to another facility, or if each facility will be responsible for maintaining their own records. The permit and/or statement of basis should specify how these records will be maintained and if record keeping activities must be coordinated among the facilities.
9. Acid Rain Requirements - Please note that the allowances allocated to the Bartow facility units 001 through 003, as indicated under Section IV, Condition A.2. of the proposed permit have been changed. This revision was published in the Federal Register on September 28, 1998 (Vol. 63 No. 187, pp 51706-51765). We recommend that the allowances that are indicated for these units be adjusted to reflect the revised allocation.



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BUREAU OF AIR REGULATION

November 8, 1999

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 Bartow Facility
EPA Objection to Proposed Title V Permit No. 1030011-002-AV

Florida Power Corporation (FPC) is in receipt of a letter from the U.S. EPA, Region IV, dated September 16, 1999, objecting to the issuance of the above-referenced permit. The EPA has objected based on their belief that the Proposed permit does not fully meet periodic monitoring requirements, contains conditions which are unclear as to what the source must demonstrate compliance with, and is missing some Acid Rain requirements. This letter serves to provide responses to the EPA's objections in the order they were listed.

EPA Objection Issues

1. Emissions Limitations- *The statement of basis indicates that each emission unit is subject to a particulate matter emissions limit of 0.1 lb/MMBtu, and this limit is effectively equivalent to 0.149 lb/MMBtu due to rounding. This is also stated for conditions of soot blowing, where the particulate matter emission limit of 0.3 lb/MMBtu would be equivalent to 0.349 lb/MMBtu. However, these statements are incorrect. A measured emission rate of 0.149 lb/MMBtu actually rounds to 0.15 lb/MMBtu rather than 0.1 lb/MMBtu, which is in excess of the emission limit, and therefore not allowable¹.*

Part 70 authorizes EPA to object "to issuance of any proposed permit determined by the Administrator not to be in compliance with applicable requirements or requirements under [part 70]." See 40 C.F.R. Section 70.8(c)(1). We are objecting to the statement in the statement of basis indicating that the permit's 0.1 lb/MMBtu particulate limit is "effectively equivalent to 0.149 lb/MMBtu because of rounding." This represents an improper and incorrect statement of the legal and factual basis for the permit's 0.1 lb/MMBtu particulate limit, and therefore issuance of the proposed permit with this statement of basis does not

comply with the requirement of part 70 at 40 C.F.R. Section 70.7(a)(5). Moreover, emission levels of 0.149 lb/MMBtu will not assure compliance with the 0.1 lb/MMBtu particulate limit. Accordingly, issuance of the proposed permit with this statement of basis would not assure compliance with the applicable requirement represented by the 0.1 lb/MMBtu particulate limit.

The statement of basis justifies use of rounding based on "the agreement of March 10, 1998, between EPA, Region 4 and the Department to resolve an objection on this specific issue." However, EPA's March 16, 1998, response to FDEP's March 10, 1998, letter specifically requested that language on rounding be removed from the statement of basis for five Florida Power and Light permits "in order to avoid misinterpretation." As a result, all references to rounding must be removed from the statement of basis.

Future permit determinations should provide justification for allowing annual particulate matter stack testing based on past compliance with emission limits and the potential for variability of emissions based on review of historical data. Periodic monitoring should be based on a case-by-case evaluation of emissions data rather than on a "bright line" test of whether average emissions exceed fifty percent of a "rounded" emission limit.

Response – FPC does not agree with EPA's objection, but does not intend to object to the removal of the specified language from the Statement of Basis.

2. Appropriate Averaging Times – *The particulate matter emission limits in conditions A.7 and A.8 do not contain averaging times. Because the stringency of emission limits is a function of both magnitude and averaging time, appropriate averaging times must be added to the permit in order for the limits to be practicably enforceable. An approach that may be used to address this deficiency is to include a general condition in the permit stating that the averaging times for all specified emission standards are tied to or based on the run time of the test method(s) used for determining compliance.*

Response - The subject conditions in the Proposed Title V permit already contains all that is necessary to make them completely (and therefore practicably) enforceable: a requirement, and a method for determining compliance with that requirement. The subject conditions are identical, and read as follows: "Particulate matter emissions shall not exceed 0.1 pound per million Btu heat input, as measured by applicable compliance methods." This language, which is incorporated from Florida's EPA-approved SIP, clearly provides the requirement (a 0.1 lb/mmBTU particulate matter limit) and the method for determining compliance ("as measured by applicable compliance methods"). The Proposed Title V permit clearly defines the "applicable compliance methods" -- the permit specifies the test method, the number of sampling runs required, how to calculate the actual emission rate, as well as the sampling time, volume and flow rate. Where the applicable compliance method is this specific (particularly where the test method has a specified duration), enforceability is ensured at all times. Therefore, because the particulate matter limits in FPC's Bartow Proposed Title V permit are completely enforceable through the use of these existing conditions, the Final Title

V Permit conditions relating to particulate matter for this facility should be issued without change.

However, in an effort to move the Title V permitting process to conclusion, FPC is willing to accept the inclusion of a "permitting note" following Conditions A.7 and A.8, as follows:

The averaging time for the particulate matter standard corresponds to the cumulative sampling time of the specified test method.

FPC's suggested resolution of this matter does not constitute or imply concurrence with EPA's position. The Title V process is intended to consolidate existing applicable requirements for each Title V permit on a case-by-case basis, and FPC's suggested resolution applies only to the Bartow Title V facility/permit. Moreover, the language suggested above is applicable only to the existing particulate matter limit and only for the existing compliance determination method for this limit.

General Comments

3. General Comment – *The title page of the permit specifies that this permit determination is both a proposed title V permit and a draft construction permit. The statement of basis and the permit should both identify which conditions are part of the draft construction permit, and/or which units are subject to the construction permit.*

Response – The construction permit is meant to address the modification of the fly ash collection system associated with the Unit 1 electrostatic precipitator (ESP). The modification implemented a closed-loop system, resulting in the elimination of an emission point (ARMS Emission Unit 009). The fly ash system is now included under the listing of insignificant emission units.

4. CAM Applicability – *The Unit No. 1 discussions in the statement of basis and in Section III, Subsection A on page 6 of the permit, state that "the provisions of 40 C.F.R. 64 do not apply [40 C.F.R. 64.2(b)(ii)]." While the electrostatic precipitator for Unit No. 1 may not meet the applicability requirement for CAM specified under 40 C.F.R. Section 64.2(a)(2), Region 4 believes that CAM should not be referenced in the permit until a formal applicability determination has been made through the title V permit renewal process. Furthermore, reference to CAM is not necessary to support the claim that particulate and opacity limits can be met without use of the ESP.*

Response – Because 40 CFR Part 64 has been in effect for nearly two years, it is appropriate to make a CAM applicability determination in the Statement of Basis at this time. FPC has provided appropriate documentation, and the DEP has formally concurred, that CAM does not apply to this pollutant-specific emissions unit. Accordingly, FPC requests that this determination remain in the Statement of Basis.

5. Statement of Basis – The discussions for units 1 through 3 provide justification for annual testing of particulate matter based on five years of data showing emissions at less than half of the allowable limit. Review of the permit application indicates that FPC petitioned for annual particulate testing in accordance with the provisions of 62-296.405(1)(a) F.A.C. so that they would be allowed a visible emissions limit of 40 percent with annual, rather than quarterly, particulate testing. The statement of basis should be modified to reflect the allowance of annual particulate testing with a 40 percent VE in accordance with the SIP and supporting orders issued by FDEP.

Response - FPC is in agreement that the proposed change to the statement of basis should be made.

6. Compliance Certification – Facility-wide Condition 11 of the permit should specifically reference the required components of Appendix TV-3, item 51, which lists the compliance certification requirements of 40 C.F.R. 70.6(c)(5)(iii), to ensure that complete certification information is submitted to EPA.

Response - FPC has no objection to the inclusion of the proposed language.

7. Minimum Sample Volume for Particulate Testing – Condition A.20. specifies a minimum sample volume of 30 dry standard cubic feet for particulate testing, in accordance with 62-296.405(e)2.F.A.C. of the SIP. Condition A.26.(b) specifies a minimum sample volume of 25 dscf, or other volume as required by rule. Since these permit conditions are contradictory, a permitting note should be added to Conditions A.26.(b) to clarify that the required sample volume is 30 dry standard cubic feet.

Response - FPC's initial comment is that the correct citation for the rule referenced above is 62-296.405(1)(e)(2). FPC further researched the State of Florida provisions under "General Compliance Test Requirements", specifically 62-297.310(4)(a)(1) and .310(4)(c). These provisions require a minimum sampling time of one hour and a minimum required flow rate of 0.5 cubic feet per minute, respectively. Effectively, these two provisions result in a minimum sample volume of 30 dscf. Therefore, FPC agrees with the change proposed by the EPA.

8. Record keeping – Condition D.19 and D.20 address record keeping for the relocatable generators. The permit states that this generator will be operated at six different facilities, five of which are not covered under this permit. This emission unit should also be included in the permits for the other five facilities. Please clarify in the statement of basis whether or not this is the case. The above referenced permit conditions require the source to keep records for the hours of operation as well as the fuel oil sulfur content in order to demonstrate compliance with operational and emission limitations. However, the permit does not indicate whether the records will be transferred with the emission unit when it is moved to another facility, or if each facility will be responsible for maintaining their own

records. The permit and/or statement of basis should specify how these records will be maintained and if record keeping activities must be coordinated among the facilities.

Response - The relocatable diesel generators are proposed to be operated at six different facilities, five of which are not covered by this permit. As correctly noted above, identical permit language has been placed in the permits for these other five facilities. The current language in each of these permits is very specific in terms of the records that must be maintained. FPC's preference is that the records be maintained at each individual site. FPC's corporate environmental services department is responsible for agency notifications and reporting and is functionally structured to provide coordination among the facilities.

9. Acid Rain Requirements – *Please note that the allowances allocated to the Bartow facility units 001 through 003, as indicated under Section IV, Condition A.2. of the proposed permit have been changed. This revision was published in the Federal Register on September 28, 1998 (Vol. 63 No. 187, pp 51706-51765). We recommend that the allowances that are indicated for these units be adjusted to reflect the revised allocation.*

Response - FPC agrees with this comment. The revised allowance allocations for Bartow Units 1, 2 and 3 (through 2009) are as follows: Unit 1: 2,805; Unit 2: 2,961; and Unit 3: 5,428.

Thank you for your attention to these issues. If you have any questions regarding FPC's response or wish to discuss this matter further, please contact Scott Osbourn at (727) 826-4258 or me at (727) 826-4301.

Sincerely,



W. Jeffrey Pardue, C.E.P.
Director, FPC Environmental Services Department
Responsible Official for Bartow Title V permit

cc: Howard Rhodes, DEP
Clair Fancy, DEP
Winston A. Smith, EPA
Greg Worley, EPA
Elizabeth Bartlett, EPA
Robert Manning, HGSS

xcc Ed Svec

Ed SVEC



Jeb Bush
Governor

Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

David B. Struhs
Secretary

December 9, 1999

Mr. R. Douglas Neeley, Chief
Air and Radiation Technology Branch
Air, Pesticides and Toxics Management Division
United States Environmental Protection Agency
Region 4
61 Forsyth Street, SW
Atlanta, GA 30303-8909

Re: Proposed Changes to Satisfy EPA Objections
Florida Power Corporation, Bartow Plant, PROPOSED Title V Permit 1030011-002-AV
Air Construction Permit 1030011-006-AC

Dear Mr. Neeley:

This letter is to document changes that the Department proposes to satisfy EPA Region 4 objections to Florida's PROPOSED Title V permit 1030011-002-AV and 1030011-006-AC for Florida Power Corporation, Bartow Plant. These objections were detailed in a letter from EPA Region 4 dated September 16, 1999, in which EPA indicated the primary basis for objection was that the permit does not ensure compliance with the applicable requirements of 40 CFR 70.6(a)(1).

The changes proposed in this letter result primarily from a letter from Mr. W. Jeffrey Pardue, the Responsible Official for the Bartow Plant, and the past resolution to similar objections the EPA found acceptable. Hopefully these changes will allow Florida to issue the FINAL Title V permit for this plant. Please review the following proposed changes to the referenced permits. If you concur with our changes, we will issue the FINAL Title V permit with these changes.

I. EPA Objection Issues

1. Emissions Limitations - The statement of basis indicates that each emission unit is subject to a particulate matter emissions limit of 0.1 lb/MMBtu, and this limit is effectively equivalent to 0.149 lb/MMBtu due to rounding. This is also stated for conditions of soot blowing, where the particulate matter emission limit of 0.3 lb/MMBtu would be equivalent to 0.349 lb/MMBtu. However, these statements are incorrect. A measured emission rate of 0.149 lb/MMBtu actually rounds to 0.15 lb/MMBtu rather than 0.1 lb/MMBtu, which is in excess of the emission limit, and therefore not allowable.

Part 70 authorizes EPA to object "to issuance of any proposed permit determined by the Administrator not to be in compliance with applicable requirements or requirements under [part 70]." See 40 C.F.R. § 70.8(c)(1). We are objecting to the statement in the statement of basis indicating that the permit's 0.1 lb/MMBtu particulate limit is "effectively equivalent to 0.149 lb/mmbtu because of rounding." This represents an improper and incorrect statement of the legal and factual basis for the permit's 0.1 lb/MMBtu particulate limit, and therefore issuance of the proposed permit with this statement of basis does not comply with the requirement of part 70 at 40 C.F.R. § 70.7(a)(5). Moreover, emission levels of 0.149 lb/MMBtu will not assure compliance with the 0.1

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lb/MMBtu particulate limit. Accordingly, issuance of the proposed permit with this statement of basis would not assure compliance with the applicable requirement represented by the 0.1 lb/MMBtu particulate limit.

The statement of basis justifies use of rounding based on "the agreement of March 10, 1998, between EPA, Region 4 and the Department to resolve an objection on this specific issue." However, EPA's March 16, 1998, response to FDEP's March 10, 1998, letter specifically requested that language on rounding be removed from the statement of basis for five Florida Power and Light permits "in order to avoid misinterpretation." As a result, all references to rounding must be removed from the statement of basis.

Future permit determinations should provide justification for allowing annual particulate matter stack testing based on past compliance with emission limits and the potential for variability of emissions based on review of historical data. Periodic monitoring should be based on a case-by-case evaluation of emissions data rather than on a "bright line" test of whether average emissions exceed fifty percent of a "rounded" emission limit.

PERMITTEE RESPONSE: FPC does not agree with the EPA's objection, but does not intend to object to the removal of the specified language from the Statement of Basis.

PROPOSED CHANGE: The Statement of Basis will be changed as follows:

From: Unit No. 1 is a front-fired, fossil fuel steam generator which produces 120 megawatts, electric power. The maximum heat input rate is 1,220 million Btu per hour and the unit fires No. 2 through No. 6 fuel oil, and on-specification used oil. Particulate matter emissions are controlled by a General Electric Services, Inc. Model 1-BAB1.2X37(9)36.0-434-4.3P electrostatic precipitator consisting of five fields in depth. The permit application indicates this ESP was designed to operate when utilizing a coal/oil mixture which is no longer burned by FPC. Because Unit 1 is oil fired and this unit is capable of meeting the applicable particulate matter and opacity limits in Conditions A.5., A.6., A.7., and A.8. without use of the ESP, the provisions of 40 CFR 64 do not apply [40 CFR 64.2(b)(ii)]. A Durag Model 281 Continuous Emissions Monitor for opacity with a recorder is used for continual observation of stack opacity. Unit 1 began commercial service in 1958. The Department has determined that the appropriate particulate matter testing frequency for the fossil fuel steam generators is annually whenever fuel oil is used for more than 400 hours in the preceding year. This frequency is justified by the low emission rate documented in previous emissions tests while firing fuel oil. This unit is subject to a steady-state PM emission limit of 0.1 lb/MMBtu, which is effectively equivalent to 0.149 lb/MMBtu because of rounding, in accordance with the agreement of March 10, 1998 between EPA, Region 4 and the Department to resolve an objection on this specific issue. The applicant has presented historical PM test results which show that the steady-state average results are less than half the applicable effective standard. The Department has determined that sources with emissions less than half of the effective standard shall test annually. A five year average of results of particulate matter emission testing in lb/MMBtu for Unit No. 1 is 0.054, steady-state.

Unit No. 2 is a tangential-fired fossil fuel fired steam generator which produces 120 megawatts, electric power. The maximum heat input rate is 1,317 million Btu per hour and the unit fires No. 2 through No. 6 fuel oil, on-specification used oil, and propane. Emissions from Unit No. 2 are uncontrolled. Unit 2 began commercial service in 1961. The Department has determined that the appropriate particulate matter testing frequency for the fossil fuel steam generators is annually whenever fuel oil is used for more than 400 hours in the preceding year. This frequency is justified by the low emission rate documented in previous emissions tests while firing fuel oil. This unit is subject to a steady-state PM emission limit of 0.1 lb/MMBtu, which is effectively equivalent to 0.149 lb/MMBtu because of rounding, in accordance with the agreement of March 10, 1998 between EPA, Region 4 and the Department to resolve an objection on this specific issue. The applicant has presented historical PM test results which show that the steady-state average results are less than half the applicable effective standard. The Department has determined that

sources with emissions less than half of the effective standard shall test annually. A five year average of results of particulate matter emission testing in lb/MMBtu for Unit No. 2 is 0.069, steady-state.

Unit No. 3 is a tangential-fired fossil fuel fired steam generator which produces 225 megawatts, electric power. The maximum heat input rate is 2,211 million Btu per hour and the unit fires No. 2 through No. 6 fuel oil, on-specification used oil, natural gas, and propane. Emissions from Unit No. 3 are uncontrolled. Unit 3 began commercial service in 1963. The Department has determined that the appropriate particulate matter testing frequency for the fossil fuel steam generators is annually whenever fuel oil is used for more than 400 hours in the preceding year. This frequency is justified by the low emission rate documented in previous emissions tests while firing fuel oil. This unit is subject to a steady-state PM emission limit of 0.1 lb/MMBtu, which is effectively equivalent to 0.149 lb/MMBtu because of rounding, in accordance with the agreement of March 10, 1998 between EPA, Region 4 and the Department to resolve an objection on this specific issue. The applicant has presented historical PM test results which show that the steady-state average results are less than half the applicable effective standard. The Department has determined that sources with emissions less than half of the effective standard shall test annually. A five year average of results of particulate matter emission testing in lb/MMBtu for Unit No. 3 is 0.067, steady-state.

To: Unit No. 1 is a front-fired, fossil fuel steam generator which produces 120 megawatts, electric power. The maximum heat input rate is 1,220 million Btu per hour and the unit fires No. 2 through No. 6 fuel oil, and on-specification used oil. Particulate matter emissions are controlled by a General Electric Services, Inc. Model 1-BAB1.2X37(9)36.0-434-4.3P electrostatic precipitator consisting of five fields in depth. The permit application indicates this ESP was designed to operate when utilizing a coal/oil mixture which is no longer burned by FPC. Because Unit 1 is oil fired and this unit is capable of meeting the applicable particulate matter and opacity limits in Conditions A.5., A.6., A.7., and A.8. without use of the ESP, the provisions of 40 CFR 64 do not apply [40 CFR 64.2(b)(ii)]. A Durag Model 281 Continuous Emissions Monitor for opacity with a recorder is used for continual observation of stack opacity. Unit 1 began commercial service in 1958. The Department has determined that the appropriate particulate matter testing frequency for the fossil fuel steam generators is annually whenever fuel oil is used for more than 400 hours in the preceding year. This frequency is justified by the low emission rate documented in previous emissions tests while firing fuel oil. This unit is subject to a steady-state PM emission limit of 0.1 lb/MMBtu. The applicant has presented historical PM test results which show that the steady-state average results are well below the applicable effective standard. The Department has determined that sources that consistently test below the effective standard shall test annually. A five year average of results of particulate matter emission testing in lb/MMBtu for Unit No. 1 is 0.053798, steady-state.

Unit No. 2 is a tangential-fired fossil fuel fired steam generator which produces 120 megawatts, electric power. The maximum heat input rate is 1,317 million Btu per hour and the unit fires No. 2 through No. 6 fuel oil, on-specification used oil, and propane. Emissions from Unit No. 2 are uncontrolled. Unit 2 began commercial service in 1961. The Department has determined that the appropriate particulate matter testing frequency for the fossil fuel steam generators is annually whenever fuel oil is used for more than 400 hours in the preceding year. This frequency is justified by the low emission rate documented in previous emissions tests while firing fuel oil. This unit is subject to a steady-state PM emission limit of 0.1 lb/MMBtu. The applicant has presented historical PM test results which show that the steady-state average results are well below the applicable effective standard. The Department has determined that sources that consistently test below the effective standard shall test annually. A five year average of results of particulate matter emission testing in lb/MMBtu for Unit No. 2 is 0.068616, steady-state.

Unit No. 3 is a tangential-fired fossil fuel fired steam generator which produces 225 megawatts, electric power. The maximum heat input rate is 2,211 million Btu per hour and the unit fires No. 2 through No. 6

fuel oil, on-specification used oil, natural gas, and propane. Emissions from Unit No. 3 are uncontrolled. Unit 3 began commercial service in 1963. The Department has determined that the appropriate particulate matter testing frequency for the fossil fuel steam generators is annually whenever fuel oil is used for more than 400 hours in the preceding year. This frequency is justified by the low emission rate documented in previous emissions tests while firing fuel oil. This unit is subject to a steady-state PM emission limit of 0.1 lb/MMBtu. The applicant has presented historical PM test results which show that the steady-state average results are well below the applicable effective standard. The Department has determined that sources that consistently test below the effective standard shall test annually. A five year average of results of particulate matter emission testing in lb/MMBtu for Unit No. 3 is 0.067344, steady-state.

2. Appropriate Averaging Times - The particulate matter emission limits in conditions A.7 and A.8 do not contain averaging times. Because the stringency of emission limits is a function of both magnitude and averaging time, appropriate averaging times must be added to the permit in order for the limits to be practicably enforceable. An approach that may be used to address this deficiency is to include a general condition in the permit stating that the averaging times for all specified emission standards are tied to or based on the run time of the test method(s) used for determining compliance.

PERMITTEE RESPONSE: The subject conditions in the PROPOSED Title V permit already contain all that is necessary to make them completely (and therefore practicably) enforceable: a requirement, and a method of determining compliance with that requirement. The subject conditions are identical, and read as follows: "Particulate matter emissions shall not exceed 0.1 pound per million Btu heat input, as measured by applicable compliance methods." This language, which is incorporated from Florida's EPA-approved SIP, clearly provides the requirement (a 0.1 pound per million Btu particulate matter limit) and the method for determining compliance ("as measured by applicable compliance methods"). The PROPOSED Title V permit clearly defines the "applicable compliance methods" – the permit specifies the test method, the number of sampling runs required, how to calculate the actual emission rate, as well as the sampling time, volume and flow rate. Where the applicable compliance method is this specific (particularly where the test method has a specified duration), enforceability is ensured at all times. Therefore, because the particulate matter limits in FPC's Bartow PROPOSED Title V permit are completely enforceable through the use of these existing conditions, the FINAL Title V conditions relating to particulate matter for this facility should be issued without change.

However, in an effort to move the Title V permitting process to conclusion, FPC is willing to accept the inclusion of a "permitting note" following Conditions A.7. and A.8., as follows:

The averaging time for the particulate matter standard corresponds to the cumulative sampling time of the specified test method.

FPC's suggested resolution of this matter does not constitute or imply concurrence with EPA's position. The Title V process is intended to consolidate existing applicable requirements for each Title V permit on a case-by-case basis, and FPC's suggested resolution applies only to the Bartow Title V facility/permit. Moreover, the language suggested above is applicable only to the existing particulate matter limit and only for the existing compliance determination method for this limit.

PROPOSED CHANGE: Add the following after both Specific Condition A.7. and A.8.:

Add: {Permitting note: The averaging time for the particulate matter standard corresponds to the cumulative sampling time of the specified test method.}

II. EPA General Comments

1. General Comment - The title page of the permit specifies that this permit determination is both a proposed title V permit and a draft construction permit. The statement of basis and the permit should both identify which conditions are part of the draft construction permit, and/or which units are subject to the construction permit.

PERMITTEE RESPONSE: The construction permit is meant to address the modification of the fly ash collection system associated with the Unit 1 electrostatic precipitator (ESP). The modification implemented a closed-loop system, resulting in the elimination of an emission point (ARMS Emission Unit 009). The fly ash system is now included under the listing of insignificant emission units.

PROPOSED CHANGE: The following will be added to both the Statement of Basis and the Facility Description under Section I:

Add: The construction permitting action changes the status of a previously permitted emissions unit, the fly ash collection system associated with the Unit 1 electrostatic precipitator (ESP). The permit to construct reclassifies the fly ash system from a regulated emissions unit to an insignificant emissions unit/activity. A previous modification implemented a closed-loop fly ash system, which replaced a conventional fly ash silo/transfer system. The fly ash system (formally called Emissions Unit I.D. No. -009) now meets the requirements of Rules 62-210.300(3)(a) and 62-213.430(6)(b), F.A.C., and is reclassified as an Insignificant Emissions Unit/Activity, where it is currently listed.

2. CAM Applicability - The Unit No. 1 discussions in the statement of basis and in Section III, Subsection A on page 6 of the permit, state that "the provisions of 40 CFR 64 do not apply [40 CFR 64.2(b)(ii)]." While the electrostatic precipitator for Unit No. 1 may not meet the applicability requirement for CAM specified under 40 C.F.R. 64.2(a)(2), Region 4 believes that CAM should not be referenced in the permit until a formal applicability determination has been made through the title V permit renewal process. Furthermore, reference to CAM is not necessary to support the claim that particulate and opacity limits can be met without use of the ESP.

PERMITTEE RESPONSE: Because 40 CFR Part 64 has been in effect for nearly two years, it is appropriate to make a CAM applicability determination in the Statement of Basis at this time. FPC has provided appropriate documentation, and the DEP has formally concurred, that CAM does not apply to this pollutant-specific emissions unit. Accordingly, FPC requests that this determination remain in the Statement of Basis.

PROPOSED CHANGE: No change is proposed.

3. Statement of Basis - The discussions for units 1 through 3 provide justification for annual testing of particulate matter based on five years of data showing emissions at less than half of the allowable limit. Review of the permit application indicates that FPC petitioned for annual particulate testing in accordance with the provisions of 62-296.405(1)(a) F.A.C. so that they would be allowed a visible emissions limit of 40 percent with annual, rather than quarterly, particulate testing. The statement of basis should be modified to reflect the allowance of annual particulate testing with a 40 percent VE in accordance with the SIP and supporting orders issued by FDEP.

PERMITTEE RESPONSE: FPC is in agreement that the proposed change to the Statement of Basis should be made.

PROPOSED CHANGE: The following will be added to the Statement of Basis:

Add: In accordance with the provisions of Rule 62-296.405(1)(a), F.A.C., Units 1, 2 and 3 elected to test for particulate matter quarterly and were allowed visible emissions of 40 percent opacity. The Bartow Plant demonstrated that the particulate matter standard was regularly complied with for each unit and petitioned the Secretary for a reduction in the frequency of particulate matter testing from quarterly to annually, as provided by the rule. The request for annual testing was granted to Unit 1 by OGC Order No. 96-A-01, Unit 2 by OGC Order No. 87-1261 and Unit 3 by OGC Order No. 86-1577.

4. Compliance Certification - Facility-wide Condition 11 of the permit should specifically reference the required components of Appendix TV-3, item 51, which lists the compliance certification requirements of 40 C.F.R. 70.6(c)(5)(iii), to ensure that complete certification information is submitted to EPA.

PERMITTEE RESPONSE: FPC has no objection to the inclusion of the proposed language.

PROPOSED CHANGE: The requirement for the annual statement of compliance was contained in the Acid Rain Section of the permit. For consistency with other permits issued to date, the Specific Condition A.4. will be deleted from the Acid Rain Section and the condition will be added to the Facility-wide Requirements in Section II of the permit.

Delete: A.4. Statement of Compliance. The annual statement of compliance pursuant to Rule 62-213.440(3), F.A.C., shall be submitted within 60 (sixty) days after the end of the calendar year. {See condition 52., APPENDIX TV-3, TITLE V CONDITIONS}
[Rule 62-214.420(11), F.A.C.]

Add: 12. Statement of Compliance. The annual statement of compliance pursuant to Rule 62-213.440(3), F.A.C., shall be submitted within 60 (sixty) days after the end of the calendar year. {See condition 51., APPENDIX TV-3, TITLE V CONDITIONS}
[Rule 62-214.420(11), F.A.C.]

5. Minimum Sample Volume for Particulate Testing - Condition A.20. specifies a minimum sample volume of 30 dry standard cubic feet for particulate testing, in accordance with 62-296.405(e)2. F.A.C. of the SIP. Condition A.26.(b) specifies a minimum sample volume of 25 dscf, or other volume as required by rule. Since these permit conditions are contradictory, a permitting note should be added to Conditions A.26.(b) to clarify that the required sample volume is 30 dry standard cubic feet.

PERMITTEE RESPONSE: FPC's initial comment is that the correct citation for the rule referenced above is 62-296.405(1)(e)(2). FPC further researched the State of Florida provisions under "General Compliance Test Requirements", specifically 62-297.310(4)(a)(1) and .310(4)(c). These provisions require a minimum sampling time of one hour and a minimum required flow rate of 0.5 cubic feet per minute, respectively. Effectively, these two provisions result in a minimum sample volume of 30 dscf. Therefore, FPC agrees with the change proposed by the EPA.

PROPOSED CHANGE: The following change will be made to Specific Condition A.26.:

From: (b) Minimum Sample Volume. Unless otherwise specified in the applicable rule, the minimum sample volume per run shall be 25 dry standard cubic feet.

To: (b) Minimum Sample Volume. Unless otherwise specified in the applicable rule, the minimum sample volume per run shall be 25 dry standard cubic feet. See **Specific Condition A.20**.

6. Record keeping - Conditions D.19 and D.20 address record keeping for the relocatable generators. The permit states that this generator will be operated at six different facilities, five of which are not covered under this permit. This emission unit should also be included in the permits for the other five facilities. Please clarify in the statement of basis whether or not this is the case. The above referenced permit conditions require the source to keep records for the hours of operation as well as the fuel oil sulfur content in order to demonstrate compliance with operational and emission limitations. However, the permit does not indicate whether the records will be transferred with the emission unit when it is moved to another facility, or if each facility will be responsible for maintaining their own records. The permit and/or statement of basis should specify how these records will be maintained and if record keeping activities must be coordinated among the facilities.

PERMITTEE RESPONSE: The relocatable diesel generators are proposed to be operated at six different facilities, five of which are not covered by this permit. As correctly noted above, identical permit language has been placed in the permits for these other five facilities. The current language in each of these permit is very specific in terms of the records that must be maintained. FPC's preference is that the records be maintained at each individual site. FPC's corporate environmental services department is responsible for agency notifications and reporting and is functionally structured to provide coordination among the facilities.

PROPOSED CHANGE: The following change is made to the Statement of Basis:

From: Relocatable diesel generator(s) will have a maximum (combined) heat input of 25.74 MMBtu/hour while being fueled by 186.3 gallons of new No. 2 fuel oil per hour with a maximum (combined) rating of 2460 kilowatts. Emissions from the generator(s) are uncontrolled. The generator(s) may be relocated at any of the following facilities:

1. Crystal River Plant, Powerline Road, Red Level, Citrus County.
2. Bartow Plant, Weedon Island, St. Petersburg, Pinellas County.
3. Higgins Plant, Shore Drive, Oldsmar, Pinellas County.
4. Bayboro Plant, 13th Ave. & 2nd St. South, St. Petersburg, Pinellas County.
5. Wildwood Reclamation Facility, State Road 462, 1 mi. east of U.S. 301, Wildwood, Sumter County.
6. Hines Energy Complex, County Road 555, 1 mi. southwest of Homeland, Polk County.
7. Anclote Power Plant, 1729 Baileys Road, Holiday, Pasco County

To: Relocatable diesel generator(s) will have a maximum (combined) heat input of 25.74 MMBtu/hour while being fueled by 186.3 gallons of new No. 2 fuel oil per hour with a maximum (combined) rating of 2460 kilowatts. Emissions from the generator(s) are uncontrolled. The generator(s) may be relocated at any of the following facilities:

1. Crystal River Plant, Powerline Road, Red Level, Citrus County.
2. Bartow Plant, Weedon Island, St. Petersburg, Pinellas County.
3. Higgins Plant, Shore Drive, Oldsmar, Pinellas County.
4. Bayboro Plant, 13th Ave. & 2nd St. South, St. Petersburg, Pinellas County.
5. Wildwood Reclamation Facility, State Road 462, 1 mi. east of U.S. 301, Wildwood, Sumter County.
6. Hines Energy Complex, County Road 555, 1 mi. southwest of Homeland, Polk County.
7. Anclote Power Plant, 1729 Baileys Road, Holiday, Pasco County

These generator(s) are included in the Title V permits for each of the above listed facilities. The records required by the permit shall be maintained at each individual site. FPC's corporate environmental services department shall be responsible for agency notifications and reporting and is functionally structured to provide coordination among the facilities.

8. Acid Rain Requirements - Please note that the allowances allocated to the Bartow facility units 001 through 003, as indicated under Section IV, Condition A.2. of the proposed permit have been changed. This revision was published in the Federal Register on September 28, 1998 (Vol. 63 No. 187, pp 51706-51765). We recommend that the allowances that are indicated for these units be adjusted to reflect the revised allocation.

PERMITTEE RESPONSE: FPC agrees with the comment. The revised allowance allocations for Bartow Units 1, 2 and 3 (through 2009) are as follows: Unit 1: 2,805; Unit 2: 2,961; and Unit 3 : 5,428.

PROPOSED CHANGE: The following changes will be made to Specific Condition A.2. of the Acid Rain Section:

From: A.2. Sulfur dioxide (SO₂) allowance allocations requirements for each Acid Rain unit are as follows:

<u>E.U. ID No.</u>	<u>EPA ID</u>	<u>Year</u>	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>
-001	01	SO2 allowances, under Table 2 or 3 of 40 CFR Part 73	2785*	2785*	2785*	2785*	2785*
-002	02	SO2 allowances, under Table 2 or 3 of 40 CFR Part 73	2941*	2941*	2941*	2941*	2941*
-003	03	SO2 allowances, under Table 2 or 3 of 40 CFR Part 73	5383*	5383*	5383*	5383*	5383*

- The number of allowances held by an Acid Rain source in a unit account may differ from the number allocated by the USEPA under Table 2 or 3 of 40 CFR 73.]

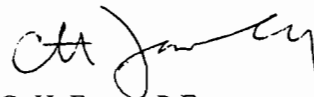
To: A.2. Sulfur dioxide (SO₂) allowance allocations requirements for each Acid Rain unit are as follows:

<u>E.U. ID No.</u>	<u>EPA ID</u>	<u>Year</u>	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>
-001	01	SO ₂ allowances, under Table 2 or 3 of 40 CFR Part 73	2805*	2805*	2805*	2805*	2805*
-002	02	SO ₂ allowances, under Table 2 or 3 of 40 CFR Part 73	2961*	2961*	2961*	2961*	2961*
-003	03	SO ₂ allowances, under Table 2 or 3 of 40 CFR Part 73	5428*	5428*	5428*	5428*	5428*

- The number of allowances held by an Acid Rain source in a unit account may differ from the number allocated by the USEPA under Table 2 or 3 of 40 CFR 73.]

As you know, the 90 day period ends December 15th. All parties involved have been expeditiously seeking resolution of these issues. We feel that EPA's concerns have been adequately addressed and we look forward to issuing final permits. Please advise as soon as possible if you concur with the specific changes detailed above. Please call me at 850/921-9503 if you have any questions. You may also contact Mr. Scott M. Sheplak, P.E., at 850/921-9532, or Mr. Edward J. Svec at 850/921-8985, if you need any additional information.

Sincerely,



C. H. Fancy, P.E.
Chief
Bureau of Air Regulation

CF/es

Attachments

cc: Scott M. Sheplak
Pat Comer
Scott Osbourn, FPC

Table 2-1, Summary of Compliance Requirements

Florida Power Corporation
Bartow Plant

FINAL Permit No.: 1030011-002-AV
Facility ID No.: 1030011

This table summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.

E.U. ID No.	Brief Description
[-001]	No. 1 Unit, Fossil Fuel Fired Steam Generator with Electrostatic Precipitator
[-002]	No. 2 Unit, Fossil Fuel Fired Steam Generator
[-003]	No. 3 Unit, Fossil Fuel Fired Steam Generator

Pollutant Name or Parameter	Fuel(s)	Compliance Method	Testing Time Frequency	Frequency Base Date *	Min. Compliance Test Duration	CMS**	
						CMS**	See permit condition(s)
VE EU[-001]	All	EPA Method 9	6 months	3/16 & 9/16	60 min	Yes	A.19., A.29.and A.30.
VE EU[-002 & -003]	All	EPA Method 9	Annual	5/28 & 4/28	60 min		A.19.and A.30.
PM EU[-001]	All	EPA Method 17, 5, 5B or 5F	6 months	3/16 & 9/16	1 hr		A.20., A.29.and A.31.
PM EU[-002 & -003]	All	EPA Method 17, 5, 5B or 5F	Annual	5/28 & 4/28	1 hr		A.20.and A.31.
SO ₂	Liquid	EPA Method 6, 6A, 6B, or 6C; or fuel analysis	Annual	w/ PM test	1 hr		A.21.and A.22.
Used oil	On-specification	EPA SW-846	each batch				A.11., A.12., A.13., & A.32.

Notes:
 * The frequency base date is established for planning purposes only; see Rule 62-297.310, F.A.C.
 ** CMS [=] continuous monitoring system

[electronic file name: 10300112.xls]

Table 2-1, Summary of Compliance Requirements

Florida Power Corporation
Bartow Plant

FINAL Permit No.: 1030011-002-AV
Facility ID No.: 1030011

This table summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.

E.U. ID No. **Brief Description**
[-004] Bartow-Anclote Pipeline Heating Boiler

Pollutant Name or Parameter	Fuel(s)	Compliance Method	Testing Time Frequency	Frequency Base Date *	Min. Compliance Test Duration	CMS **	
							See permit condition(s)
VE SO ₂	All Liquid	DEP Method 9 ASTM Methods	Annual each delivery	31-May	30 min		B.12. & B.13. B.14. & B.15.

Notes:
 * The frequency base date is established for planning purposes only; see Rule 62-297.310, F.A.C.
 ** CMS [=] continuous monitoring system

[electronic file name: 10300112.xls]

Table 2-1, Summary of Compliance Requirements

Florida Power Corporation
Bartow Plant

FINAL Permit No.: 1030011-002-AV
Facility ID No.: 1030011

This table summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.

E.U. ID No.	Brief Description
[-005]	Gas Turbine Peaking Unit #P-1
[-006]	Gas Turbine Peaking Unit #P-2
[-007]	Gas Turbine Peaking Unit #P-3
[-008]	Gas Turbine Peaking Unit #P-4

Pollutant Name or Parameter	Fuel(s)	Compliance Method	Testing Time Frequency	Frequency Base Date *	Min. Compliance Test Duration	CMS **	
						CMS **	See permit condition(s)
VE SO ₂	All Liquid	EPA Method 9 ASTM Methods	Annual each delivery	1-Feb	30 min		C.11. & C.16. C.12.

Notes:
 * The frequency base date is established for planning purposes only; see Rule 62-297.310, F.A.C.
 **CMS [=] continuous monitoring system

[electronic file name: 10300112.xls]

Table 2-1, Summary of Compliance Requirements

Florida Power Corporation
Bartow Plant

FINAL Permit No.: 1030011-002-AV
Facility ID No.: 1030011

This table summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.

E.U. ID No. **Brief Description**
[-xxx] Relocatable Diesel Fired Generator(s)

Pollutant Name or Parameter	Fuel(s)	Compliance Method	Testing Time Frequency	Frequency Base Date *	Min. Compliance Test Duration	See permit condition(s)	
						CMS**	
VE SO ₂	Liquid	EPA Method 9 ASTM Methods	Annual each delivery	30 days from startup	30 min		D.11. D.12.

Notes:
 * The frequency base date is established for planning purposes only; see Rule 62-297.310, F.A.C.
 **CMS [=] continuous monitoring system

[electronic file name: 10300112.xls]

Table 1-1, Summary of Air Pollutant Standards and Terms

Florida Power Corporation
Bartow Plant

FINAL Permit No.: 1030011-002-AV
Facility ID No.: 1030011

This table summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.

E.U. ID No.	Brief Description
[-001]	No. 1 Unit, Fossil Fuel Fired Steam Generator with Electrostatic Precipitator
[-002]	No. 2 Unit, Fossil Fuel Fired Steam Generator
[-003]	No. 3 Unit, Fossil Fuel Fired Steam Generator

Pollutant Name	Fuel(s)	Hours/Year	Allowable Emissions			Equivalent Emissions*		Regulatory Citation(s)	See permit condition(s)
			Standard(s)	lbs./hour	TPY	lbs./hour	TPY		
PM [EU-001]	All	8,760	0.1 lb/MMBtu	122.0	534.4			Rules 62-296.405(1)(b), 62-296.700(4)(b) & 62-296.702(2)(a)	A.7.
PM [EU-002]	All	8,760	0.1 lb/MMBtu	131.7	576.9			Rules 62-296.405(1)(b), 62-296.700(4)(b) & 62-296.702(2)(a)	A.7.
PM [EU-003]	All	8,760	0.1 lb/MMBtu	221.1	968.6			Rules 62-296.405(1)(b), 62-296.700(4)(b) & 62-296.702(2)(a)	A.7.
PM [EU-001]	All	8,760	0.3 lb/MMBtu	366.0				Rules 62-210.700(3) & 62-296.700(4)(b)	A.8.
PM [EU-002]	All	8,760	0.3 lb/MMBtu	395.1				Rules 62-210.700(3) & 62-296.700(4)(b)	A.8.
PM [EU-003]	All	8,760	0.3 lb/MMBtu	663.3				Rules 62-210.700(3) & 62-296.700(4)(b)	A.8.
SO ₂ [EU-001]	Liquid	8,760	2.75 lb/MMBtu			3,355.9	14,594.8	Rule 62-296.405(1)(c)1.j.	A9.
SO ₂ [EU-002]	Liquid	8,760	2.75 lb/MMBtu			3,621.75	15,883.26	Rule 62-296.405(1)(c)1.j.	A9.
SO ₂ [EU-003]	Liquid	8,760	2.75 lb/MMBtu			6,080.25	26,631.5	Rule 62-296.405(1)(c)1.j.	A9.
SO ₂	Liquid	8,760	2.5% by weight sulfur					Rule 62-296.405(1)(e)3.	A10.
VE	All	8,760	40% opacity					Rule 62-296.405(1)(a) & OGC Orders 86-1577 & 87-1261	A.5.
VE	All	3 hr/24 hr	60% opacity					Rule 62-210.700(3)	A.6.

Notes:
* The "Equivalent Emissions" listed are for informational purposes only.

[electronic file name: 10300111.xls]

Table 1-1, Summary of Air Pollutant Standards and Terms

Florida Power Corporation
Bartow Plant

FINAL Permit No.: 1030011-002-AV
Facility ID No.: 1030011

This table summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.

E.U. ID No. **Brief Description**
[-004] Bartow-Anclote Pipeline Heating Boiler

Pollutant Name	Fuel(s)	Hours/Year	Allowable Emissions			Equivalent Emissions*		Regulatory Citation(s)	See permit condition(s)
			Standard(s)	lbs./hour	TPY	lbs./hour	TPY		
SO ₂	Liquid	8,760	0.5% by weight sulfur			8.52	37.34	Rule 62-296.406(3)	B.7.
VE	All	8,760	20% except 40% 2 min/hr					Rule 62-296.406(1)	B.5.
VE	All	3 hr/24 hr	60% opacity					Rule 62-210.700(3)	B.6.
Notes: * The "Equivalent Emissions" listed are for informational purposes only.									

[electronic file name: 10300111.xls]

Table 1-1, Summary of Air Pollutant Standards and Terms

Florida Power Corporation
Bartow Plant

FINAL Permit No.: 1030011-002-AV
Facility ID No.: 1030011

This table summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.

E.U. ID No.	Brief Description
[-005]	Gas Turbine Peaking Unit #P-1
[-006]	Gas Turbine Peaking Unit #P-2
[-007]	Gas Turbine Peaking Unit #P-3
[-008]	Gas Turbine Peaking Unit #P-4

Pollutant Name	Fuel(s)	Hours/Year	Allowable Emissions			Equivalent Emissions*		Regulatory Citation(s)	See permit condition(s)
			Standard(s)	lbs./hour	TPY	lbs./hour	TPY		
SO ₂	Liquid	8,760	0.5% by weight sulfur			392.7	1,720.0	AO52-253215A, 253216A, 253217A & 253218A Rule 62-296.320(4)(b)1.	C.6.
VE	All	8,760	20% opacity						C.5.

Notes:
* The "Equivalent Emissions" listed are for informational purposes only.

[electronic file name: 10300111.xls]

Table 1-1, Summary of Air Pollutant Standards and Terms

Florida Power Corporation
Bartow Plant

FINAL Permit No.: 1030011-002-AV
Facility ID No.: 1030011

This table summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.

E.U. ID No. **Brief Description**
[-xxx] Relocatable Diesel Fired Generator(s)

Pollutant Name	Fuel(s)	Hours/Year	Allowable Emissions			Equivalent Emissions*		Regulatory Citation(s)	See permit condition(s)
			Standard(s)	lbs./hour	TPY	lbs./hour	TPY		
SO ₂	Liquid	2,970	0.5% by weight Sulfur			14.16	21.02	Applicant request & AC09-202080	D.4. & D.6.
VE	All	2,970	20% opacity					Applicant request & AO09-205952	D.5.

Notes:
* The "Equivalent Emissions" listed are for informational purposes only.

[electronic file name: 10300111.xls]



Department of Environmental Protection

Lawton Chiles
Governor

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

Virginia B. Wetherell
Secretary

Notice of Authorization to Implement Modified Fly Ash Handling System for Bartow Plant Unit No. 1

CERTIFIED MAIL

Mr. Scott H. Osbourn
Senior Environmental Engineer
Florida Power Corporation
P.O. Box 14042
St. Petersburg, FL 33733

RECEIVED

JUN 22 1998

**BUREAU OF
AIR REGULATION**

Dear Mr. Osbourn:

Ref: Letter dated June 16, 1998
Application dated June 12, 1998
Permit Nos. A052-233149 & A052-232464

Your letter of June 16, 1998, requests the Department to authorize Unit No. 1's Fly Ash System to be operated as proposed in your air pollution construction modification application dated June 12, 1998, until the Department takes final action on that application. Specifically, the request is to allow the fly ash collected in Unit No. 1's electrostatic precipitator's 12 hoppers to be pneumatically transferred via the 2 existing pressure lines to a transportable container, instead of the Storage Silo on permit A052-232464. The transportable container's displaced air during loading will then be vented back into Unit No. 1's boiler, thus creating a closed loop system.

After reviewing the information in the letter and application, this office hereby grants the request with the following stipulations:

1. The proposed fly ash handling system shall operate as described in the application dated June 12, 1998, until the Department takes final action on that application.
2. The loading rate of a transportable container shall not exceed the proposed design rate of 2 tons/hr.

3. The 2 pneumatic fly ash transfer lines shall each only transfer fly ash from 1 of the 12 electrostatic precipitator's hoppers at any one time.
4. Only 1 transportable container shall be loaded at any 1 time.
5. Each pneumatic transfer line is dedicated to a separate bank of 6 of the 12 electrostatic precipitator's hoppers.
6. Within 30 days of operating the proposed fly ash system authorized by this letter, Florida Power Corporation shall determine, measure, and record the fly ash transfer rate to the transportable containers, in order to confirm the 2 tons/hr. maximum transfer rate as shown in the application is correct. A written report, describing the methods and/or procedures used to determine and measure the maximum fly ash transfer rate along with the dates and results of any recorded transfer rates, shall be submitted to the Air Permitting Sections of this office and the Pinellas County Department of Environmental Management within 45 days of operating the proposed system. Be sure the report is signed and sealed by a Florida registered professional engineer.
7. Any future emission compliance tests required by Unit No. 1's permit A052-233149 shall be conducted when the proposed fly ash system is operating within 90-100% of the maximum fly ash transfer rate as determined by No. 6 above.
8. Notify Mr. Wayne Martin of the Pinellas County Department of Environmental Management via telephone of initial operation of the proposed fly ash system by the end of the following business day.

A person whose substantial interests are affected by this authorization may petition for an administrative hearing in accordance with sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000 must be filed within 21 days of receipt of this authorization. A petitioner must mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under sections 120.569 and 120.57 of the Florida Statutes, or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing

of a motion in compliance with rule 28-5.207 of the Florida Administrative Code.

A petition must contain the following:

- (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department Permit File Number, and the county in which the project is proposed;
- (b) A statement of how and when each petitioner received notice of the Department's action or proposed action;
- (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action;
- (d) A statement of the material facts disputed by the petitioner, if any;
- (e) A statement of the facts that the petitioner contends warrant reversal or modification of the Department's action or proposed action;
- (f) A statement identifying the rules or statutes that the petitioner contends require reversal or modification of the Department's action or proposed action; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the Department to take with respect to the action or proposed action addressed in this authorization.

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

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

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. The petition must specify the following information:

- (a) The name, address, and telephone number of the petitioner;
- (b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any;
- (c) Each rule or portion of a rule from which a variance or waiver is requested;
- (d) The citation to the statute underlying (implemented by) the rule identified in (c) above;
- (e) The type of action requested;
- (f) The specific facts that would justify a variance or waiver for the petitioner;
- (g) The reason why the variance or waiver would serve the purposes of the underlying statute (implemented by the rule); and
- (h) A statement whether the variance or waiver is permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

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

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

This authorization is final and effective on the date filed with the Clerk of the Department unless a timely petition for an administrative hearing is filed pursuant to sections 120.569 and 120.57 of the Florida Statutes or unless a request for an extension of time in which to file a petition is filed within the time specified for filing a petition and conforms to Rule 62-103.070, F.A.C. before the deadline for filing a petition. Upon timely filing of a petition or a request for an extension of time to file the petition, this permit will not be effective until further Order of the Department.

When the Order (Authorization) is final, any party to the Order has the right to seek judicial review of the Order pursuant to Section 120.68, Florida Statutes, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate procedure, with the Clerk of the Department in the Office of

General Counsel, Douglas Building, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date the Final Order is filed with the Clerk of the Department.

Executed in Tampa, Florida.

Sincerely,



W.C. Thomas, P.E.

District Air Program Administrator

cc: Wayne Martin - PCDEM
Ed Svec - FDEP, DARM, Tallahassee
Al Linero - FDEP, DARM, Tallahassee

CERTIFICATE OF SERVICE

This is to certify that this NOTICE OF AUTHORIZATION TO IMPLEMENT MODIFIED FLY ASH HANDLING SYSTEM was sent to the addressee by certified mail and all copies were sent by regular mail before the close of business on JUN 18 1998 to the listed persons, unless otherwise noted.

Clerk Stamp

FILING AND ACKNOWLEDGEMENT FILED,
on this date, pursuant to Section
120.52(7), Florida Statutes, with
the designated Department Clerk,
receipt of which is hereby acknowledged.



(Clerk)

JUN 18 1998
(Date)



Heron's

Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

September 3, 1998

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. W. Jeffrey Pardue, C.E.P.
Director, Environmental Services
Florida Power Corporation
Post Office Box 14042
St. Petersburg, Florida 33711

Re: DEP File Nos. 1030011-005AC, AO52-233149, and AO52-232464
Bartow Power Plant - Unit 1 Fly Ash Handling System Modification

Dear Mr. Pardue:

The Department has reviewed Florida Power Corporation's application received on June 12, 1998 and subsequent correspondence, requesting an amendment to its operation permits to modify the flyash collection system. Flyash collected in the Bartow Unit electrostatic precipitator hoppers will be pneumatically transferred via the two existing pressure lines to a transportable container, instead of the permitted storage silo. Displaced air from the transportable container will be vented back to Unit 1, thus creating a closed loop system.

This request is acceptable and permits AO52-233149 and AO52-232464 are hereby amended as follows:

New Specific Condition:

FLY ASH SYSTEM OPERATING PARAMETERS

- a) The maximum transfer rate of the fly ash from the electrostatic precipitator to the transportable bins shall not exceed 0.15 tons/hour. The maximum transfer rate of flyash vented from the transportable bins to the boiler shall not exceed 0.02 lb/hour.
- b) Each of the two (2) pneumatic flyash transfer lines shall transfer only fly ash from one of 12 electrostatic precipitator's hoppers at a time.
- c) Only one (1) transportable container shall be loaded at any one time.
- d) Each pneumatic transfer line shall serve a separate bank of 6 of the 12 hoppers.
- e) Any future emission compliance tests shall be conducted when the fly ash system is operating within 90-100% of the maximum fly ash transfer rate. [FPC's Determination of Transfer Rate - Fly Ash Handling System, August 1998].

A person whose substantial interests are affected by this permitting decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3) of the Florida Statutes must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first.

Under Section 120.60(3), however, any person who asked the Department for notice of agency action may file a petition within fourteen days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57 F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205 of the Florida Administrative Code.

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

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

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

Mediation is not available in this proceeding.

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

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

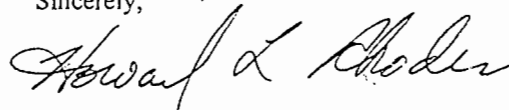
The Department will grant a variance or waiver when the petition demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of those terms is defined in Section 120.542(2) F.S., and that the purpose of the underlying statute will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

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

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

A copy of this letter shall be filed with each of the referenced permits and shall become part of the permits.

Sincerely,



Howard L. Rhodes, Director
Division of Air Resources
Management

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this permit amendment was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on 9-4-98 to the person(s) listed:

Mr. W. Jeffrey Pardue, FPC*
Mr. Bill Thomas, P.E., DEP/SWD
Mr. Gary Robbins, PCDEM
Ms. Jennifer L. Tillman, P.E.

Clerk Stamp

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

Kevin Johnson
(Clerk)

9-4-98
(Date)

Memorandum

DARM-PER/GEN-25

RECEIVED

JUN 10 1995

TO: District Air Program Administrators
County Air Program Administrators
Bureau of Air Regulation Engineers

FROM: Howard L. Rhodes, Director *HLR*
Division of Air Resources Management

DATE: June 8, 1995

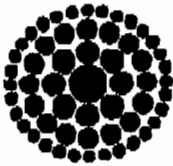
SUBJECT: Guidance on the Replacement or Addition of Air Pollution
Control Equipment on Existing Sources

This memo is to provide guidance to district, local program, and headquarters staff on the permitting action required when a source owner replaces or adds an air pollution control device to an existing source.

If the pollution control equipment is for a unit with uncontrolled emissions of less than 100 tons per year, and the equipment is "off the shelf", then no permitting action is required.

If the pollution control equipment is custom designed for any source, or is "off the shelf" to control a unit with uncontrolled emissions greater than or equal to 100 tons per year, the source owner will need to apply for an amendment to the permit. The request would need to be signed and sealed by a P.E. The Department or local program, if it finds the replacement air pollution equipment to be satisfactory, shall issue a letter amendment to the operation permit. No public notice shall be required for such an action.

HLR/chf/cd



Florida Power
CORPORATION

Date: 3/25/99

To: Ed Svec, DEP, BAR

FAX #: (850) 922-6979

Phone #: (850) 408-1344

From: Sam Ostrom

FAX #: (727) 826-4216

Phone #: (727) 826-4258

5 Total number of pages including cover page.

Please notify _____ at (727) 826 - _____ for any problems concerning the receipt of this FAX.

Comments:

As we discussed. I'll be faxing you a draft DEP response later today for your review and comment.

Thanks!

Sam



March 25, 1999

Mr. William Thomas
 Florida Department of Environmental Protection
 Southwest District
 3804 Coconut Palm Dr.
 Tampa, Florida 33619-8318

Dear Mr. Thomas:

Re: Florida Power Corporation's Bartow Facility
 Unit 1 Testing Considerations

Florida Power Corporation (FPC) is in the process of scheduling annual compliance testing for Bartow Units 1, 2 and 3. This testing is normally straightforward, however, there are some issues involved with this year's testing that warrant the Department's concurrence. Specifically, FPC requests permission to move up the test date for Unit 1. In addition, the testing proposed for Unit 1 is to be conducted without the use of the electrostatic precipitator (ESP). Clair Fancy of the Department's Bureau of Air Regulation, has agreed that this year's annual testing can be conducted without the use of the ESP in order to assist in the resolution of appropriate language to be included in this facility's Title V permit.

Throughout the Title V permitting process, FPC maintained that there was no factual or legal basis to require FPC to retain and operate the ESP associated with Bartow Unit 1. The ESP was required and designed as part of a unit modification to accommodate the firing of a coal-oil mixture (COM) fuel, which is no longer burned. The original construction permit had indicated that when firing fuel oil only, the ESP was not required to be used. However, in an effort to move the Title V permitting process forward, FPC subsequently agreed to retain and use the ESP, provided that permit language is included that clarifies this unique situation. FPC's concern involves the potential misapplication of the Credible Evidence rule and the Compliance Assurance Monitoring (CAM) rule, to the extent that they may be triggered for Unit 1. Specifically, the final CAM rule (40 CFR Part 64.2(b)(ii), Control Devices Criterion) applies only to pollutant-specific emissions units that *rely on a control device to achieve compliance*. Accordingly, although FPC has committed to continue operating the ESP, the intent of the proposed compliance testing is to demonstrate that all applicable emissions limitations can be met without the use of the ESP; therefore, the CAM rule would not apply. FPC requests the District's concurrence that this approach is acceptable.

Regarding the timing of the annual testing, Units 2 and 3 must be tested within 30 days of May 28th and April 28th, respectively. Unit 1 at one time was scheduled for two tests a year, on March 16th and September 16th. FPC subsequently petitioned for a reduction in testing

Mr. Thomas
March 25, 1999
Page 2

frequency to once a year, and has been testing at the September 16th baseline date now for several years. Considering efficiencies and cost savings, it makes sense to test all three units at the same time. Therefore, FPC is providing notification that compliance testing for Units 2 and 3 will be conducted the week of May 17th. Further, FPC is requesting that the annual testing for Unit 1 be moved up to this time frame from the current September 16th base date. FPC does not believe that any change is necessary to the permit for Unit 1, as the Title V permit will be effective for next year's testing, and the permit will not contain a date certain testing requirement.

if you should have any questions concerning the proposed testing, please do not hesitate to contact me at (727) 826-4258.

Sincerely,



Scott H. Osbourn
Senior Environmental Engineer

cc: Clair Fancy, DEP, BAR
John Taylor, PDEM
Pete Burnette, ACE Testing



March 25, 1999

Mr. Clair Fancy, P.E.
Bureau of Air Regulation
Florida Department of Environmental Protection
260 Blair Stone Rd.
Tallahassee, Florida 32399-2400

Dear Mr. Fancy:

Re: FPC's Bartow Facility; DRAFT Title V Permit No. 1030011-002-AV
Unit 1 Fly Ash System Modification, DEP Permit No. 1030011-005-AC

Based on a March 17, 1999 meeting with the Department, it appears as though agreement has been reached on all outstanding issues that were previously identified regarding the Draft Title V permit referenced above. However, recall that Florida Power Corporation (FPC) had previously submitted an application to the Department requesting a permit amendment for modification of the fly ash collection system associated with the Unit 1 electrostatic precipitator (ESP). The Department responded with a letter amendment, dated September 3, 1998. Subsequent discussions with Mr. John Taylor of the Pinellas County Department of Environmental Management (DEM), as well as recent developments regarding EPA's position that all applicable requirements are subject to periodic monitoring considerations, have raised concerns with some of the permit language in the above-referenced construction permit amendment.

As part of the fly ash modification permitting process, the Department's Southwest District had required that FPC... "determine, measure and record the fly ash transfer rate to the transportable containers, in order to confirm that the two tons per hour maximum transfer rate, as shown in the application, is correct." FPC subsequently conducted an engineering study that determined a fly ash transfer rate of about 0.15 ton per hour to the bin, as well as a rate of transfer from the bin vent back to the boiler of about 0.02 pounds per hour. Unfortunately, the transfer rates determined from this one-time engineering study became limits in the construction permit modification. It is the opinion of FPC and of the Pinellas County DEM, AQD that the present transfer rate and vent rate limitations are unnecessary and are not enforceable in a practical sense.

Mr. Fancy
March 25, 1999
Page 2

Specifically, the engineering study was required by the District to demonstrate that the original maximum fly ash transfer rate of two tons per hour would not be exceeded. The study demonstrated that the fly ash transfer rate was significantly less than the allowable rate and, therefore, reasonable assurance was provided that the modification would not result in an emissions increase. Although the transfer rate may vary on any given day due to process conditions, the engineering study has demonstrated that the modified system physically cannot even approach a transfer rate of two tons per hour. Further, given that this is a closed-loop system and that the actual transfer rate has very little effect on emissions from Bartow Unit 1, FPC requests that reference to any fly ash transfer rate be removed from the permit. Specifically, FPC requests deletion of Operating Parameter (a) in the 1030011-005-AC amendment issued on September 3, 1998. Further, Operating Parameter (e) should be revised to read: "Any future emission compliance tests shall be conducted when the fly ash system is operating under normal conditions."

FPC requests that the changes be made to the current effective modification (1030011-005-AC), in order that the appropriate conditions can be incorporated into the Title V permit for this facility. As you know, FPC has been working with Mr. Ed Svec of your office towards issuance of a Proposed Title V permit for this facility.

A check for \$250 is enclosed to cover the associated permit processing fee. If you should have any questions, please do not hesitate to contact me at (727) 826-4258.

Sincerely,



Scott H. Osbourn
Senior Environmental Engineer

Enclosure

cc: Al Linero, DEP, BAR
John Taylor, PCDEM
Jerry Kissel, DEP SW District
Robert Manning, HGS&S

RECEIVED

MAR 31 1999

BUREAU OF
AIR REGULATION



March 25, 1999

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

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Sincerely,

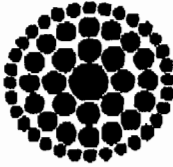


Scott H. Osbourn
Senior Environmental Engineer

Enclosure

cc: Al Linero, DEP, BAR
John Taylor, PCDEM
Jerry Kissel, DEP SW District
Robert Manning, HGS&S

CC: E. Svec



Florida Power Corporation

Date:

4/21/99

To:

Ed Svec

FAX #:

(850) 922-6979

Phone #:

(850) 488-1344

From:

Scott Osborn

FAX #:

(727) 826-4216

Phone #:

(727) 826-4258

4

Total number of pages including cover page.

Please notify _____ at (727) 826 - _____ for any problems concerning the receipt of this FAX.

Comments:

Attached is the info that you had requested for
Barton and Bayboro.
Call me if you have any questions.

K: \user\ssoborn\1999\brppm.xls

**Bartow Power Plant
Florida Power Corporation**
(Average lb/MMBtu)

	Unit 1 Non-Soot	Unit 2 Non-Soot	Unit 3 Non-Soot
1998	0.07700	0.07200	0.07000
1997	0.00800	0.08100	0.05800
1996	0.06300	0.08100	0.03000
1995	0.03321	0.07308	0.10448
1994	0.08778	0.05800	0.07423
5-Year Ave.	0.053798	0.068616	0.067344

Handwritten notes:
0.07700
0.00800
0.06300
0.03321
0.08778

Handwritten notes:
0.07700
0.00800
0.06300
0.03321
0.08778

K:\user\Bartow\1997 Bartow.xls

BARTOW COMBUSTION TURBINES
Hours of Operation and VE Summary

	YEAR	HOURS (OIL)	VE (%)
	1998		(1/21/99)
P1		724	5.8
P2		105	0.2
P3		604	6.7
P4		118	11.7
	1997		
P1		245	
P2		40	
P3		297	
P4		34	
	1996		
P1		264	
P2		308	
P3		289	
P4		270	
	1995		
P1		137	
P2		355	
P3		350	
P4		331	
	1994		(1/18/94)
P1		217	10.6
P2		235	13.3
P3		196	13.3
P4		211	15.4

Handwritten notes at the bottom of the page, possibly related to the data or file path.

K: \usa\jordan\1997 bayboro.xls

BAYBORO COMBUSTION TURBINES
Hours of Operation and VE Summary

YEAR	HOURS (OIL)	VE (%)
1998		(1/26/98)
P1	653	5
P2	642	0
P3	455	0
P4	681	0
1997		(1/20 & 5/30/97)
P1	362	0
P2	399	0
P3	322	5
P4	336	5
1996		(1/8/96)
P1	611	0
P2	559	0
P3	465	0
P4	494	0
1995		
P1	539	
P2	471	
P3	386	
P4	421	
1994		
P1	254	
P2	270	
P3	186	
P4	216	

Handwritten notes at the bottom of the page, possibly including dates and initials.



RECEIVED

MAY - 4 1999

AIR QUALITY

May 3, 1999

Mr. Gary Robbins
 Pinellas County Department of Environmental Management
 300 S. Garden Ave.
 Clearwater, Florida 34616

Post-it* Fax Note	7671	Date	5/4/99	# of pages	▶
To	Clair Fancy	From	Gary Robbins		
Co./Dept.		Co.	PCAOD		
Phone #		Phone #			
Fax #		Fax #			

Dear Mr. Robbins:

Re: Florida Power Corporation Bartow Plant
 Annual Compliance Testing

Florida Power Corporation (FPC) had previously notified the Department, in a letter dated March 25, 1999 (attached), that annual compliance testing for Bartow Units 1, 2 and 3 would be scheduled for the week of May 17, 1999. This letter serves to notify the Department that the Anclote-Bartow pipeline heating boiler (FDEP Permit No. AO52-244478) has not fired fuel oil in excess of 400 hours during the previous 12-month period. Therefore, FPC is requesting that testing be waived for this unit for 1999.

Further, in reference to the attached letter, Clair Fancy of the Department's Bureau of Air Regulation has agreed that this year's annual testing of Unit 1 can be conducted without the use of the ESP, in order to assist in the resolution of appropriate language to be included in this facility's Title V permit. The background on this issue is detailed in the attached letter. FPC requests the Department's written concurrence with this approach prior to testing.

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

Sincerely,


 Scott H. Osbourn
 Senior Environmental Engineer

Attachment

cc: Bill Proses, FDEP SW District
 Pete Burnett, ACE Testing



March 25, 1999

Mr. William Thomas
Florida Department of Environmental Protection
Southwest District
3804 Coconut Palm Dr.
Tampa, Florida 33619-8318

Dear Mr. Thomas:

Re: Florida Power Corporation's Bartow Facility
Unit 1 Testing Considerations

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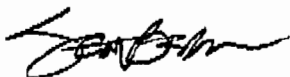
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Mr. Thomas
March 25, 1999
Page 2

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

Sincerely,



Scott H. Osbourn
Senior Environmental Engineer

cc: Clair Fancy, DEP, BAR
John Taylor, PDEM
Pete Burnette, ACE Testing

Ed Svec



Department of Environmental Protection

Jeb Bush
Governor

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

David B. Struhs
Secretary

May 6, 1999

Scott H. Osbourn
Senior Environmental Engineer
Florida Power Corporation
3201 34th Street South
St. Petersburg, Florida 33711

Re: Bartow Plant Annual Compliance Testing

Dear Mr. Osbourn:

This letter authorizes Florida Power Corporation to conduct a "one time only test" in 1999 of Bartow Unit 1 without the operation of the electrostatic precipitator. The purpose of the test is to provide documentation to the Department that Bartow Unit 1 is capable of meeting all applicable particulate matter emissions limits without the control device in operation. In addition, the test results will allow the Department to determine potential applicability of the Compliance Assurance Monitoring rule as it relates to the electrostatic precipitator. Florida Power Corporation has committed to the continued operation and maintenance of the electrostatic precipitator and this test is to be in addition to the normal annual compliance test conducted with the operation of the electrostatic precipitator.

If you have any other questions, please contact Edward J. Svec at 850/921-8985.

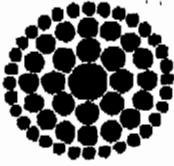
Sincerely,

A handwritten signature in black ink, appearing to read "C. H. Fancy".

C. H. Fancy, P.E.
Chief
Bureau of Air Regulation

CHF/s

cc: Mr. Bill Thomas, P.E., FDEP SWD
Mr. Jerry Kissel, P.E., FDEP SWD
Mr. Gary Robbins, PDEM
Mr. Bill Proses, FDEP SWD



Florida Power
CORPORATION

Date: 5/14/99

To: Ed Svec / Robert Manning

FAX #: (850) 222-6979 / (850) 224-8551

Phone #: ()

From: [Signature]

FAX #: (727) 826-4216

Phone #: (727) 826-4258

13 Total number of pages including cover page.

Please notify _____ at (727) 826 - _____ for any problems concerning the receipt of this FAX.

Comments:

This is the Order that you requested in order to make the charges that we discussed.

[Signature]

1766 - Dunbar / Air / Correg.

JHB - file



Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

February 12, 1996

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FEB 14 1997

Environmental Svcs
Department

Certified Mail - Return Receipt Requested

Mr. W. Jeffrey Pardue, Director
Environmental Services Department
Florida Power Corporation
3201 Thirty-fourth Street South
St. Petersburg, Florida 33733

Dear Mr. Pardue:

Enclosed is a copy of an administrative order concerning the request for approval to reduce the frequency of particulate emission compliance testing at Bartow Unit 1 from semiannual to annual.

If you have any questions concerning the above, please call Matthew Benson at 904/488-6140, or write to me.

Sincerely,

M. D. Harley, P.E., DEE
P.E. Administrator
Emissions Monitoring Section
Bureau of Air Monitoring and
Mobile Sources

MDH:mdb

Enclosure

cc: Scott H. Osborne, FPC
Pat Comer, FDEP
Bill Thomas, Southwest District
Peter A. Hessling, PCDEM

"Protect, Conserve and Manage Florida's Environment and Natural Resources"

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

In the matter of:)	
)	
Florida Power Corporation)	RTF No. 96-A-01
Bartow Unit 1)	
)	
Petitioner.)	

ORDER ON REQUEST
FOR
REDUCTION IN TESTING FREQUENCY

Pursuant to Rule 62-296.405, Florida Administrative Code (F.A.C.), Florida Power Corporation petitioned for approval to reduce the frequency of particulate emission compliance testing from a semiannual cycle to an annual cycle at Petitioner's Bartow Unit 1, operation permit number AO 52-233149, located in Pinellas County.

Having considered Petitioner's written request and all supporting documentation, the following Findings of Fact, Conclusions of Law, and Order are entered:

FINDINGS OF FACT

1. On November 25, 1996, Petitioner requested a reduction in the frequency of particulate emission compliance testing for the fossil fuel-fired steam generator known as Bartow Unit 1. [Exhibit 1]
2. Petitioner asked that the frequency of particulate emission compliance testing be reduced from the semiannual cycle required by the Department's Order, OGC File No. 82-0564, to an annual cycle. [Exhibit 1]
3. The petition and supporting documentation indicate that Petitioner has conducted the required semiannual particulate emission compliance tests. [Exhibits 1 & 2]
4. Petitioner's submission includes the results of nine particulate emission tests that were performed while Bartow Unit 1 was operating at steady state conditions and nine particulate emission tests that were performed while soot blowing operations were being conducted. [Exhibit 2]
5. The results of the particulate emission tests indicate that Bartow Unit 1 was in compliance with the applicable emission limiting standard for particulate matter from March 1991 to September 1996. [Exhibit 2]

6. The Pinellas County Department of Environmental Management concurs with the action proposed by this Order. [Exhibit 3]

CONCLUSIONS OF LAW

1. The Department has jurisdiction to consider Petitioner's request pursuant to Section 403.061, Florida Statutes, and Rule 62-296.405(1)(a), F.A.C..

2. Pursuant to Rule 62-296.405(1)(a), F.A.C., the Department may reduce the required frequency of particulate matter compliance testing from a semiannual cycle to an annual cycle based upon a finding that the affected source has regularly complied with the mass emission limiting standard for particulate matter.

ORDER

Having considered Petitioner's written request and supporting documentation, it is hereby ordered that:

1. Petitioner's request for a reduction in the frequency of particulate matter compliance testing is granted;

2. During each federal fiscal year (October 1 to September 30), Petitioner shall conduct one steady-state particulate emission compliance test of Barrow Unit 1 and one particulate emission compliance test of Bartow Unit 1 while it is being operated under soot blowing conditions;

3. Visible emissions from Bartow Unit 1 shall not exceed 40 percent opacity, except as allowed by Rule 62-210.700, F.A.C.;

4. The annual particulate compliance test frequency specified in this order shall supersede the semiannual particulate compliance testing frequency specified for Bartow Unit 1 in operation permit AO 52-233149;

5. Pursuant to Rule 62-297.310(7)(b), F.A.C., the Department reserves the right to require particulate matter compliance testing whenever the Department has good reason to believe the emission limiting standard for particulate is being violated; and,

6. Pursuant to Rules 62-4.070(3), 62-4.070(5) and 62-4.080(1), F.A.C., the Department reserves the right to require Petitioner to return to the more frequent testing schedule in Rule 62-296.405(1)(a), F.A.C., if the emission limiting standard for particulate matter is not regularly complied with.

PETITION FOR ADMINISTRATIVE REVIEW

The Department will take the action described in this Order unless a timely petition for an administrative hearing is filed pursuant to sections 120.569 and 120.57 of the Florida

Statutes, or a party requests mediation as an alternative remedy under section 120.573 before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for petitioning for a hearing are set forth below, followed by the procedures for requesting mediation.

A person whose substantial interests are affected by the Department's proposed decision may petition for an administrative hearing in accordance with sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. Petitions must be filed within 21 days of receipt of this Order. A petitioner must mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition (or a request for mediation, as discussed below) within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under sections 120.569 and 120.57 of the Florida Statutes, or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-5.207 of the Florida Administrative Code.

A petition must contain the following information:

- (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department File Number, and the county in which the project is proposed;
- (b) A statement of how and when each petitioner received notice of the Department's action or proposed action;
- (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action;
- (d) A statement of the material facts disputed by each petitioner, if any;
- (e) A statement of facts that the petitioner contends warrant reversal or modification of the Department's action or proposed action;
- (f) A statement identifying the rules or statutes each petitioner contends require reversal or modification of the Department's action or proposed action; and,
- (g) A statement of the relief sought by each petitioner, stating precisely the action each petitioner wants the Department to take with respect to the Department's action or proposed action in the notice of intent.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this Order. Persons whose substantial interests will be affected by any

such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

A person whose substantial interests are affected by the Department's proposed decision, may elect to pursue mediation by asking all parties to the proceeding to agree to such mediation and by filing with the Department a request for mediation and the written agreement of all such parties to mediate the dispute. The request and agreement must be filed in (received by) the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, by the same deadline as set forth above for the filing of a petition.

A request for mediation must contain the following information:

- (a) The name, address, and telephone number of the person requesting mediation and that person's representative, if any;
- (b) A statement of the preliminary agency action;
- (c) A statement of the relief sought; and
- (d) Either an explanation of how the requester's substantial interests will be affected by the action or proposed action addressed in this notice of intent or a statement clearly identifying the petition for hearing that the requester has already filed, and incorporating it by reference.

The agreement to mediate must include the following:

- (a) The names, addresses, and telephone numbers of any persons who may attend the mediation;
- (b) The name, address, and telephone number of the mediator selected by the parties, or a provision for selecting a mediator within a specified time;
- (c) The agreed allocation of the costs and fees associated with the mediation;
- (d) The agreement of the parties on the confidentiality of discussions and documents introduced during mediation;
- (e) The date, time, and place of the first mediation session, or a deadline for holding the first session, if no mediator has yet been chosen;
- (f) The name of each party's representative who shall have authority to settle or recommend settlement; and
- (g) The signatures of all parties or their authorized representatives.

As provided in section 120.573 of the Florida Statutes, the timely agreement of all parties to mediate will toll the time limitations imposed by sections 120.569 and 120.57 for requesting and holding an administrative hearing. Unless otherwise agreed by the parties, the mediation must be concluded within sixty days of the execution of the agreement. If mediation results in settlement of the administrative dispute, the Department must enter a final order incorporating the agreement of the parties. Persons whose substantial interests will be affected by such a modified final decision of the Department have a right to petition for a hearing only in accordance with the requirements for such petitions set forth above. If mediation terminates without settlement of the dispute, the Department shall notify all parties in writing that the administrative hearing processes under sections 120.569 and 120.57 remain available for disposition of the dispute, and the notice will specify the deadlines that then will apply for challenging the agency action and electing remedies under those two statutes.

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

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

The petition must specify the following information:

- (a) The name, address, and telephone number of the petitioner;
- (b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any;
- (c) Each rule or portion of a rule from which a variance or waiver is requested;
- (d) The citation to the statute underlying (implemented by) the rule identified in (c) above;
- (e) The type of action requested;
- (f) The specific facts that would justify a variance or waiver for the petitioner;
- (g) The reason why the variance or waiver would serve the purposes of the underlying statute (implemented by the rule); and
- (h) A statement whether the variance or waiver is permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

The Department will grant a variance or waiver, when the petitioner demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of those terms is defined in section 120.542(2) of the Florida Statutes, and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner. Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable by the Administrator of the EPA and by any person under the Clean Air Act unless and until the Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

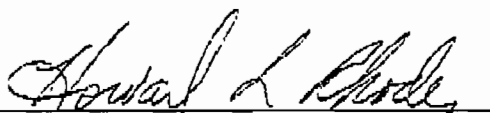
This Order constitutes final agency action unless a petition is filed in accordance with the above paragraphs. Upon timely filing of a petition, this Order will not be effective until further Order of the Department.

RIGHT TO APPEAL

Any party to this Order has the right to seek judicial review of the Order pursuant to Section 120.68, F.S., by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000; and, by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date the Notice of Agency Action is filed with the Clerk of the Department.

DONE AND ORDERED this 10 day of Feb, 1997 in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



HOWARD L. RHODES, Director
Division of Air Resources Management
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400
(904) 488-0114

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that a true copy of the foregoing was mailed to W. Jeffrey Pardue, Director, Environmental Services Department, Florida Power Corporation, 3201 Thirty-fourth Street South, St. Petersburg, Florida 33733, on this 19th day of February 1997.

Clerk Stamp

FILED AND ACKNOWLEDGMENT
FILED, on this date, pursuant to §120.52(11), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Martha Janselle 2/12/97
Clerk Date



RECEIVED

JAN 27 1997

Bureau of Air Monitoring
& Mobile Sources

November 25, 1996

Mr. Jerry Kissel
 Florida Department of Environmental Protection
 Southwest District
 3804 Coconut Palm Drive
 Tampa, Florida 33619

RECEIVED
 NOV 27 1996
 Department of Environmental Protection
 BY _____
 SOUTHWEST DISTRICT

Dear Mr. Kissel:

Re: Request For Reduction in Testing Frequency for Bartow Unit 1
 DEP Permit No. AO52-233149 1030011

Based on our discussion of November 20, 1996, this letter serves as Florida Power Corporation's (FPC) written request for a reduction in compliance testing frequency from semiannually to annually at the above-referenced unit. This letter also serves to provide some background regarding the basis for this request.

The current active air permit for this unit was received on December 31, 1993 and replaced Permit No. AO52-149126, which expired on August 16, 1993. This previous permit (attached) required that testing be conducted at intervals of 12 months from the date March 16, 1988. During the course of this permit renewal in 1993, the Department's review of the file uncovered an Order of the Department Secretary, dated December 7, 1982 (attached, OGC File No. 82-0564), authorizing testing to be conducted every six months. However, neither the Department nor FPC could locate documentation regarding a request for semiannual to annual testing.

By letter, dated January 13, 1994, FPC submitted comments on the Department's draft renewed permit for Bartow Unit 1. Among the issues raised in FPC's letter (attached) were comments requesting that the requirement for annual testing, contained in the then active permit, be retained. Subsequently, the Department elected not to retain the language as stated in the previously issued permit.

FPC had been testing this unit annually for seven years prior to issuance of the most recent permit in 1993, and had never exceeded applicable limits. Further, since the semiannual requirement was reinstated in 1994, all applicable limits have been met. FPC has summarized test data for this unit for the past five years and has included this data as an attachment for the Department's review.

ENVIRONMENTAL SERVICES DEPARTMENT - H2G
 GENERAL OFFICE: 3201 Thirty-fourth Street South • P.O. Box 14042 • St. Petersburg • Florida 33733 • (813) 866-5151
 A Florida Progress Company

Printed on recycled paper

EXHIBIT 1

Mr. Kissel
November 25, 1996
Page 2

FPC requests that the Department, based on a review the attached documentation, authorize a reduction in testing frequency from semiannually to annually for Batow Unit 1. If you should have any questions concerning this request, please do not hesitate to contact me at (813) 866-5158.

Sincerely,



Scott H. Osbourn
Senior Environmental Engineer

Attachments

cc: Gary Robbins, Pinellas County DEM

C Logan 12/3/96
-gkr

Sheet1

Unit 1 Particulate Test Data					
Date of Test	Non-Sootblowing Test lb/MMBtu	Sootblowing Test lb/MMBtu	Opacity %	SO2 lb/MMBtu	
9/4/96	0.02	0.03	25.00	2.69	
2/22/96	0.04	0.04	0.29	2.22	
9/12/95	0.03	0.04	7.50	2.39	
5/22/95	0.02	0.02	0.20	2.39	
9/15/94	0.05	0.05	10.00	2.42	
3/23/94	0.03	0.03	7.10	2.54	
3/17/93	0.01	0.01	17.90	2.46	
4/22/92	0.04	0.05	16.30	2.71	
3/19/91	0.02	0.02	21.90	2.30	

(Added by DZ) Permit Allowables

0.10

0.30

40%

2.75

RECEIVED

JAN 30 1997

Bureau of Air Monitoring
 & Mobile Sources



**PINELLAS COUNTY
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

AIR QUALITY DIVISION
300 SOUTH GARDEN AVENUE
CLEARWATER, FLORIDA 34616



COMMISSIONERS
ROBERT B. STEWART - CHAIRMAN
BRUCE TYNDALL - VICE CHAIRMAN
STEVE SEIBERT
BARBARA SHEEN TODD
SALLIE PARKS

D.E.P.

DEC 06 1996

TAMPA

PHONE: (813) 464-4422
FAX: (813) 464-4420
SUNCOM: 570-4422
SUNCOMFAX: 570-4420

December 4, 1996

Jerry Kissel
Department of Environmental Protection
3804 Coconut Palm Drive
Tampa, Florida 33619-8318

Re: Florida Power, Bartow Unit No. 1 Test Reduction Request

Mr. Kissel

This office has reviewed the above request, dated 11/25/96. We have reviewed testing information and compliance history for this emission unit. The facility appears to meet the requirements of 62-296.405(1)(a) which states:

62-296.405 Fossil Fuel Steam Generators with more than 250 million Btu per Hour Heat Input.

(1)(a) Emissions units governed by this visible emission limit shall test for particulate emission compliance annually and as otherwise required by Rule 62-297, F.A.C. Emissions units electing to test for particulate matter emission compliance quarterly shall be allowed visible emissions of 40 percent opacity. The results of such tests shall be submitted to the Department. Upon demonstration that the particulate standard has been regularly complied with, the Secretary, upon petition by the applicant, shall reduce the frequency of particulate testing to no less than once annually.

The County has no objection to granting this request. If you have any questions, contact this office at (813) 464-4422 or Suncom 570-4422.

Sincerely,

Gary Robbins, Environmental Program Manager
Air Quality Division

cc: PF(0011 001), RF

\\USERS\AIRQUAL\WPDOCS\AQCFAC_1096\0011001.AMD

EXHIBIT 3

Table 1-1, Summary of Air Pollutant Standards and Terms

Florida Power Corporation
Bartow Plant

Revised DRAFT Permit No.: 1030011-002-AV
Facility ID No.: 1030011

This table summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.

E.U. ID No.	Brief Description
[-001]	No. 1 Unit, Fossil Fuel Fired Steam Generator with Electrostatic Precipitator
[-002]	No. 2 Unit, Fossil Fuel Fired Steam Generator
[-003]	No. 3 Unit, Fossil Fuel Fired Steam Generator

Pollutant Name	Fuel(s)	Hours/Year	Allowable Emissions			Equivalent Emissions*		Regulatory Citation(s)	See permit condition(s)
			Standard(s)	lbs./hour	TPY	lbs./hour	TPY		
PM [EU-001]	All	8,760	0.1 lb/MMBtu	122.0	534.4			Rules 62-296.405(1)(b), 62-296.700(4)(b) & 62-296.702(2)(a)	A.7.
PM [EU-002]	All	8,760	0.1 lb/MMBtu	131.7	576.9			Rules 62-296.405(1)(b), 62-296.700(4)(b) & 62-296.702(2)(a)	A.7.
PM [EU-003]	All	8,760	0.1 lb/MMBtu	221.1	968.6			Rules 62-296.405(1)(b), 62-296.700(4)(b) & 62-296.702(2)(a)	A.7.
PM [EU-001]	All	8,760	0.3 lb/MMBtu	366.0				Rules 62-210.700(3) & 62-296.700(4)(b)	A.8.
PM [EU-002]	All	8,760	0.3 lb/MMBtu	395.1				Rules 62-210.700(3) & 62-296.700(4)(b)	A.8.
PM [EU-003]	All	8,760	0.3 lb/MMBtu	663.3				Rules 62-210.700(3) & 62-296.700(4)(b)	A.8.
SO ₂ [EU-001]	Liquid	8,760	2.75 lb/MMBtu			3,355.0	14,094.3	Rule 62-296.405(1)(c)1.j.	A.9.
SO ₂ [EU-002]	Liquid	8,760	2.75 lb/MMBtu			3,621.75	15,483.26	Rule 62-296.405(1)(c)1.j.	A.9.
SO ₂ [EU-003]	Liquid	8,760	2.75 lb/MMBtu			6,080.25	25,831.3	Rule 62-296.405(1)(c)1.j.	A.9.
SO ₂	Liquid	8,760	2.5% by weight sulfur					Rule 62-296.405(1)(e)3.	A.10.
VE	All	8,760	40% opacity					Rule 62-296.405(1)(a) & OGC Orders 86-1577 & 87-1261	A.5.
VE	All	3 hr/24 hr	60% opacity					Rule 62-210.700(3)	A.6.

Notes:
* The "Equivalent Emissions" listed are for informational purposes only.

[electronic file name: 10300111.xls]

Table 1-1, Summary of Air Pollutant Standards and Terms

Florida Power Corporation
Bartow Plant

Revised DRAFT Permit No.: 1030011-002-AV
Facility ID No.: 1030011

This table summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.

E.U. ID No. **Brief Description**
[-004] Bartow-Anclote Pipeline Heating Boiler

Pollutant Name	Fuel(s)	Hours/Year	Allowable Emissions			Equivalent Emissions*		Regulatory Citation(s)	See permit condition(s)
			Standard(s)	lbs./hour	TPY	lbs./hour	TPY		
SO ₂	Liquid	8,760	0.5% by weight sulfur			8.52	37.34	Rule 62-296.406(3)	B.7.
VE	All	8,760	20% except 40% 2 min/hr					Rule 62-296.406(1)	B.5.
VE	All	3 hr/24 hr	60% opacity					Rule 62-210.700(3)	B.6.

Notes:
* The "Equivalent Emissions" listed are for informational purposes only.

[electronic file name: 10300111.xls]

Table 1-1, Summary of Air Pollutant Standards and Terms

Florida Power Corporation
Bartow Plant

Revised DRAFT Permit No.: 1030011-002-AV
Facility ID No.: 1030011

This table summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.

E.U. ID No.	Brief Description
[-005]	Gas Turbine Peaking Unit #P-1
[-006]	Gas Turbine Peaking Unit #P-2
[-007]	Gas Turbine Peaking Unit #P-3
[-008]	Gas Turbine Peaking Unit #P-4

Pollutant Name	Fuel(s)	Hours/Year	Allowable Emissions			Equivalent Emissions*		Regulatory Citation(s)	See permit condition(s)
			Standard(s)	lbs./hour	TPY	lbs./hour	TPY		
SO ₂	Liquid	8,760	0.5% by weight sulfur			392.7	1,720.0	AO52-253215A, 253216A, 253217A & 253218A	C.6.
VE	All	8,760	20% opacity					Rule 62-296.320(4)(b)1.	C.5.

Notes:
* The "Equivalent Emissions" listed are for informational purposes only.

[electronic file name: 10300111.xls]

Table 1-1, Summary of Air Pollutant Standards and Terms

Florida Power Corporation
Bartow Plant

Revised DRAFT Permit No.: 1030011-002-AV
Facility ID No.: 1030011

This table summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.

E.U. ID No. **Brief Description**
[-xxx] Relocatable Diesel Fired Generator(s)

Pollutant Name	Fuel(s)	Hours/Year	Allowable Emissions			Equivalent Emissions*		Regulatory Citation(s)	See permit condition(s)
			Standard(s)	lbs./hour	TPY	lbs./hour	TPY		
SO ₂	Liquid	2,970	0.5% by weight Sulfur			14.16	21.02	Applicant request & AC09-202080	D.4. & D.6.
VE	All	2,970	20% opacity					Applicant request & A009-205952	D.5.

Notes:
* The "Equivalent Emissions" listed are for informational purposes only.

[electronic file name: 10300111.xls]

Table 2-1, Summary of Compliance Requirements

Florida Power Corporation
Bartow Plant

Revised DRAFT Permit No.: 1030011-002-AV
Facility ID No.: 1030011

This table summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.

E.U. ID No.	Brief Description
[-001]	No. 1 Unit, Fossil Fuel Fired Steam Generator with Electrostatic Precipitator
[-002]	No. 2 Unit, Fossil Fuel Fired Steam Generator
[-003]	No. 3 Unit, Fossil Fuel Fired Steam Generator

Pollutant Name or Parameter	Fuel(s)	Compliance Method	Testing Time Frequency	Frequency Base Date *	Min. Compliance Test Duration	Compliance	
						CMS**	See permit condition(s)
VE EU[-001]	All	EPA Method 9	6 months	3/16 & 9/16	60 min	Yes	A.19., A.29.and A.30.
VE EU[-002 & -003]	All	EPA Method 9	Annual	5/28 & 4/28	60 min		A.19.and A.30.
PM EU[-001]	All	EPA Method 17, 5, 5B or 5F	6 months	3/16 & 9/16	1 hr		A.20., A.29.and A.31.
PM EU[-002 & -003]	All	EPA Method 17, 5, 5B or 5F	Annual	5/28 & 4/28	1 hr		A.20.and A.31.
SO ₂	Liquid	EPA Method 6, 6A, 6B, or 6C; or fuel analysis	Annual	w/ PM test	1 hr		A.21.and A.22.
Used oil	On-specification	EPA SW-846	each batch				A.11., A.12., A.13., & A.32.

Notes:
 * The frequency base date is established for planning purposes only; see Rule 62-297.310, F.A.C.
 **CMS [=] continuous monitoring system

[electronic file name: 10300112.xls]

Table 2-1, Summary of Compliance Requirements

Florida Power Corporation
Bartow Plant

Revised DRAFT Permit No.: 1030011-002-AV
Facility ID No.: 1030011

This table summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.

E.U. ID No. **Brief Description**
[-004] Bartow-Anclote Pipeline Heating Boiler

Pollutant Name or Parameter	Fuel(s)	Compliance Method	Testing Time Frequency	Frequency Base Date *	Min. Compliance Test Duration	See permit condition(s)	
						CMS**	
VE SO ₂	All Liquid	DEP Method 9 ASTM Methods	Annual each delivery	31-May	30 min		B.12. & B.13. B.14. & B.15.

Notes:
* The frequency base date is established for planning purposes only; see Rule 62-297.310, F.A.C.
**CMS [=] continuous monitoring system

[electronic file name: 10300112.xls]

Table 2-1, Summary of Compliance Requirements

Florida Power Corporation
Bartow Plant

Revised DRAFT Permit No.: 1030011-002-AV
Facility ID No.: 1030011

This table summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.

E.U. ID No.	Brief Description
[-005]	Gas Turbine Peaking Unit #P-1
[-006]	Gas Turbine Peaking Unit #P-2
[-007]	Gas Turbine Peaking Unit #P-3
[-008]	Gas Turbine Peaking Unit #P-4

Pollutant Name or Parameter	Fuel(s)	Compliance Method	Testing Time Frequency	Frequency Base Date *	Min. Compliance Test Duration	CMS **	
						CMS **	See permit condition(s)
VE SO ₂	All Liquid	EPA Method 9 ASTM Methods	Annual each delivery	1-Feb	30 min		C.11. & C.16. C.12.

Notes:

* The frequency base date is established for planning purposes only; see Rule 62-297.310, F.A.C.

** CMS [=] continuous monitoring system

[electronic file name: 10300112.xls]

Table 2-1, Summary of Compliance Requirements

Florida Power Corporation
Bartow Plant

Revised DRAFT Permit No.: 1030011-002-AV
Facility ID No.: 1030011

This table summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.

E.U. ID No. **Brief Description**
[-xxx] Relocatable Diesel Fired Generator(s)

Pollutant Name or Parameter	Fuel(s)	Compliance Method	Testing Time Frequency	Frequency Base Date *	Min. Compliance Test Duration	CMS **	See permit condition(s)

Notes:
 * The frequency base date is established for planning purposes only; see Rule 62-297.310, F.A.C.
 **CMS [=] continuous monitoring system

[electronic file name: 10300112.xls]



Jeb Bush
Governor

Ed Svec

Department of Environmental Protection

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

David B. Struhs
Secretary

June 7, 1999

W. Jeffery Pardue
Director, Environmental Services Department
Florida Power Corporation
3201 34th Street South
St. Petersburg, Florida 33711

Re: Air Construction Permit No.: 1030011-006-AC
Title V Operation Permit No.: 1030011-002-AV
Bartow Plant

Dear Mr. Pardue:

One copy of the Technical Evaluation and Preliminary Determination and associated combined Air Construction Permit/Title V DRAFT Operation Permit for the Bartow Plant located at Weedon Island, St. Petersburg, Pinellas County, is enclosed. The permitting authority's "INTENT TO ISSUE A COMBINED AIR CONSTRUCTION PERMIT/TITLE V OPERATION PERMIT" and "PUBLIC NOTICE OF INTENT TO ISSUE A COMBINED AIR CONSTRUCTION PERMIT/TITLE V OPERATION PERMIT" are also included.

The "PUBLIC NOTICE OF INTENT TO ISSUE A COMBINED AIR CONSTRUCTION PERMIT/TITLE V OPERATION PERMIT" must be published as soon as possible. Proof of publication, i.e., newspaper affidavit, must be provided to the permitting authority's office within 7 (seven) days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the combined permits.

Please submit any written comments you wish to have considered concerning the permitting authority's proposed action to Scott M. Sheplak, P.E., at the above letterhead address. If you have any other questions, please contact Edward J. Svec at 850/921-8985.

Sincerely,

C. H. Fancy, P.E.
Chief
Bureau of Air Regulation

CHF/s
Enclosures

cc: Ms. Carla E. Pierce, U.S. EPA, Region 4 (INTERNET E-mail Memorandum)
Ms. Gracy R. Danois, U.S. EPA, Region 4 (INTERNET E-mail Memorandum)

In the Matter of an
Application for Permits by:

Florida Power Corporation
3201 34th Street South
St. Petersburg, Florida 33711

Air Construction Permit No.: 1030011-006-AC
Title V Operation Permit No.: 1030011-002-AV
Bartow Plant
Pinellas County

**INTENT TO ISSUE A COMBINED AIR CONSTRUCTION PERMIT/Revised DRAFT TITLE V
OPERATION PERMIT**

The Department of Environmental Protection (Department) gives notice of its intent to issue a combined Air Construction Permit/Title V Operation Permit (copy of the combined Draft Air Construction Permit/Revised DRAFT Title V DRAFT Operation Permit is attached) for the proposed project, detailed in the application specified above and the attached Technical Evaluation and Preliminary Determination, for the reasons stated below.

The applicant, Florida Power Corporation, applied on March 29, 1999, to the permitting authority for a combined Air Construction Permit/Title V Operation Permit for the Bartow Plant located at Weedon Island, St. Petersburg, Pinellas County.

The permitting authority has permitting jurisdiction under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, 62-212, 62-213, and 62-214. The above action is not exempt from permitting procedures. The permitting authority has determined that a combined Air Construction Permit/Revised DRAFT Title V Operation Permit are required in order to: 1) re-classify an emissions unit/activity, the Bartow Plant's Unit 1 Fly Ash System, as insignificant.

The permitting authority intends to issue this combined Air Construction Permit/Title V Operation Permit based on the belief that reasonable assurances have been provided to indicate that operation of the Title V source will not adversely impact air quality, and the Title V source will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-214, 62-256, 62-257, 62-281, 62-296, and 62-297, F.A.C.

Pursuant to Sections 403.815 and 403.087, F.S., and Rules 62-110.106 and 62-210.350(3), F.A.C., you (the applicant) are required to publish at your own expense the enclosed "PUBLIC NOTICE OF INTENT TO ISSUE A COMBINED AIR CONSTRUCTION PERMIT/TITLE V OPERATION PERMIT." The notice shall be published one time only as soon as possible in the legal advertisement section of a newspaper of general circulation in the area affected. For the purpose of these rules, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. Where there is more than one newspaper of general circulation in the county, the newspaper used must be one with significant circulation in the area that may be affected by the combined permits. If you are uncertain that a newspaper meets these requirements, please contact the permitting authority at the address or telephone number listed below. The applicant shall provide proof of publication to the Department's Bureau of Air Regulation, 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400 (Telephone: 850/488-1344; Fax: 850/922-6979), within 7 (seven) days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the combined permits pursuant to Rule 62-110.106, F.A.C.

The permitting authority will issue the combined Draft Air Construction Permit/Title V PROPOSED Operation Permit, and subsequent combined Final Air Construction Permit /Title V FINAL Air Operation combined permits, in accordance with the conditions of the attached Draft Air

Construction/Revised DRAFT Title V Air Operation combined permits 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 combined permits issuance action for a period of 30 (thirty) days from the date of publication of the "PUBLIC NOTICE OF INTENT TO ISSUE A COMBINED AIR CONSTRUCTION PERMIT/TITLE V OPERATION PERMIT." Written comments should be provided to the permitting authority office. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this combined Draft Air Construction Permit/Revised DRAFT Title V Operation Permit, the permitting authority shall issue a combined Revised Draft Air Construction Permit/ Revised DRAFT Title V Operation Permit 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, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/488-9730; Fax: 850/487-4938). Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the 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 petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the permitting authority's action is based must contain the following information:

- (a) The name and address of each agency affected and each agency's file(s) or identification number(s), if known;
- (b) The name, address, and telephone number of the petitioner; the name, address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
- (c) A statement of how and when each petitioner received notice of the agency action or proposed action;

- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief; and,
- (f) 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 permitting authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation will not be available in this proceeding.

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

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. The petition must specify the following information:

- (a) The name, address, and telephone number of the petitioner;
- (b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any;
- (c) Each rule or portion of a rule from which a variance or waiver is requested;
- (d) The citation to the statute underlying (implemented by) the rule identified in (c) above;
- (e) The type of action requested;
- (f) The specific facts that would justify a variance or waiver for the petitioner;
- (g) The reason why the variance or waiver would serve the purposes of the underlying statute (implemented by the rule); and,
- (h) A statement whether the variance or waiver is permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

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

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

Florida Power Corporation
Air Construction Permit No.: 1030011-006-AC
Title V Operation Permit No.: 1030011-002-AV
Page 4 of 5

Finally, 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. Any petition shall be based only on objections to the permit that were raised with reasonable specificity during 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.

Executed in Tallahassee, Florida.

**STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION**



C. H. Fancy, P.E.

Chief

Bureau of Air Regulation

Florida Power Corporation
Air Construction Permit No.: 1030011-006-AC
Title V Operation Permit No.: 1030011-002-AV
Page 5 of 5

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this INTENT TO ISSUE A COMBINED AIR CONSTRUCTION PERMIT/TITLE V OPERATION PERMIT (including the combined Draft Air Construction Permit/Revised DRAFT Title V Operation Permit) and all copies were sent by certified mail before the close of business on 6/9/99 to the person(s) listed:

W. Jeffery Pardue, FPC

In addition, the undersigned duly designated deputy agency clerk hereby certifies that copies of this INTENT TO ISSUE A COMBINED AIR CONSTRUCTION PERMIT/TITLE V OPERATION PERMIT (including the combined Draft Air Construction Permit/Revised DRAFT Title V Operation Permit) were sent by U.S. mail on the same date to the person(s) listed:

Kennard Kosky, PE, Golder Associates, Inc.
Scott Osbourn, Sr., FPC
Bill Thomas, PE, FDEP SWD
Peter Hessling, PCDEM

In addition, the undersigned duly designated deputy agency clerk hereby certifies that copies of this INTENT TO ISSUE A COMBINED AIR CONSTRUCTION PERMIT/TITLE V OPERATION PERMIT were sent by U.S. mail on the same date to the person(s) listed:

Gail Kamaras, Legal Environmental Assistance Foundation

Clerk Stamp

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to Section 120.52(7), Florida Statutes, with the designated agency Clerk, receipt of which is hereby acknowledged.

Barbara J. Boutwell 6/9/99
(Clerk) (Date)

PUBLIC NOTICE OF INTENT TO ISSUE A COMBINED AIR CONSTRUCTION PERMIT/TITLE V
OPERATION PERMIT

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Air Construction Permit No.: 1030011-006-AC
Revised DRAFT Title V Operation Permit No.: 1030011-002-AV
Florida Power Corporation: Bartow Plant
Pinellas County

The Department of Environmental Protection (permitting authority) gives notice of its intent to issue a combined Air Construction Permit/Title V Operation Permit to Florida Power Corporation for the Bartow Plant located at Weedon Island, St. Petersburg, Pinellas County. The applicant's name and address are: Florida Power Corporation, 3201 34th Street South, St. Petersburg, Florida 33711.

The permitting authority will issue the combined Draft Air Construction Permit/Title V PROPOSED Operation Permit, and subsequent combined Final Air Construction Permit/Title V FINAL Operation Permit, in accordance with the conditions of the combined Draft Air Construction Permit/Title V Operation Permit 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 has determined that a combined Air Construction Permit/Revised DRAFT Title V Operation Permit are required in order to: 1) re-classify an emissions unit/activity, the Bartow Plant's Unit 1 Fly Ash System, as insignificant.

The permitting authority will accept written comments concerning the proposed combined Draft Air Construction Permit/Revised DRAFT Title V Operation Permit 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 this combined Draft Air Construction Permit/ Revised DRAFT Title V Operation Permit, the permitting authority shall issue a combined Revised Draft Air Construction Permit/Revised DRAFT Title V Operation Permit 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 petition 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 petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the 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 intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the permitting authority's action is based must contain the following information:

- (a) The name and address of each agency affected and each agency's file(s) or identification number(s), if known;
- (b) The name, address and telephone number of the petitioner; name address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how petitioner's substantial rights will be affected by the agency determination;

- (c) A statement of how and when the petitioner received notice of the agency action or proposed action;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so state;
- (e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle petitioner to relief; and
- (f) 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 permitting authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation 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. Any petition shall be based only on objections to the permit that were raised with reasonable specificity during 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/Local Program:

Pinellas County Department of Environmental Management
Air Quality Division
300 South Garden Avenue
Clearwater, Florida 34616
Telephone: 813/464-4422
Fax: 813/464-4420

The complete project file includes the Technical Evaluation and Preliminary Determination, combined Draft Air Construction Permit/ Revised DRAFT Title V Operation Permit, 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 850/921-9532, for additional information.

RECEIVED

JUN 29 1999

THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

BUREAU OF
AIR REGULATION

In the Matter of an
Application for Permit by:

OGC CASE NO. 99-_____
FDEP Revised Draft Permit No.: 1030011-002-AV
FDEP Draft Permit No. : 1030011-006-AC

Florida Power Corporation
Bartow Plant, Pinellas County, Florida

REQUEST FOR ENLARGEMENT OF TIME

By and through undersigned counsel, Florida Power Corporation (FPC) hereby requests, pursuant to Florida Administrative Code Rule 62-110.106(4), an enlargement of time, to and including September 1, 1999, in which to file a Petition for Administrative Proceedings in the above-styled matter. As good cause for granting this request, FPC states the following:

1. On or about October 6, 1997, FPC received from the Department of Environmental Protection (Department) an initial "Intent to Issue Title V Air Operation Permit" (Draft Permit No. 1030011-002-AV) for the FPC Bartow Plant located in Pinellas County, Florida.
2. On April 30, 1998, FPC filed a Petition for Formal Administrative Hearing on the initial Draft Title V Permit.
3. On or about June 14, 1999, FPC received from the Department an "Intent to Issue Title V Air Operation Permit" (**REVISED** Draft Permit No. 1010011-002-AV/Draft Permit No. 1030011-006-AC) for the FPC Bartow Plant.
4. FPC and the Department, in a separate submittal today, are entering into a Settlement Stipulation which withdraws FPC's Petition on the initial Draft Permit in exchange for the Department's withdrawal of the initial Draft Permit and issuance of the above-referenced Revised Draft

Permit/Draft Permit. In reliance on this Settlement Stipulation and the withdrawal of the initial Draft Title V Permit, FPC hereby files this Request for Extension of Time on the Revised Draft Permit/Draft Permit. Nonetheless, insofar as the initial Draft Title V Permit may be determined to still be in effect, FPC respectfully reserves its right to pursue its Petition on the initial Draft Title V Permit.

5. Based on FPC's review, the Revised Draft Permit/Draft Permit and associated documents contain several provisions that warrant clarification or correction.

6. This request is filed simply as a protective measure to avoid waiver of FPC's right to challenge certain conditions contained in the Revised Draft Title V Permit/Draft Construction Permit. Grant of this request will not prejudice either party, but will further their mutual interest and hopefully avoid the need to file a petition and proceed to a formal administrative hearing.

WHEREFORE, FPC respectfully requests that the time for filing of a Petition for Administrative Proceedings in regard to the Department's Intent to Issue Title V Air Operation Permit for Revised Draft Permit No. 1030011-002-AV/Draft Permit No. 1030011-006-AC be formally extended to and including September 1, 1999.

Respectfully submitted this 28 day of June, 1999.

HOPPING GREEN SAMS & SMITH, P.A.

By: Robert A. Manning

Robert A. Manning
Fla. Bar No. 0035173
123 South Calhoun Street
Post Office Box 6526
Tallahassee, FL 32314
(850) 222-7500

Attorneys for FLORIDA POWER
CORPORATION

CERTIFICATE OF SERVICE

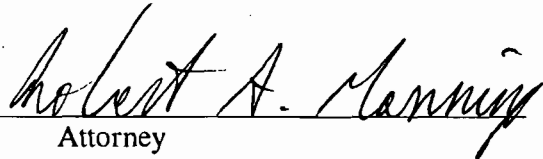
I HEREBY CERTIFY that a copy of the foregoing has been furnished to the following by U.S.

Mail on this 28 day of June, 1999:

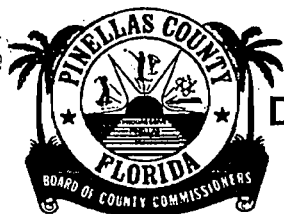
Clair H. Fancy, P.E., Chief
Bureau of Air Regulation
Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Doug Beason, Esq.
Department of Environmental Protection
Room 669
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Ed Svec
Bureau of Air Regulation
Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, FL 32399-2400

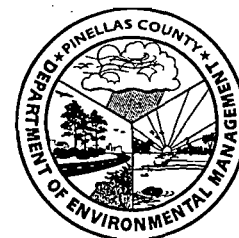


Attorney



PINELLAS COUNTY
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

AIR QUALITY DIVISION
300 SOUTH GARDEN AVENUE
CLEARWATER, FLORIDA 33756



COMMISSIONERS
SALLIE PARKS - CHAIRMAN
ROBERT B. STEWART - VICE CHAIRMAN
CALVIN D. HARRIS
KAREN WILLIAMS SEEL
BARBARA SHEEN TODD

RECEIVED

JUL 06 1999

BUREAU OF
AIR REGULATION

PHONE: (727) 464-4422
FAX: (727) 464-4420
SUNCOM: 570-4422
SUNCOMFAX: 570-4420

July 1, 1999

Scott Sheplak
Division of Air Resources Management
Florida Department of Environmental Protection
2600 Blair Stone Road, MS 5505
Tallahassee, Florida 32399-2400

Re: Florida Power - Bartow, 1030011-002-AV

Mr. Sheplak:

This office has reviewed DEP's revised draft for 1030011-002-AV, and the draft construction permit 1030011-006-AC. Our comments follow:

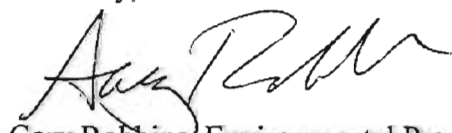
1. **Statement of Basis** - For Emission Units 001, 002, and 003 this statement is made: "This unit is subject to a steady-state PM emission limit of 0.1 lb/mmBtu, which is effectively equivalent to 0.149 lb/mmBtu because of rounding. The statement that 0.149 is equivalent, is somewhat misleading. While it is true that a stack test result of 0.149 lb/mmBtu is not a violation, due to rounding, it also may not be an acceptable test for demonstrating compliance. In coordination with DEP's Compliance Section, sources have been required to retest to provide reasonable assurance of compliance, in similar circumstances. We request the statement be modified to read: "This unit is subject to a steady-state PM emission limit of 0.1 lb/mmBtu." Note: there no similar statement for soot-blowing.
2. **Specific Condition No. 2** - Change the County rule cite to Pinellas County Code, Section 58-178.



3. **Specific Condition No. 10** - Change the area code for the phone and fax to 727.
4. **Specific Condition No. A.11** - Should this read, "For used oil, only "on-specification used oil shall be fired..."
5. **Specific Condition No. A.28** - Since the Utility Boilers already have established baseline test dates, we recommend that wording be included that the units be tested within 60 days prior to those baseline test dates. Pinellas County sends a letter reminding sources of test dates. Without such a date we will unable to do this.
6. **Specific Condition No. A.37** - The condition states "...the permittee shall calculate annual particulate matter emissions by multiplying the particulate matter stack test results by the hours of operation..." Presently, the annual emissions are determined by taking the test results (for both steady state and excess emissions) and create emission factors for the emission unit in pounds/mmBtu or pounds/1000 gallons. These emission factors are then used to calculate annual emissions, based on the amount of fuel burned during steady state and excess emissions operations.
7. **Specific Condition No. A.40** - Change the County rule cite to Pinellas County Code, Section 58-128.
8. **Specific Condition No. B.18** - Since the Pipeline Boiler already has an established baseline test date, we recommend that wording be included that the units be tested within 60 days prior to those baseline test dates. Pinellas County sends a letter reminding sources of test dates. Without such a date we will unable to do this.
9. **Specific Condition No. C.15** - Since the Peakers already have established baseline test dates, we recommend that wording be included that the units be tested within 60 days prior to those baseline test dates. Pinellas County sends a letter reminding sources of test dates. Without such a date we will unable to do this.

If you have any questions, contact this office at (727) 464-4422 or Suncom 570-4422.

Sincerely,



Gary Robbins, Environmental Program Manager
Air Quality Division

cc: PF(0011), RF
Ed Svec

Ed Ivec



RECEIVED

JUL 09 1999

BUREAU OF AIR REGULATION

July 2, 1999

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 Bartow Facility, *Notice of Intent to Issue a Combined Air Construction Permit/Title V Operation Permit* (Permit Nos. 1030011-006-AC and 1030011-002-AV, respectively)

Enclosed please find the notarized proof of publication received from the St. Petersburg Times for the Florida Department of Environmental Protection *Notice of Intent* referenced to the above request. The notice was published on June 27, 1999.

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 "Scott H. Osbourn", written in a cursive style.

Scott H. Osbourn
Senior Environmental Engineer

cc: William Thomas, DEP SW District (w/attach).
Gary Robbins, Pinellas Co. DEM (w/attach)
Robert Manning, HGS&S (w/attach)

Attachment

Published Daily
St. Petersburg, Pinellas County, Florida

STATE OF FLORIDA } S.S.
COUNTY OF PINELLAS }

Before the undersigned authority personally appeared C. Egan
who on oath says that he is Legal Clerk
of the Neighborhood Times - Northeast Edition
a daily newspaper published at St. Petersburg, in Pinellas County, Florida; that the attached copy of
advertisement, being a Legal Notice
in the matter RE: Notice of Intent to Issue Permit
_____ in the _____ Court
was published in said newspaper in the issues of June 27, 1999

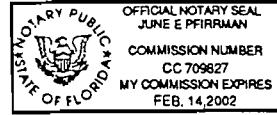
Affiant further says the said Neighborhood Times
is a newspaper published at St. Petersburg, in said Pinellas County, Florida, and that the said newspaper
has heretofore been continuously published in said Pinellas County, Florida, each day and has been
entered as second class mail matter at the post office in St. Petersburg, in said Pinellas 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.

Signature of Affiant

Sworn to and subscribed before
me this 29th day of
June A.D. 1999

June E. Poirman
Notary Public

Personally known or produced identification _____
Type of identification produced _____



(SEAL)

C-5-403

PUBLIC NOTICE OF INTENT TO ISSUE A COMBINED AIR CONSTRUCTION PERMIT/TITLE V OPERATION PERMIT

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Air Construction Permit No.: 1030011-006-AC
Revised DRAFT Title V Operation Permit No.: 1030011-002-AV
Florida Power Corporation; Bartow Plant
Pinellas County

The Department of Environmental Protection (permitting authority) gives notice of its intent to issue a combined Air Construction Permit/Title V Operation Permit to Florida Power Corporation for the Bartow Plant located at Weedon Island, St. Petersburg, Pinellas County. The applicant's name and address are: Florida Power Corporation, 3201 34th Street South, St. Petersburg, Florida 33711.

The permitting authority will issue the combined Draft Air Construction Permit/Title V PROPOSED Operation Permit, and subsequent combined Final Air Construction Permit/Title V FINAL Operation Permit, in accordance with the conditions of the combined Draft Air Construction Permit/Title V Operation Permit 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 has determined that a combined Air Construction Permit/Revised DRAFT Title V Operation Permit are required in order to: 1) re-classify an emissions unit/activity, the Bartow Plant's Unit 1 Fly Ash System, as insignificant.

The permitting authority will accept written comments concerning the proposed combined Draft Air Construction Permit/Revised DRAFT Title V Operation Permit 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 this combined Draft Air Construction Permit/Revised DRAFT Title V Operation Permit, the permitting authority shall issue a combined Revised Draft Air Construction Permit/Revised DRAFT Title V Operation Permit 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 petition 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 petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the 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 intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the permitting authority's action is based must contain the following information:

- (a) The name and address of each agency affected and each agency's file(s) or identification number(s), if known;
- (b) The name, address and telephone number of the petitioner, name, address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how petitioner's substantial rights will be affected by the agency determination;
- (c) A statement of how and when the petitioner received notice of the agency action or proposed action;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so state;
- (e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle petitioner to relief; and
- (f) 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 permitting authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation is not available for this proceeding:

In addition to the above, pursuant to 42 United States Code (U.S.C.) Section 7661(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 7661(d)(1), to object to issuance of any permit. Any petition shall be based only on objections to the permit that were raised with reasonable specificity during 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 7661(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/Local Program:
Pinellas County Department of Environmental Management
Air Quality Division
300 South Garden Avenue
Clearwater, Florida 34616
Telephone: 813/464-4422
Fax: 813/464-4420

The complete project file includes the Technical Evaluation and Preliminary Determination, combined Draft Air Construction Permit/Revised DRAFT Title V Operation Permit, 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. Sheplek, P.E., at the above address, or call 850/921-9532, for additional information.

Ed Ivec

RECEIVED

JUL 23 1999

BUREAU OF AIR REGULATION

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

FLORIDA POWER CORPORATION,
Petitioner,

vs.

OGC CASE NO. 99-1194

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION,

Respondent.

_____ /

**ORDER GRANTING REQUEST FOR EXTENSION
OF TIME TO FILE PETITION FOR HEARING**

This cause has come before the Florida Department of Environmental Protection (Department) on receipt of a request made by Petitioner, Florida Power Corporation, to grant an extension of time to file a petition for an administrative hearing on Application Nos. 1030011-002-AV/Draft Permit NO. 1030011-006-AC. See Exhibit 1.


Respondent, State of Florida Department of Environmental Protection, has no objection to it. Therefore,

IT IS ORDERED:

The request for an extension of time to file a petition for administrative proceeding is granted. Petitioner shall have until September 1, 1999, to file a petition in this matter. Filing shall be complete on receipt by the Office of General Counsel, Mail Station 35, Department of Environmental Protection, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000.

DONE AND ORDERED on this 20th day of July, 1999, in
Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION


F. PERRY ODOM
General Counsel

Douglas Building, MS #35
3900 Commonwealth Boulevard
Tallahassee, FL 32399-3000
Telephone: (850) 488-9314

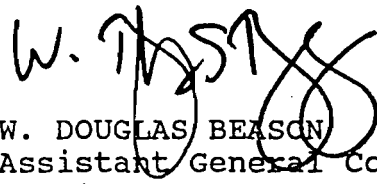
CERTIFICATE OF SERVICE

I CERTIFY that a true copy of the foregoing was mailed to:

Robert A. Manning, Esq.
123 South Clahoun Street
Tallahassee, Florida 32314

on this 22 day of July, 1999.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION


W. DOUGLAS BEASON
Assistant General Counsel
Florida Bar No. 379239

Mail Station 35
3900 Commonwealth Boulevard
Tallahassee, FL 32399-3000
Telephone: (850) 488-9314

THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

In the Matter of an
Application for Permit by:

OGC CASE NO. 99-_____
FDEP Revised Draft Permit No.: 1030011-002-AV
FDEP Draft Permit No. : 1030011-006-AC

Florida Power Corporation
Bartow Plant, Pinellas County, Florida

REQUEST FOR ENLARGEMENT OF TIME

By and through undersigned counsel, Florida Power Corporation (FPC) hereby requests, pursuant to Florida Administrative Code Rule 62-110.106(4), an enlargement of time, to and including September 1, 1999, in which to file a Petition for Administrative Proceedings in the above-styled matter. As good cause for granting this request, FPC states the following:

1. On or about October 6, 1997, FPC received from the Department of Environmental Protection (Department) an initial "Intent to Issue Title V Air Operation Permit" (Draft Permit No. 1030011-002-AV) for the FPC Bartow Plant located in Pinellas County, Florida.
2. On April 30, 1998, FPC filed a Petition for Formal Administrative Hearing on the initial Draft Title V Permit.
3. On or about June 14, 1999, FPC received from the Department an "Intent to Issue Title V Air Operation Permit" (REVISED Draft Permit No. 1010011-002-AV/Draft Permit No. 1030011-006-AC) for the FPC Bartow Plant.
4. FPC and the Department, in a separate submittal today, are entering into a Settlement Stipulation which withdraws FPC's Petition on the initial Draft Permit in exchange for the Department's withdrawal of the initial Draft Permit and issuance of the above-referenced Revised Draft

Permit/Draft Permit. In reliance on this Settlement Stipulation and the withdrawal of the initial Draft Title V Permit, FPC hereby files this Request for Extension of Time on the Revised Draft Permit/Draft Permit. Nonetheless, insofar as the initial Draft Title V Permit may be determined to still be in effect, FPC respectfully reserves its right to pursue its Petition on the initial Draft Title V Permit.

5. Based on FPC's review, the Revised Draft Permit/Draft Permit and associated documents contain several provisions that warrant clarification or correction.

6. This request is filed simply as a protective measure to avoid waiver of FPC's right to challenge certain conditions contained in the Revised Draft Title V Permit/Draft Construction Permit. Grant of this request will not prejudice either party, but will further their mutual interest and hopefully avoid the need to file a petition and proceed to a formal administrative hearing.

WHEREFORE, FPC respectfully requests that the time for filing of a Petition for Administrative Proceedings in regard to the Department's Intent to Issue Title V Air Operation Permit for Revised Draft Permit No. 1030011-002-AV/Draft Permit No. 1030011-006-AC be formally extended to and including September 1, 1999.

Respectfully submitted this 28 day of June, 1999.

HOPPING GREEN SAMS & SMITH, P.A.

By: Robert A. Manning

Robert A. Manning
Fla. Bar No. 0035173
123 South Calhoun Street
Post Office Box 6526
Tallahassee, FL 32314
(850) 222-7500

Attorneys for FLORIDA POWER
CORPORATION

CERTIFICATE OF SERVICE

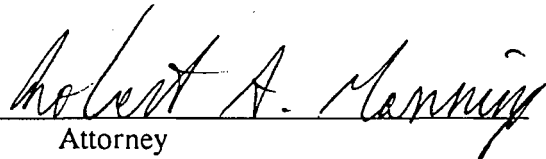
I HEREBY CERTIFY that a copy of the foregoing has been furnished to the following by U.S.

Mail on this 28 day of June, 1999:

Clair H. Fancy, P.E., Chief
Bureau of Air Regulation
Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Doug Beason, Esq.
Department of Environmental Protection
Room 669
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Ed Svec
Bureau of Air Regulation
Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, FL 32399-2400



Attorney

**STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

FLORIDA POWER CORPORATION,

Petitioner,

vs.

**OGC CASE NO. 97-1835
DOAH CASE NO. 98-2376**

**STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION,**

Respondent.

ORDER CLOSING FILE

On April 30, 1998, the Florida Department of Environmental Protection (Department) received a petition for administrative hearing from Petitioner, Florida Power Corporation. The petition challenged the Department's Intent to Issue Permit No. 1030011-002-AV to Florida Power Corporation, for a Title V air operation permit for the Bartow Plant, in Pinellas County.

On June 29, 1999, after receiving a Settlement Stipulation and Notice of Voluntary Dismissal, the assigned administrative law judge issued an order closing the file of the Division of Administrative Hearings and relinquishing jurisdiction back to the Department. See Exhibit 1. There being no further matters to consider,

IT IS ORDERED:

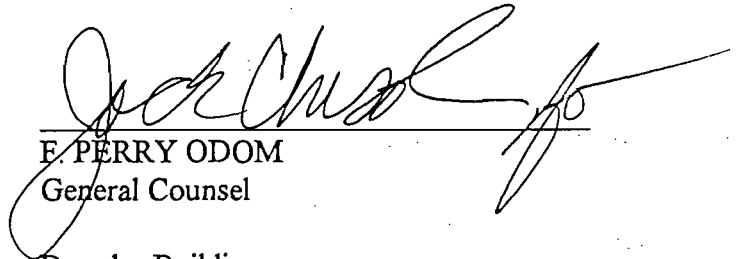
The petition having been withdrawn, the Department's file in this matter is closed.

Any party to this order has the right to seek judicial review of the order under section 120.68 of the Florida Statutes by the filing of a notice of appeal under rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate

district court of appeal. The notice of appeal must be filed within 30 days from the date this order is filed with the clerk of the Department.

DONE AND ORDERED this 21st day of July, 1999, in Tallahassee, Florida.

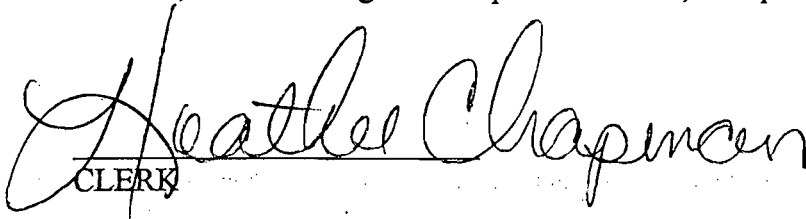
STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



E. PERRY ODOM
General Counsel

Douglas Building
3900 Commonwealth Boulevard
Mail Station 35
Tallahassee, Florida 32399-3000
Telephone: (850) 488-9314

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



CLERK

DATE 7/22/99

CERTIFICATE OF SERVICE

I CERTIFY that a true copy of the foregoing was mailed to:

Robert Manning, Esq.
Hopping Green Sams & Smith, P.A.
123 South Calhoun Street
Tallahassee, Florida 32301

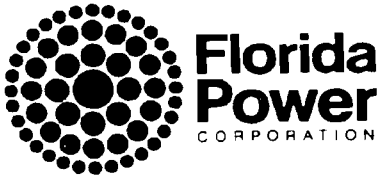
on this 22nd day of July, 1999.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



W. DOUGLAS BEASON
Florida Bar No. 379239
Assistant General Counsel

3900 Commonwealth Boulevard
Mail Station 35
Tallahassee, Florida 32399-3000
Telephone: (850) 488-9314



RECEIVED

JUL 26 1999

BUREAU OF AIR REGULATION

July 22, 1999

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: Florida Power Corporation Bartow Facility
Revised Draft Title V Permit No. 1030011-002-AV

Florida Power Corporation (FPC) received the above-referenced permit on June 14, 1999 and published the public notice on June 27, 1999. The original notarized *Proof of Publication* was previously submitted to the Department by letter dated July 2, 1999. This letter serves to provide FPC's comments on the *Revised Draft* permit.

There has been considerable discussion between FPC and the Department regarding the applicability of the CAM rule to the electrostatic precipitator (ESP) associated with Bartow Unit 1. In fact, compliance testing was recently authorized by the Department and conducted by FPC, without the use of the ESP, in an effort to demonstrate that Unit 1 could achieve compliance with all applicable limits when not relying on the ESP. Accordingly, this demonstration was designed to indicate whether the provisions of 40 CFR Part 64 apply. This testing was successfully completed and the results submitted to the Department on June 28, 1999 (Attachment 1). Based on the successful results of the testing, and as previously requested by FPC, the language in the permit should state that "...the provisions of 40 CFR 64 **do** not apply...", rather than "...**may** not apply..." as stated in the current *Revised Draft*. Possibly, the language was stated in this manner because the final test results were not yet available when the *Revised Draft* was issued. In any event, the change needs to be made per FPC's agreement with the Department.

In addition, the placard page should list the "Order Correcting Scrivenor's Error" for ASP Number 97-B-01 as an attachment. This Order is listed in other Title V permits that utilize ASP Number 97-B-01, and the Order is arguably incomplete without the correction.

Regarding Specific Condition A.7, FPC requests that the language be revised as follows: "Particulate matter emissions during steady state operation shall not exceed the following, as

Mr. Sheplak
July 22, 1999
Page 2

measured in accordance with Condition A.20. ~~by applicable compliance methods.~~ At a minimum, Condition A.7 should contain a reference to Condition A.20.

Finally, the words "startup" and "shutdown" should be deleted from Specific Condition A.14. Condition A.14 addresses malfunctions; startups and shutdowns are addressed separately in Condition A.15.

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

Sincerely,



Scott H. Osbourn
Senior Environmental Engineer

Attachment

cc: Robert Manning, HGS&S
Ed Svec, DEP Tallahassee

ATTACHMENT 1



Bcc: D. T. Buell
T. D. Lawery
J. A. Gridley
J. M. Kennedy

File: Bartow/Air/Corresp.

June 28, 1999

Mr. Gary Robbins
Pinellas County Department of Environmental Management
300 S. Garden Ave.
Clearwater, Florida 34616

Dear Mr. Robbins:

Re: Florida Power Corporation Bartow Facility
Unit 1 Emissions Testing
FDEP Permit No. AO52-233149

This letter serves to transmit the results of testing conducted on Bartow Unit 1 during the period of March 18-21, 1999. Recall that testing was conducted to satisfy the requirement for annual compliance, as well as to assist in the resolution of appropriate language to be included in this facility's Title V air permit. Regarding the latter (i.e., testing without the control device in operation), the testing will allow the Department to determine the applicability of the Compliance Assurance Monitoring (CAM) rule as it relates to the electrostatic precipitator (ESP).

Enclosed are two copies each (four copies total) of test reports conducted for purposes of annual compliance demonstration, as well as a demonstration of compliance for Unit 1 without the use of the ESP. The testing conducted in both cases demonstrates compliance with all applicable requirements. Consequently, it is FPC's position that, based on the language contained in 40 CFR Part 64.2(b)(ii), the *CAM Control Device Criterion*, that the CAM rule does not apply.

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

Sincerely,

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

Scott H. Osbourn
Senior Environmental Engineer

Enclosures

cc: Bill Proses, DEP SW District
Robert Manning, Esq., HGS&S
Pete Burnette, ACE Testing

**DEMONSTRATION OF
PARTICULATE AND VISIBLE EMISSIONS
AT THE
FLORIDA POWER CORPORATION
BARTOW PLANT-UNIT 1
WITH THE
ELECTROSTATIC PRECIPITATOR
OUT OF SERVICE

ST. PETERSBURG, FLORIDA**

MAY 18 AND 19, 1999

FDEP PERMIT NUMBER AO52-233149

PREPARED FOR:

**FLORIDA POWER CORPORATION
ONE POWER PLAZA
263 13TH AVENUE SOUTH
ST. PETERSBURG, FLORIDA 33701**

PREPARED BY:

**AIR CONSULTING AND ENGINEERING, INC.
2106 N.W. 67TH PLACE, SUITE 4
GAINESVILLE, FLORIDA 32653
(352) 335-1889**

2.0 SUMMARY AND DISCUSSION OF RESULTS

Unit 1 at FPC's Bartow Plant was found to be operating within particulate and visible emission limiting standards in both the soot blowing and normal operating modes with the ESP out of service.

Particulate emissions averaged 0.1802 pounds per million BTU (lbs/MMBTU) of heat input to the boiler in the soot blowing mode and 0.0898 lbs/MMBTU during normal operations. This compares to permitted limits of 0.3 lbs/MMBTU for soot blowing and 0.1 lbs/MMBTU for normal operations.

Table 1 summarizes particulate emissions and flue gas parameters in both the soot blowing and normal operating modes.

Complete emission data are presented in Appendix A. Field data sheets and laboratory analysis sheets are located in Appendices B and C, respectively. Sulfur Dioxide (SO₂) emissions are calculated in Section 3.0.

Particulate emissions in terms of lbs/MMBTU were calculated using the EPA "F" factor method with the following formula:

$$E = CF \frac{20.9}{20.9 - \% O_2}$$

Where:

E = particulate emissions in lbs/MMBTU

C = particulate concentration in lbs/Standard Cubic Foot (SCF)

F = 9190 SCF/MMBTU for oil

% O₂ = flue gas oxygen content

Visible emissions averaged 30.4 percent opacity during soot blowing and 17.1 percent during normal operations. Both averages are for the highest six minute periods of the tests. Emissions were observed concurrently with particulate Runs Number 3 and 4. Visible emissions averaged less than the 60 percent opacity limit for soot blowing and the 40 percent limit for normal operations.

Visible emission data sheets and the observer's certifications are presented in Appendix F.

Table 1 Particulate Emission Summary
 Florida Power Corporation
 Bartow Plant - Unit 1 - ESP Out of Service
 St. Petersburg, Florida
 May 18 and 19, 1999

Run Number	Time	Flow Rate		Stack Temp °F	Moisture %	Oxygen %	Emission Rate	
		Actual (ACFM)	Standard (SCFMD)				Actual lbs/MMBTU	Allowable lbs/MMBTU
Soot Blowing Mode (5/18/99)								
1	1420-1524	445568	285670	309	6.9	6.2	0.1783	0.3
2	1542-1646	468769	297886	310	7.7	6.4	0.1073	0.3
3	1700-1805	467791	294345	313	8.2	6.2	0.2551	0.3
Average		460709	292634	311	7.6	6.3	0.1802	0.3

Normal Operating Mode (5/19/99)								
Run Number	Time	Actual (ACFM)	Standard (SCFMD)	Stack Temp °F	Moisture %	Oxygen %	Actual lbs/MMBTU	Allowable lbs/MMBTU
4	1210-1315	407120	253646	304	10.0	7.2	0.0975	0.1
5	1338-1447	422527	266375	302	9.3	7.3	0.0802	0.1
6	1502-1605	416236	260178	306	9.6	7.4	0.0916	0.1
Average		415294	260066	304	9.6	7.3	0.0898	0.1

3.0 PROCESS DESCRIPTION AND OPERATION

Bartow Unit 1 is fired with Number 6 oil and consumed 178.4 Barrels per hour (bbl/Hr) while generating a nominal gross load of 118 megawatts (MW) per hour on May 18, 1999 and 181.0 bbl/Hr of oil at 120 MW on May 19, 1999. An "as fired" oil sample was collected and analyzed for each test day. These analyses are presented in Appendix E. Permitted parameters are as follows:

Date	<u>Heat Input (MMBTU/Hr)</u>		<u>Percent Sulfur</u>		<u>SO2 Emissions (lbs/MMBTU)</u>	
	Actual	Permitted	Actual	Permitted	Actual	Permitted
5/18/99	1128.9	1220	2.24	2.5	2.47	2.75
5/19/99	1143.6	1220	2.22	2.5	2.46	2.75
AVERAGE	1136.3	1220	2.23	2.5	2.47	2.75

Where Heat Input = consumption x BTU content

$$\text{SO}_2 \text{ emission} = \text{consumption} \times \text{percent sulfur} \times \frac{\text{MW SO}_2}{\text{MW S}} / \text{heat input}$$

Additional operating data is available at the plant site on request.

Ed Inec



RECEIVED

JUL 26 1999

BUREAU OF AIR REGULATION

July 22, 1999

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: Florida Power Corporation Bartow Facility
Revised Draft Title V Permit No. 1030011-002-AV

Florida Power Corporation (FPC) received the above-referenced permit on June 14, 1999 and published the public notice on June 27, 1999. The original notarized *Proof of Publication* was previously submitted to the Department by letter dated July 2, 1999. This letter serves to provide FPC's comments on the *Revised Draft* permit.

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In addition, the placard page should list the "Order Correcting Scrivener's Error" for ASP Number 97-B-01 as an attachment. This Order is listed in other Title V permits that utilize ASP Number 97-B-01, and the Order is arguably incomplete without the correction.

Regarding Specific Condition A.7, FPC requests that the language be revised as follows: "Particulate matter emissions during steady state operation shall not exceed the following, as

Mr. Sheplak
July 22, 1999
Page 2

measured in accordance with Condition A.20. ~~by applicable compliance methods:~~ At a minimum, Condition A.7 should contain a reference to Condition A.20.

Finally, the words "startup" and "shutdown" should be deleted from Specific Condition A.14. Condition A.14 addresses malfunctions; startups and shutdowns are addressed separately in Condition A.15.

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

Sincerely,



Scott H. Osbourn
Senior Environmental Engineer

Attachment

cc: Robert Manning, HGS&S
Ed Svec, DEP Tallahassee

ATTACHMENT 1



Bcc: D. T. Buell
T. D. Lawery
J. A. Gridley
J. M. Kennedy

File: Bartow/Air/Corresp.

June 28, 1999

Mr. Gary Robbins
Pinellas County Department of Environmental Management
300 S. Garden Ave.
Clearwater, Florida 34616

Dear Mr. Robbins:

Re: Florida Power Corporation Bartow Facility
Unit 1 Emissions Testing
FDEP Permit No. AO52-233149

This letter serves to transmit the results of testing conducted on Bartow Unit 1 during the period of March 18-21, 1999. Recall that testing was conducted to satisfy the requirement for annual compliance, as well as to assist in the resolution of appropriate language to be included in this facility's Title V air permit. Regarding the latter (i.e., testing without the control device in operation), the testing will allow the Department to determine the applicability of the Compliance Assurance Monitoring (CAM) rule as it relates to the electrostatic precipitator (ESP).

Enclosed are two copies each (four copies total) of test reports conducted for purposes of annual compliance demonstration, as well as a demonstration of compliance for Unit 1 without the use of the ESP. The testing conducted in both cases demonstrates compliance with all applicable requirements. Consequently, it is FPC's position that, based on the language contained in 40 CFR Part 64.2(b)(ii), the *CAM Control Device Criterion*, that the CAM rule does not apply.

If you should have any questions concerning the enclosed reports, please do not hesitate to contact me at (727) 626-4258.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott H. Osbourn", is written over a horizontal line.

Scott H. Osbourn
Senior Environmental Engineer

Enclosures

cc: Bill Proses, DEP SW District
Robert Manning, Esq., HGS&S
Pete Burnette, ACE Testing

**DEMONSTRATION OF
PARTICULATE AND VISIBLE EMISSIONS
AT THE
FLORIDA POWER CORPORATION
BARTOW PLANT-UNIT 1
WITH THE
ELECTROSTATIC PRECIPITATOR
OUT OF SERVICE**

ST. PETERSBURG, FLORIDA

MAY 18 AND 19, 1999

FDEP PERMIT NUMBER AO52-233149

PREPARED FOR:

**FLORIDA POWER CORPORATION
ONE POWER PLAZA
263 13TH AVENUE SOUTH
ST. PETERSBURG, FLORIDA 33701**

PREPARED BY:

**AIR CONSULTING AND ENGINEERING, INC.
2106 N.W. 67TH PLACE, SUITE 4
GAINESVILLE, FLORIDA 32653
(352) 335-1889**

2.0 SUMMARY AND DISCUSSION OF RESULTS

Unit 1 at FPC's Bartow Plant was found to be operating within particulate and visible emission limiting standards in both the soot blowing and normal operating modes with the ESP out of service.

Particulate emissions averaged 0.1802 pounds per million BTU (lbs/MMBTU) of heat input to the boiler in the soot blowing mode and 0.0898 lbs/MMBTU during normal operations. This compares to permitted limits of 0.3 lbs/MMBTU for soot blowing and 0.1 lbs/MMBTU for normal operations.

Table 1 summarizes particulate emissions and flue gas parameters in both the soot blowing and normal operating modes.

Complete emission data are presented in Appendix A. Field data sheets and laboratory analysis sheets are located in Appendices B and C, respectively. Sulfur Dioxide (SO₂) emissions are calculated in Section 3.0.

Particulate emissions in terms of lbs/MMBTU were calculated using the EPA "F" factor method with the following formula:

$$E = CF \frac{20.9}{20.9 - \% O_2}$$

Where:

E = particulate emissions in lbs/MMBTU

C = particulate concentration in lbs/Standard Cubic Foot (SCF)

F = 9190 SCF/MMBTU for oil

% O₂ = flue gas oxygen content

Visible emissions averaged 30.4 percent opacity during soot blowing and 17.1 percent during normal operations. Both averages are for the highest six minute periods of the tests. Emissions were observed concurrently with particulate Runs Number 3 and 4. Visible emissions averaged less than the 60 percent opacity limit for soot blowing and the 40 percent limit for normal operations.

Visible emission data sheets and the observer's certifications are presented in Appendix F.

Table 1 Particulate Emission Summary
 Florida Power Corporation
 Bartow Plant - Unit 1 - ESP Out of Service
 St. Petersburg, Florida
 May 18 and 19, 1999

Run Number	Time	Flow Rate		Stack Temp °F	Moisture %	Oxygen %	Emission Rate	
		Actual (ACFM)	Standard (SCFMD)				Actual lbs/MMBTU	Allowable lbs/MMBTU
Soot Blowing Mode (5/18/99)								
1	1420-1524	445568	285670	309	6.9	6.2	0.1783	0.3
2	1542-1646	468769	297886	310	7.7	6.4	0.1073	0.3
3	1700-1805	467791	294345	313	8.2	6.2	0.2551	0.3
Average		460709	292634	311	7.6	6.3	0.1802	0.3

Normal Operating Mode (5/19/99)								
4	1210-1315	407120	253646	304	10.0	7.2	0.0975	0.1
5	1338-1447	422527	266375	302	9.3	7.3	0.0802	0.1
6	1502-1605	416236	260178	306	9.6	7.4	0.0916	0.1
Average		415294	260066	304	9.6	7.3	0.0898	0.1

3.0 PROCESS DESCRIPTION AND OPERATION

Bartow Unit 1 is fired with Number 6 oil and consumed 178.4 Barrels per hour (bbl/Hr) while generating a nominal gross load of 118 megawatts (MW) per hour on May 18, 1999 and 181.0 bbl/Hr of oil at 120 MW on May 19, 1999. An "as fired" oil sample was collected and analyzed for each test day. These analyses are presented in Appendix E. Permitted parameters are as follows:

Date	<u>Heat Input (MMBTU/Hr)</u>		<u>Percent Sulfur</u>		<u>SO2 Emissions (lbs/MMBTU)</u>	
	Actual	Permitted	Actual	Permitted	Actual	Permitted
5/18/99	1128.9	1220	2.24	2.5	2.47	2.75
5/19/99	1143.6	1220	2.22	2.5	2.46	2.75
AVERAGE	1136.3	1220	2.23	2.5	2.47	2.75

Where Heat Input = consumption x BTU content

$$\text{SO}_2 \text{ emission} = \text{consumption} \times \text{percent sulfur} \times \frac{\text{MW SO}_2}{\text{MW S}} / \text{heat input}$$

Additional operating data is available at the plant site on request.



RECEIVED

AUG 04 1999

BUREAU OF AIR REGULATION

July 29, 1999

Mr. Al Linero, P.E.
Administrator, New Source Review Section
Florida Department of Environmental Protection
2600 Blair Stone Rd.
Tallahassee, Florida 32399-2400

*Ed - I forgot you
were working on
a related issue.
I told them this
is one way to do
what they want.
Teresa will handle it*

Dear Mr. Linero:

Re: Florida Power Corporation's Bartow Facility
Unit 1 Fly Ash Handling System Modification
DEP File Nos. 1030011-002-AV, 1030011-005AC, 1030011-006-AC, AO52-233149,
and AO52-232464

As you may recall, the electrostatic precipitator (ESP) and the fly ash conveying system associated with Unit 1 were originally constructed in 1983 when Unit 1 was modified to burn a coal-oil mixture (COM) of fuel. In 1987, Unit 1 was again modified to allow it to burn oil only. Unfortunately, Florida Power Corporation (FPC) was required to continue to operate the ESP and fly ash system while burning fuel oil only. The ESP and fly ash system were never designed to be operated in this mode, and FPC experienced chronic operational and maintenance problems with this equipment.

There were several events that drove the decision to modify the fly ash conveying system at Bartow Plant to its current configuration. These included efforts to make the conveying system safer and more effective, as well as the need to dispose of the fly ash accumulated on site. The system, prior to the current modification, was designed to pneumatically convey fly ash to a storage silo (ARMS Emission Unit 009, currently inactive) and then to an open conveyor where it would be transported and dropped to the ground. The ash would then be loaded from the open pile to trucks for transport to a landfill.

FPC subsequently applied for and received a permit to construct (1030011-005-AC). The construction permit allowed for the fly ash handling system to be reconfigured so that it now directly transfers fly ash from the ESP hoppers to enclosed bins (closed loop system) for later transport off site. The fly ash silo, ARMS Emission Unit 009, is no longer part of the handling system. The silo is "inactive" and serves no current or envisioned future need. The Bartow plant staff has requested that they be able to physically remove this equipment from the site.

Mr. Linero
July 29, 1999
Page 2

Based on conversations with Mr. Jerry Kissel of the Southwest District Office and you, this letter serves to notify the Department of FPC's intent to remove the inactive and unnecessary equipment currently designated as Emission Unit 009. During this removal, reasonable precautions will be followed to prevent emissions of unconfined particulate matter at the facility. FPC anticipates that this effort could commence as early as September 1, 1999 and be completed by the end of the year. FPC requests that the Department provide written concurrence that this proposed action is allowed per the permit revisions discussed earlier.

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

Sincerely,



Scott H. Osbourn
Senior Environmental Engineer

cc: Jerry Kissel, DEP SW District
Gary Robbins, PCDEM

cc: E. Svec, BAR
T. Nelson, BAR

INTEROFFICE MEMORANDUM

Date: 30-Jul-1999 02:23pm

From: ROBERT A MANNING
ROBERTM@HGSS.COM

Dept:

Tel No:

To: Ed.Svec (Ed.Svec@dep.state.fl.us)
CC: internet:scott.osbourn (internet:scott.osbourn@fpc.com)

Subject: Re: Question/Request regarding FPC's Bartow Title V permit

Thank you - please correct the language in that condition to read ". . . under title IV of the Act . . ." instead of ". . . under title V of the Act . . ."

>>> Ed Svec TAL 850/488-1344 <Ed.Svec@dep.state.fl.us> 07/30/99 02:07PM >>>
I am sorry that I did not check out the federal rule cites when I was given these conditions to be included in the acid rain part. Condition A.6. cite is 40CFR70.6(a)(4)(i) and condition A.7. cite is 40CFR70.6(a)(1)(ii). I will make these corrections and inform the other permit engineers of the error. Thanks for catching it.

The comment appeared in an objection /comment letter on FPC Suwannee, you should already have a copy, or it was just picked up by your runner.

Hope this clears up the confusion.

Ed Svec

First, thank you for your efforts on this permit.

Question/Request: We are trying to understand the origin and purpose of new Condition A.7 of the Acid Rain Part. In this regard, please clarify the rule authority and intent behind this new condition. The federal rule cited (70.6(a)(4)(i)) actually contains the language in new Condition A.6, and the cite to the state definition of "applicable requirement" (62-210.200) does not appear to correspond to the language in new Condition A.7. Also, the narrative justification in your response to comments states that this new Condition A.7 was added "in order to satisfy previous comments from EPA." Were these EPA comments in writing? If so, we would like to have a copy. If not, what was the context?

Thank you again, Robert.

RFC-822-headers:

Received: from epic50.dep.state.fl.us ([199.73.180.33])

by mail.epic1.dep.state.fl.us (PMDF V5.2-32 #37980)

with ESMTP id <01JE6FQ2LSUK9BVL4R@mail.epic1.dep.state.fl.us> for
SVEC_E@a1.epic1.dep.state.fl.us (ORCPT rfc822;Ed.Svec@dep.state.fl.us); Fri,
30 Jul 1999 14:19:25 EDT

Received: from HGSS.COM ([199.44.61.131]) by mail.epic50.dep.state.fl.us
(PMDF V5.2-32 #31508)

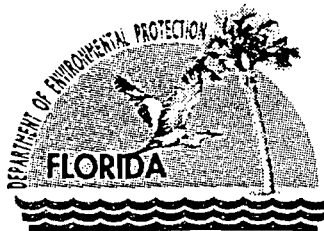
with SMTP id <01JE6FRA9F2M000RXP@mail.epic50.dep.state.fl.us> for
SVEC_E@a1.epic1.dep.state.fl.us (ORCPT rfc822;Ed.Svec@dep.state.fl.us); Fri,
30 Jul 1999 14:20:25 -0400 (EDT)

Received: from HGSSMAIL-Message_Server by HGSS.COM with Novell_GroupWise; Fri,
30 Jul 1999 14:18:22 -0400

X-Mailer: Novell GroupWise 5.2

Content-disposition: inline

Ed Svec



Department of Environmental Protection

Jeb Bush
Governor

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

David B. Struhs
Secretary

August 2, 1999

J. Jeffery Pardue
Director, Environmental Services Department
Florida Power Corporation
263 13th Avenue South
St. Petersburg, Florida 33701-5511

Re: PROPOSED Title V Permit No.: 1030011-002-AV
Air Construction Permit No.: 1030011-006-AC
Bartow Plant

Dear Mr. Pardue:

One copy of the "PROPOSED PERMIT DETERMINATION" for the Bartow Plant located at Weedon Island, St. Petersburg, Pinellas County, is enclosed. This letter is only a courtesy to inform you that the Revised DRAFT permit has become a PROPOSED permit.

An electronic version of this determination has been posted on the Division of Air Resources Management's world wide web site for the United States Environmental Protection Agency (USEPA) Region 4 office's review. The web site address is <http://www2.dep.state.fl.us/air>.

Pursuant to Section 403.0872(5), Florida Statutes, if no objection to the PROPOSED permit is made by the USEPA within 45 days, the PROPOSED permit will become a FINAL permit no later than 55 days after the date on which the PROPOSED permit was mailed (posted) to USEPA. If USEPA has an objection to the PROPOSED permit, the FINAL permit will not be issued until the permitting authority receives written notice that the objection is resolved or withdrawn.

If you should have any questions, please contact Edward J. Svec at 850/488-1344.

Sincerely,

C. H. Fancy
C. H. Fancy, P.E.
Chief
Bureau of Air Regulation

CHF/s

Enclosures

copy furnished to:
Kennard Kosky, PE, Golder Associates, Inc.
Scott Osbourn, Sr., FPC
Peter Hessling, PCDEM
Ms. Gracy Danois, USEPA, Region 4 (INTERNET E-mail Memorandum)
Mr. Gregg Worley, USEPA, Region 4 (INTERNET E-mail Memorandum)

"Protect, Conserve and Manage Florida's Environment and Natural Resources"

PROPOSED PERMIT DETERMINATION

PROPOSED Permit No.: 1030011-002-AV

Page 1 of 3

I. Public Notice.

An "INTENT TO ISSUE A COMBINED AIR CONSTRUCTION PERMIT/TITLE V AIR OPERATION PERMIT" to Florida Power Corporation for the Bartow Plant located at Weedon Island, St. Petersburg, Pinellas County was clerked on June 9, 1999. The "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT" was published in the Neighborhood Times – Northeast Edition on June 27, 1999. The Revised DRAFT Title V Air Operation Permit/Air Construction Permit was available for public inspection at the Pinellas County Department of Environmental Management Air Quality Division in Clearwater and the permitting authority's office in Tallahassee. Proof of publication of the "PUBLIC NOTICE OF INTENT TO ISSUE A COMBINED AIR CONSTRUCTION PERMIT/TITLE V AIR OPERATION PERMIT" was received on July 9, 1999.

II. Public Comment(s).

Comments were received and the DRAFT Title V Operation Permit was changed. The comments were not considered significant enough to reissue the DRAFT Title V Permit and require another Public Notice. Comments were received from two respondents during the 30 (thirty) day public comment period. Listed below is each comment letter in the chronological order of receipt and a response to each comment in the order that the comment was received. The comment(s) will not be restated. Where duplicative comments exist, the original response is referenced.

A. Letter from Mr. Gary Robbins, Pinellas County Department of Environmental Management Air Quality Division dated July 1, 1999, and received on July 6, 1999.

1.R: The Department acknowledges the comment. The language has been included in Statements of Basis since March 10, 1998 to remove an objection made by EPA, Region 4 on boilers subject to Rule 62-296.405, F.A.C. For clarification, the Statement of Basis will be changed where appropriate, as follows:

From: ----This unit is subject to a steady-state PM emission limit of 0.1 lb/mmBtu, which is effectively equivalent to 0.149 lb/mmBtu because of rounding.----

To: ---- This unit is subject to a steady-state PM emission limit of 0.1 lb/mmBtu, which is effectively equivalent to 0.149 lb/mmBtu because of rounding, in accordance with the agreement of March 10, 1998 between EPA, Region 4 and the Department to resolve an objection on this specific issue.----

2.R: The Department agrees with the comment and will change the rule citation of Facility-Wide Specific Condition 2 to "Pinellas County Code, Section 58-178".

3.R: The Department agrees with the comment and will change the area code for Pinellas County in Facility-Wide Specific Condition 10 to "727". Also, the telephone and fax numbers for EPA, Region 4 are changed to "Telephone: 404/562-9155 and Fax: 404/562-9163".

4.R: The Department feels the condition is properly worded and is consistent with the language contained in other permits which allow the firing of used oil. The condition will remain unchanged.

5.R: The Department disagrees with the comment. This is a quote of the rule and the rule does not specify a specific compliance date. The condition will remain unchanged.

6.R: The Department acknowledges the comment. The basis of Specific Condition A.37. is in existing operation permits. These requirements were carried forward in the Title V permit and are appropriately flagged as being not federally enforceable.

7.R: The Department agrees with the comment and will change the rule citation of Section III, Subsection A. Specific Condition A.40. to "Pinellas County Code, Section 58-128".

8.R: See response **A.5.R.**, above.

9.R: See response **A.5.R.**, above.

B. Letter from Mr. Scott Osbourn, Florida Power Corporation dated July 22, 1999, and received on July 26, 1999.

1.R: The Department agrees with the comment. The Statement of Basis and the description for Unit 1 are changed, as follows:

From:----Because Unit 1 is oil fired and this unit is capable of meeting the applicable particulate matter and opacity limits in Conditions A.5., A.6., A.7., and A.8. without use of the ESP, the provisions of 40 CFR 64 may not apply [40 CFR 64.2(b)(ii)].----

To:----Because Unit 1 is oil fired and this unit is capable of meeting the applicable particulate matter and opacity limits in Conditions A.5., A.6., A.7., and A.8. without use of the ESP, the provisions of 40 CFR 64 do not apply [40 CFR 64.2(b)(ii)].----

2.R: The Department agrees with the comment and "ORDER CORRECTING SCRIVENER'S ERROR: ASP Number 97-B-01" will be added to the referenced attachments on the placard page of the permit.

3.R: The Department will link specific condition A.7. to A.20., as follows:

From: A.7. Particulate Matter. Particulate matter emissions during steady state operations shall not exceed the following, as measured by applicable compliance methods:

To: A.7. Particulate Matter. Particulate matter emissions during steady state operations shall not exceed the following, as measured by applicable compliance methods (see specific condition **A.20.**):

4.R: The Department agrees with the comment. Specific conditions A.14. and B.8. are changed, as follows:

From: A.14. and B.8. Excess emissions resulting from startup shutdown or malfunction shall be permitted provided that best operational practices to minimize emissions are adhered to and the duration of excess emissions shall be minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration.
[Rule 62-210.700(1), F.A.C.]

To: A.14. and B.8. Excess emissions resulting from malfunction shall be permitted provided that best operational practices to minimize emissions are adhered to and the duration of excess emissions shall be minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration.
[Rule 62-210.700(1), F.A.C.]

C. The following conditions are added to the Acid Rain Section in order to satisfy previous comments from EPA.

A.5. Fast-Track Revisions of Acid Rain Parts. Those Acid Rain sources making a change described at Rule 62- 214.370(4), F.A.C., may request such change as provided in Rule 62-213.413, F.A.C., Fast-Track Revisions of Acid Rain Parts.
[Rules 62-213.413 and 62-214.370(4), F.A.C.]

A.6. No permit revision shall be required for increases in emissions that are authorized by allowances acquired pursuant to the Federal Acid Rain Program, provided that such increases do not require a permit revision pursuant to Rule 62-213.400, F.A.C.
[40 CFR 70.6(a)(4)(i); and, Rule 62-213.440(1)(c)1., F.A.C.]

A.7. Where an applicable requirement of the Act is more stringent than an applicable requirement of regulations promulgated under Title IV of the Act, both provisions shall be incorporated into the permit and shall be enforceable by the Administrator.
[40 CFR 70.6(a)(1)(ii); and, Rule 62-210.200, Definitions - Applicable Requirements, F.A.C.]

III. Conclusion.

The permitting authority hereby issues the PROPOSED Permit No.: 1030011-002-AV, with any changes noted above.



Jeb Bush
Governor

Department of Environmental Protection

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

David B. Scruhs
Secretary

August 9, 1999

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. W. Jeffrey Pardue, C.E.P.
Director, Environmental Services
Florida Power Corporation
Post Office Box 14042
St. Petersburg, Florida 33733-4042

Re: DEP File Nos. 1030011-002-AV, 1030011-005-AC, 1030011-006-AC, AO52-233149, and AO52-232464
Bartow Power Plant - Unit 1 Fly Ash Handling System Modification - Fly Ash Silo (E.U. No. 009)

Dear Mr. Pardue:

The Department has reviewed Mr. Scott H. Osbourn's letter dated July 29, 1999 notifying the Department of FPC's intent to physically remove the inactive fly ash silo and unnecessary equipment currently designated as Emission Unit 009. The modification of the Fly Ash Handling System has been approved in the permitting action identified as 1030011-005-AC, therefore the Department agrees with FPC that this proposed request is already allowed in the existing permit revisions to this unit. It is our understanding reasonable precautions will be taken to prevent emissions of unconfined particulate matter at the facility during this removal.

Sincerely,

C. H. Fancy, P.E., Chief
Bureau of Air Regulation

cc: Scott Osbourn, FPC
Jerry Kissel, SWD
Gary Robbins, PCDEM



RECEIVED

AUG 04 1999

BUREAU OF AIR REGULATION

July 29, 1999

Mr. Al Linero, P.E.
Administrator, New Source Review Section
Florida Department of Environmental Protection
2600 Blair Stone Rd.
Tallahassee, Florida 32399-2400

Dear Mr. Linero:

Re: Florida Power Corporation's Bartow Facility
Unit 1 Fly Ash Handling System Modification
DEP File Nos. 1030011-002-AV, 1030011-005AC, 1030011-006-AC, AO52-233149,
and AO52-232464

As you may recall, the electrostatic precipitator (ESP) and the fly ash conveying system associated with Unit 1 were originally constructed in 1983 when Unit 1 was modified to burn a coal-oil mixture (COM) of fuel. In 1987, Unit 1 was again modified to allow it to burn oil only. Unfortunately, Florida Power Corporation (FPC) was required to continue to operate the ESP and fly ash system while burning fuel oil only. The ESP and fly ash system were never designed to be operated in this mode, and FPC experienced chronic operational and maintenance problems with this equipment.

There were several events that drove the decision to modify the fly ash conveying system at Bartow Plant to its current configuration. These included efforts to make the conveying system safer and more effective, as well as the need to dispose of the fly ash accumulated on site. The system, prior to the current modification, was designed to pneumatically convey fly ash to a storage silo (ARMS Emission Unit 009, currently inactive) and then to an open conveyor where it would be transported and dropped to the ground. The ash would then be loaded from the open pile to trucks for transport to a landfill.

FPC subsequently applied for and received a permit to construct (1030011-005-AC). The construction permit allowed for the fly ash handling system to be reconfigured so that it now directly transfers fly ash from the ESP hoppers to enclosed bins (closed loop system) for later transport off site. The fly ash silo, ARMS Emission Unit 009, is no longer part of the handling system. The silo is "inactive" and serves no current or envisioned future need. The Bartow plant staff has requested that they be able to physically remove this equipment from the site.

Mr. Linero
July 29, 1999
Page 2

Based on conversations with Mr. Jerry Kissel of the Southwest District Office and you, this letter serves to notify the Department of FPC's intent to remove the inactive and unnecessary equipment currently designated as Emission Unit 009. During this removal, reasonable precautions will be followed to prevent emissions of unconfined particulate matter at the facility. FPC anticipates that this effort could commence as early as September 1, 1999 and be completed by the end of the year. FPC requests that the Department provide written concurrence that this proposed action is allowed per the permit revisions discussed earlier.

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

Sincerely,



Scott H. Osbourn
Senior Environmental Engineer

cc: Jerry Kissel, DEP SW District
Gary Robbins, PCDEM

cc: E. Svec, BAR
T. Nelson, BAR

RECEIVED

AUG 10 1999

THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

BUREAU OF AIR REGULATION

In the Matter of an
Application for Permit by:

OGC CASE NO. 97-1641

Florida Power Corporation,
Bartow Plant Facility

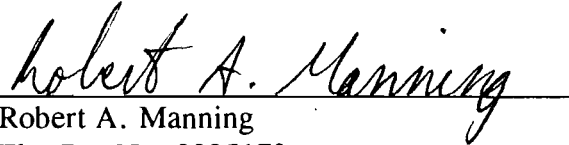
DRAFT Permit No.: 1030011-006-AV
Revised Draft Permit No. : 1030011-002-AV
Pinellas County, Florida

NOTICE OF WITHDRAWAL OF EXTENSION OF TIME

The Florida Power Corporation (FPC), by and through undersigned counsel, hereby withdraws its Request for Extension of Time to file a petition for formal administrative proceedings in accordance with Chapter 120, Florida Statutes. FPC filed its last Request for Extension of Time until September 1, 1999, in response to the "Intent to Issue Title V Air Operation Permit" (**REVISED** Draft Permit No. 1010011-002-AV/Draft Permit No. 1030011-006-AC)) for the Bartow Plant located in Pinellas County, Florida, to negotiate certain changes in the Revised Draft Title V permit with the Department of Environmental Protection (Department). Following discussions with Department representatives, FPC and the Department came to an agreement on the issues involved in the above-referenced Revised Draft Title V permit.. Based on the Department's issuance of the Proposed Title V permit in accordance with our agreement, and the Department's posting of this Proposed Title V permit on the Internet on August 3, 1999 for EPA's review, FPC hereby withdraws its Request for Extension of Time.

Respectfully submitted this 9 day of August, 1999.

HOPPING GREEN SAMS & SMITH, P.A.



Robert A. Manning
Fla. Bar No. 0035173
123 South Calhoun Street
Post Office Box 6526
Tallahassee, FL 32314
(850) 222-7500

Attorney for Florida Power Corporation

CERTIFICATE OF SERVICE

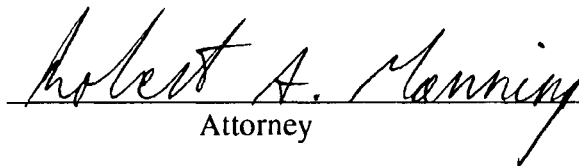
I HEREBY CERTIFY that a copy of the foregoing has been furnished to the following by

U.S. Mail on this 9 day of August, 1999.

Clair H. Fancy, P.E., Chief
Bureau of Air Regulation
Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, FL 32399-2600

Ed Svec
Bureau of Air Regulation
Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, FL 32399-2600

Doug Beason
Office of General Counsel
Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, FL 32399-2600


Attorney

INTEROFFICE MEMORANDUM

Date: 30-Jul-1999 10:04am
From: Scott.H.Osborn
Scott.H.Osborn@fpc.com
Dept:
Tel No:

To: svec_e (svec_e@dep.state.fl.us)
CC: rmanning (rmanning@hgss.com)
CC: Kennedy_J-Michael/goc_openmail (.Kennedy_J-Michael/goc_openmail@sv003.fpc.com)

Subject: Bartow Title V Permit

Ed,

Thanks for the E-mail with the revised Bartow permit. I have one comment regarding condition B.8, that we missed in our earlier review. The issue is identical to the one raised in our comment letter for condition A.14, and the same change needs to be made.

Also, could you send me a copy of Pinellas County's comment letter? My fax is 727-826-4216. Robert Manning will be following up with an E-mail to you regarding your new Acid Rain conditions A.6 and A.7.

Thanks for all your work on this Ed. I believe that we now have a permit that is ready to be "Proposed". Let's hope that EPA doesn't throw us off track.

RFC-822-headers:

Received: from epic50.dep.state.fl.us ([199.73.180.33])

by mail.epic1.dep.state.fl.us (PMDF V5.2-32 #37980)

with ESMTP id <01JE66RLQKN0935RDS@mail.epic1.dep.state.fl.us> for
SVEC_E@a1.epic1.dep.state.fl.us (ORCPT rfc822;svec_e@dep.state.fl.us); Fri,
30 Jul 1999 10:02:34 EDT

Received: from fpc.com ([199.184.211.2]) by mail.epic50.dep.state.fl.us
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with SMTP id <01JE66SWGT26000Q7D@mail.epic50.dep.state.fl.us> for
SVEC_E@a1.epic1.dep.state.fl.us (ORCPT rfc822;svec_e@dep.state.fl.us); Fri,
30 Jul 1999 10:03:37 -0400 (EDT)

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id AA03955; Fri, 30 Jul 1999 08:59:11 -0500 (EST)

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by sv003.fpc.com (8.8.6 (PHNE_14041)/8.8.6) with SMTP id JAA18375; Fri,
30 Jul 1999 09:56:02 -0400 (EDT)

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X-Openmail-Hops: 1

INTEROFFICE MEMORANDUM

Date: 30-Jul-1999 01:39pm

From: ROBERT A MANNING
ROBERTM@HGSS.COM

Dept:

Tel No:

To: internet:Ed.Svec (internet:Ed.Svec@dep.state.fl.us)
CC: internet:scott.osbourn (internet:scott.osbourn@fpc.com)

Subject: Question/Request regarding FPC's Bartow Title V permit

First, thank you for your efforts on this permit.

Question/Request: We are trying to understand the origin and purpose of new Condition A.7 of the Acid Rain Part. In this regard, please clarify the rule authority and intent behind this new condition. The federal rule cited (70.6(a)(4)(i)) actually contains the language in new Condition A.6, and the cite to the state definition of "applicable requirement" (62-210.200) does not appear to correspond to the language in new Condition A.7. Also, the narrative justification in your response to comments states that this new Condition A.7 was added "in order to satisfy previous comments from EPA." Were these EPA comments in writing? If so, we would like to have a copy. If not, what was the context?

Thank you again, Robert.

RFC-822-headers:

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SVEC_E@a1.epic1.dep.state.fl.us (ORCPT rfc822;Ed.Svec@dep.state.fl.us); Fri,
30 Jul 1999 13:35:14 EDT

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