

MEMORANDUM

TO: Scott M. Sheplak, P.E.
FROM: Martin Costello, P.E. *mc*
DATE: September 25, 1997

Re: Intent package for DRAFT Permit No.: 1270009-001-AV
Florida Power & Light Company - Sanford Plant

Permit Clock: NA

This permit is for the initial Title V air operation permit for the subject facility.
Comments were not received from the District office.

This facility reported that each emissions unit was in compliance at the time of the application.

I recommend that this Intent to Issue be sent out as attached.

MC/

[electronic file name: 12700091.mem]

STATEMENT OF BASIS

Florida Power & Light Company
Sanford Plant
Facility ID No.: 1270009
Volusia County

Initial Title V Air Operation Permit
DRAFT Permit No.: 1270009-001-AV

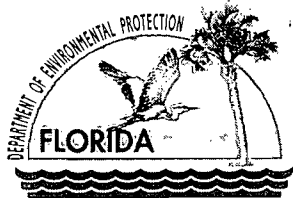
This Title V air operation permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, 62-213, and 62-214. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents, attached hereto or on file with the permitting authority, in accordance with the terms and conditions of this permit.

This facility contains three fossil fuel steam generators: Unit 3 a Babcock & Wilcox wall fired boiler with a nameplate rating of 150 megawatts (MW), and Units 4 and 5, each are Foster Wheeler wall fired boilers with nameplate ratings of 436 MW. The steam generators each burn natural gas, No. 6 fuel oil, No. 2 fuel oil, and used oil from FPL operations. Propane may be used for startup on each boiler. Mechanically atomized burners are used for firing fuel oil. Air pollutants are discharged through a 300 foot stack on Unit 3 and 400 foot stacks on each of Units 4 and 5. Unit 3 has flue gas recirculation which is used only at startup to reduce the time for heating the boiler tubes. Units 4 and 5 have multiclone dust collectors consisting of 695 tubes and four hoppers on each unit. Each boiler operates a Westinghouse tandem compound, reheat-type extraction turbine. Each of the boilers has an automated magnesium hydroxide ($Mg(OH)_2$) injection system to prevent boiler tube deposits which cannot be removed by sootblowing. There are two old boilers on site which no longer operate, Units 1 and 2. There are two emergency diesel generators and 10 pre-NSPS fuel oil storage tanks ranging in size from 268,000 barrels to 275 gallons. There are two propane tanks on site.

Fossil fuel fired steam generators Units 3, 4 and 5 are each fossil fuel steam generators which produce electricity. The emissions units fire natural gas, No. 6 fuel oil, No. 2 fuel oil, and on-specification used oil from FPL operations. Propane is utilized primarily for ignition of the main fuel at startup. These emissions units are regulated under Acid Rain, Phase II; and Rule 62-296.405, F.A.C., Fossil Fuel Steam Generators with More than 250 million Btu per Hour Heat Input. Fossil fuel fired steam generator Units 3, 4 and 5 began commercial operation in 1959, 1972 and 1973 respectively. These emissions units use a system to inject small quantities of additives periodically such as magnesium oxide, magnesium hydroxide and related compounds into each boiler to prevent soot from sticking to the boiler tubes.

Also included in this permit are miscellaneous unregulated/exempt emissions units and/or activities.

Based on the initial Title V permit application received June 12, 1996, this facility is a major source of hazardous air pollutants (HAPs).



Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

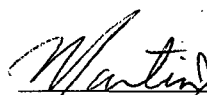
P.E. Certification Statement

Permittee:
Florida Power & Light Company
Sanford Plant

DRAFT Permit No.: 1270009-001-AV
Facility ID No.: 1270009

Project type: Initial Title V Air Operation Permit

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

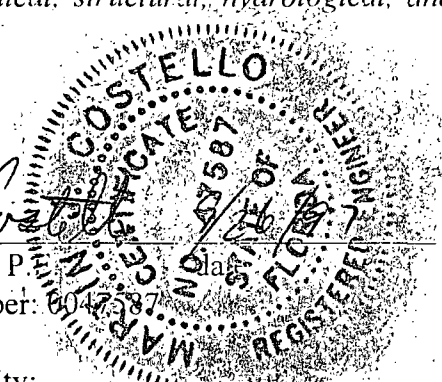


Martin J. Costello, P.E.


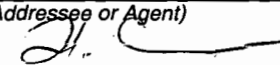
Registration Number: 0047587

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



Is your RETURN ADDRESS completed on the reverse side?

SENDER: ■ Complete items 1 and/or 2 for additional services. ■ Complete items 3, 4a, and 4b. ■ Print your name and address on the reverse of this form so that we can return this card to you. ■ Attach this form to the front of the mailpiece, or on the back if space does not permit. ■ Write "Return Receipt Requested" on the mailpiece below the article number. ■ The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee): 1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery Consult postmaster for fee.	
3. Article Addressed to: Mr. Robert Ruhlman Plant General Manager Florida Power & Light Company P. O. Box 14000 Juno Beach, Florida 33408		4a. Article Number P 263 585 126	
		4b. Service Type <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Express Mail <input type="checkbox"/> Insured <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> COD	
		7. Date of Delivery 	
5. Received By: (Print Name) H. COZZO		8. Addressee's Address (Only if requested and fee is paid)	
6. Signature: (Addressee or Agent) X 			

Thank you for using Return Receipt Service.

PS Form 3811, December 1994

Domestic Return Receipt

P 263 585 126

US Postal Service
Receipt for Certified Mail
 No Insurance Coverage Provided.
 Do not use for International Mail (See reverse)

Sent to	
Mr. Robert Ruhlman	
Street & Number	
P. O. Box 14000	
Post Office, State, & ZIP Code	
Juno Beach, Florida 33408	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	
10/27/97 - DRAFT PERMIT FP&L - Sanford Plant ID#1270009-001-AV	

PS Form 3800, April 1995

P 263 585 098

US Postal Service
Receipt for Certified Mail
 No Insurance Coverage Provided.
 Do not use for International Mail (See reverse)

Sent to	
Mr. Robert Ruhlman	
Street & Number	
11770 U.S. Highway One	
Post Office, State, & ZIP Code	
North Palm Beach, FL 33408	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	
10/01/97 DRAFT PERMIT FP&L - Sanford Plant ID#1270009-001-AV	

PS Form 3800, April 1995

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- 1. Addressee's Address
- 2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:
 Mr. William M. Reichel
 Florida Power & Light Company
 P. O. Box 14000
 Juno Beach, Florida 33408

4a. Article Number
 P 263 585 127

4b. Service Type
 Registered Certified
 Express Mail Insured
 Return Receipt for Merchandise COD

7. Date of Delivery
 OCT 2 1997
 SANFORD PLANT
 JUNO BEACH, FL 33408

5. Received By: (Print Name)
 H. CORZO

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)
 X *[Signature]*

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

P 263 585 127

P 263 585 099

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to Mr. William M. Reichel	
Street & Number P. O. Box 14000	
Post Office, State, & ZIP Code Juno Beach, Florida 33408	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date 10/27/97 - DRAFT PERMIT FP&L - Sanford Plant ID#1270009-001-AV.	

PS Form 3800, April 1995

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to Mr. William M. Reichel	
Street & Number 11770 U.S. Highway One	
Post Office, State, & ZIP Code North Palm Beach, FL 33408	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date 10/01/97 - DRAFT PERMIT FP&L - Sanford Plant ID#1270009-001-AV	

PS Form 3800, April 1995



Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

September 25, 1997

Mr. Robert Ruhlman
Plant General Manager
Florida Power & Light Company
11770 U.S. Highway One
North Palm Beach, FL 33408

Re: DRAFT Title V Permit No.: 1270009-001-AV
Sanford Plant

Dear Mr. Ruhlman:

One copy of the DRAFT Title V Air Operation Permit for the Sanford Plant located at Highway 17-92 on the St. John's River, approximately 7 miles northwest of Sanford, Volusia County, is enclosed. The permitting authority's "INTENT TO ISSUE TITLE V AIR OPERATION PERMIT" is also included.

The "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT" must be published as soon as possible upon receipt of this letter. This issue is important in order for you to receive your Title IV Acid Rain permit by January 1, 1998, pursuant to the Clean Air Act and Section 403.0372, Florida Statutes. 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 permit.

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 Martin Costello at 850/488-1344.

Sincerely,

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

CHF/mc

Enclosures

cc: Ms. Carla E. Pierce, U.S. EPA, Region 4 (INTERNET E-mail Memorandum)
Ms. Yolanda Adams, U.S. EPA, Region 4 (INTERNET E-mail Memorandum)

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

In the Matter of an
Application for Permit by:

Florida Power & Light Company
11770 U.S. Highway One
North Palm Beach, FL 33408

DRAFT Permit No.: 1270009-001-AV
Sanford Plant
Volusia County

INTENT TO ISSUE TITLE V AIR OPERATION PERMIT

The Department of Environmental Protection (permitting authority) gives notice of its intent to issue a Title V air operation permit (copy of DRAFT Permit enclosed) for the Title V source detailed in the application specified above, for the reasons stated below.

The applicant, Florida Power & Light Company, applied on June 12, 1996, to the permitting authority for a Title V air operation permit for the Sanford Plant located at Highway 17-92 on the St. John's River, approximately 7 miles northwest of Sanford, Volusia 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, 62-213, and 62-214. This source is not exempt from Title V permitting procedures. The permitting authority has determined that a Title V air operation permit is required to commence or continue operations at the described facility.

The permitting authority intends to issue this Title V air operation permit based on the belief that reasonable assurances have been provided to indicate that operation of the source will not adversely impact air quality, and the 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 403.0872, F.S., and Rules 62-103.150 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 TITLE V AIR 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 permit. 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: 904/488-1344; Fax: 904/922-6979), 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 permit pursuant to Rule 62-103.150(6), F.A.C.

The permitting authority will issue the Title V PROPOSED Permit, and subsequent Title V FINAL Permit, in accordance with the conditions of the enclosed Title V DRAFT 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 will accept written comments concerning the proposed permit issuance action for a period of 30 (thirty) days from the date of publication of "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR 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 DRAFT Permit, the permitting authority shall issue a Revised DRAFT Permit and require, if applicable, another Public Notice.

The permitting authority will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, F.S. Mediation under Section 120.573, F.S., will not be available for this proposed action.

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 14 (fourteen) days of receipt of this notice of intent. Petitions filed by any other person must be filed within 14 (fourteen) days of publication of the public notice or within 14 (fourteen) days of receipt of this notice of intent, whichever occurs first. 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, 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 28-5.207, F.A.C.

A petition must contain the following information:

- (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the 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 permitting authority's action or proposed action;
- (c) A statement of how each petitioner's substantial interests are affected by the permitting authority'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 permitting authority's action or proposed action;
- (f) A statement identifying the rules or statutes that the petitioner contends require reversal or modification of the permitting authority'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 permitting authority to take with respect to the action or proposed action addressed in this notice of intent.

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.

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.

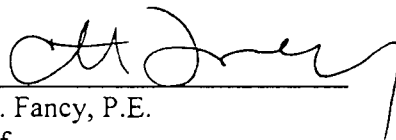
The Department will grant a variance or waiver when the petition demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of those terms is defined in Section 120.542(2), F.S., and that the purpose of the underlying statute will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

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 401 M. Street, SW, 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

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this INTENT TO ISSUE TITLE V AIR OPERATION PERMIT (including the PUBLIC NOTICE and the DRAFT permit) and all copies were sent by certified mail before the close of business on 10/1/97 to the person(s) listed:

Mr. Robert Ruhlman, FPL
Mr. William M. Reichel, FPL

In addition, the undersigned duly designated deputy agency clerk hereby certifies that copies of this INTENT TO ISSUE TITLE V AIR OPERATION PERMIT (including the PUBLIC NOTICE and the DRAFT permit) were sent by U.S. mail, unless otherwise indicated, on the same date to the person(s) listed:

Mr. Kennard F. Kosky, P.E., Golder Associates
Mr. Richard G. Piper, FPL
Mr. Len Kozlov, DEP Central District
Ms. Gail Kamaras, Legal Environmental Assistance Foundation
Mr. J. Charles Gray, Gray, Harris & Robinson
Mr. Don Borum, Hidden Harbor Marina

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. Bontwell 10/1/97
(Clerk) (Date)

PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Title V DRAFT Permit No.: 1270009-001-AV
Sanford Plant
Volusia County

The Department of Environmental Protection (permitting authority) gives notice of its intent to issue a Title V air operation permit to Florida Power & Light Company for the Sanford Plant located at 950 Highway 17-92 which is on the St. John's River, approximately 7 miles northwest of Sanford, Volusia County. The applicant's name and address are: Mr. Robert Ruhlman, Plant General Manager, Florida Power & Light Company, 11770 U.S. Highway One, North Palm Beach, FL 33408.

The permitting authority will issue the Title V PROPOSED Permit, and subsequent Title V FINAL Permit, in accordance with the conditions of the Title V DRAFT 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 will accept written comments concerning the proposed Title V DRAFT 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 DRAFT Permit, the permitting authority shall issue a Revised DRAFT Permit and require, if applicable, another Public Notice.

The permitting authority will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, Florida Statutes (F.S.). Mediation under Section 120.573, F.S., will not be available for this proposed action.

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 must be filed within 14 (fourteen) days of publication of the public notice or within 14 (fourteen) days of receipt of the notice of intent, whichever occurs first. 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 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 28-5.207 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 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 permitting authority's action or proposed action;
- (c) A statement of how each petitioner's substantial interests are affected by the permitting authority'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 permitting authority's action or proposed action;

(f) A statement identifying the rules or statutes that the petitioner contends require reversal or modification of the permitting authority'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 permitting authority to take with respect to the action or proposed action addressed in this notice of intent.

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.

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 401 M. Street, SW, 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:

Department of Environmental Protection
Central District Office
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767
Telephone: 407/894-7555
Fax: 407/897-2966

The complete project file includes the DRAFT 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 850/488-1344, for additional information.

Florida Power & Light Company
Sanford Plant
Facility ID No.: 1270009
Volusia County

Initial Title V Air Operation Permit
DRAFT Permit No.: 1270009-001-AV

Permitting Authority:

State of Florida
Department of Environmental Protection
Division of Air Resources Management
Bureau of Air Regulation
Title V Section

Mail Station #5505
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

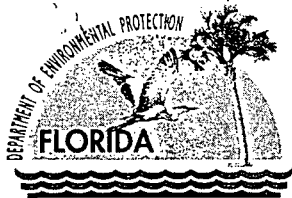
Telephone: 850/488-1344
Fax: 850/922-6979

Drafted September 26, 1997

Initial Title V Air Operation Permit

Table of Contents

<u>Section</u>	<u>Page Number</u>
Placard Page	1
I. Facility Information	2- 3
A. Facility Description.	
B. Summary of Emissions Unit ID No(s). and Brief Description(s).	
C. Relevant Documents.	
II. Facility-wide Conditions	4 - 5
III. Emissions Unit(s) and Conditions	
A. Emissions Units 3 & 4& 5, Fossil Fuel Steam Generators	6- 17
IV. Acid Rain Part	
A. Acid Rain, Phase II	18 - 19
Attachments	end



Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

Permittee:

Florida Power & Light
Sanford Plant

DRAFT Permit No.: 1270009-001-AV

Facility ID No.: 1270009

SIC Nos.: 4911

Project: Initial Title V Air Operation Permit

This permit is for the operation of the Sanford Plant. This facility is located at 950 Highway 17-92, which is on the St. John's River, approximately 7 miles northwest of Sanford, Volusia County; UTM Coordinates: Zone 17, 468.3 km East and 3190.3 km North; Latitude: 28° 50' 31" North and Longitude: 81° 19' 32" West.

STATEMENT OF BASIS: This Title V air operation permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-204, 62-210, 62-213, 62-214, 296 and 297. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents, attached hereto or on file with the permitting authority, in accordance with the terms and conditions of this permit.

Referenced attachments made a part of this permit:

Appendix U-1, List of Unregulated Emissions Units and/or Activities

Appendix E-1, List of Exempt Emissions Units and/or Activities

Appendix TV-1, Title V Conditions (version dated 8/11/97)

Appendix SS-1, Stack Sampling Facilities (version dated 10/07/96)

Table 297.310-1, Calibration Schedule (version dated 10/07/96)

Phase II Acid Rain Application/Compliance Plan received 12/6/95

Alternate Sampling Procedure: ASP Number 97-B-01

Orders for Alternate Opacity Standards: OGC Case Nos: 92-0890 (Unit 3), 85-1420 (Unit 5), and 89-1454 (Unit 4)

Effective Date: January 1, 1998

Renewal Application Due Date: July 5, 2002

Expiration Date: December 31, 2002

Howard L. Rhodes, Director
Division of Air Resources
Management

HLR/mc

Section I. Facility Information.

Subsection A. Facility Description.

This facility contains three fossil fuel steam generators: Unit 3 a Babcock & Wilcox wall fired boiler with a nameplate rating of 150 megawatts (MW), and Units 4 and 5, each are Foster Wheeler wall fired boilers with nameplate ratings of 436 MW. The steam generators each burn natural gas, No. 6 fuel oil, No. 2 fuel oil, and used oil from FPL operations. Propane may be used for startup on each boiler. Mechanically atomized burners are used for firing fuel oil. Air pollutants are discharged through a 300 foot stack on Unit 3 and 400 foot stacks on each of Units 4 and 5. Unit 3 has flue gas recirculation which is used only at startup to reduce the time for heating the boiler tubes. Units 4 and 5 have multiclone dust collectors consisting of 695 tubes and four hoppers on each unit. Each boiler operates a Westinghouse tandem compound, reheat-type extraction turbine. Each of the boilers has an automated magnesium hydroxide (Mg(OH)₂) injection system to prevent boiler tube deposits which cannot be removed by sootblowing. There are two old boilers on site which no longer operate, Units 1 and 2. There are two emergency diesel generators and 10 pre NSPS fuel oil storage tanks ranging in size from 268,000 barrels to 275 gallons. There are two propane tanks on site.

Also included in this permit are miscellaneous unregulated/exempt emissions units and/or activities.

Based on the initial Title V permit application received June 12, 1996, this facility is a major source of hazardous air pollutants (HAPs).

Subsection B. Summary of Emissions Unit ID No(s). and Brief Description(s).

E.U. ID No.	Brief Description
001	Fossil Fuel Steam Generator, Unit 3
002	Fossil Fuel Steam Generator, Unit 4
003	Fossil Fuel Steam Generator, Unit 5

Unregulated Emissions Units and/or Activities	
004	Emergency diesel generators, fuel oil storage tanks, and miscellaneous activities

Requests to the Department should reference the Permit No., Facility ID No., and appropriate Emissions Unit(s) ID No(s). on all correspondence, test report submittals, applications, etc.

Subsection C. Relevant Documents.

The documents listed below are not a part of this permit; however, they are specifically related to this permitting action.

These documents are provided to the permittee for information purposes only:

Appendix A-1, Abbreviations, Acronyms, Citations, and Identification Numbers

Appendix H-1, Permit History/ID Number Changes

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

Table 2-1, Summary of Compliance Requirements

These documents are on file with the permitting authority:

Initial Title V Permit Application received June 12, 1996

Section II. Facility-wide Conditions.

The following conditions apply facility-wide:

1. APPENDIX TV-1, TITLE V CONDITIONS is a part of this permit.

{Permitting note: APPENDIX TV-1, TITLE V CONDITIONS, is distributed to the permittee only. Other persons requesting copies of these conditions shall be provided a copy when requested or otherwise appropriate.}

2. Not Federally Enforceable. General Pollutant Emission Limiting Standards. Objectionable Odor Prohibited. The permittee shall not cause, suffer, allow, or permit the discharge of air pollutants which cause or contribute to an objectionable odor.

[Rule 62-296.320(2), F.A.C.]

3. General Particulate Emission Limiting Standards. General Visible Emissions Standard.

Except for emissions units that are subject to a particulate matter or opacity limit set forth or established by rule and reflected by conditions in this permit, no person shall cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity, the density of which is equal to or greater than that designated as Number 1 on the Ringelmann Chart (20 percent opacity). EPA Method 9 is the method of compliance pursuant to Chapter 62-297, F.A.C.

[Rule 62-296.320(4)(b)1. & 4, F.A.C.]

4. Prevention of Accidental Releases (Section 112(r) of CAA). If required by 40 CFR 68, the permittee shall submit to the implementing agency:

- a. a risk management plan (RMP) when, and if, such requirement becomes applicable; and
- b. certification forms and/or RMPs according to the promulgated rule schedule.

[40 CFR 68]

5. Unregulated Emissions Units and/or Activities. Appendix U-1, List of Unregulated Emissions Units and/or Activities, is a part of this permit.

[Rule 62-213.440(1), F.A.C.]

6. Exempt Emissions Units and/or Activities. Appendix E-1, List of Exempt Emissions Units and/or Activities, is a part of this permit.

[Rules 62-213.440(1), 62-213.430(6), and 62-4.040(1)(b), F.A.C.]

7. General Pollutant Emission Limiting Standards. Volatile Organic Compounds (VOC) Emissions or Organic Solvents (OS) Emissions. The permittee shall allow no person to store, pump, handle, process, load, unload or use in any process or installation, volatile organic compounds (VOC) or organic solvents (OS) without applying known and existing vapor emission control devices or systems deemed necessary and ordered by the Department. The owner or operator shall:

- a. Tightly cover or close all VOC or OS containers when they are not in use.
- b. Tightly cover all open tanks which contain VOC or OS when they are not in use.
- c. Maintain all pipes, valves, fittings, etc., which handle VOC or OS in good operating condition.
- d. Immediately confine and clean up VOC or OS spills and make sure wastes are placed in closed containers for reuse, recycling or proper disposal.

[Rule 62-296.320(1)(a), F.A.C.]

8. Not Federally Enforceable. No person shall cause, let, permit, suffer or allow the emissions of unconfined particulate matter from any activity without taking reasonable precautions to prevent such emissions. Reasonable precautions to prevent emissions of unconfined particulate matter at this facility shall include:

- a. Use of hoods, and/or fans and filters and/or poly flaps to contain and capture sand in the sandblast facility. The facility shall construct temporary sandblasting enclosures when necessary, in order to perform sandblasting on fixed plant equipment.
- b. Maintenance of paved areas as needed.
- c. Landscaping and planting of vegetation.
- d. Limiting access to plant property by unnecessary vehicles.
- e. Bagged chemical products are stored in weather tight buildings until they are used.
- f. Spills of powdered chemical products shall be cleaned up as soon as practicable.
- g. Vehicles are restricted to slow speeds on the plant site.

[Rule 62-296.320(4)(c)2., F.A.C.; Proposed by applicant in the initial Title V permit application]

9. When appropriate, any recording, monitoring, or reporting requirements that are time-specific shall be in accordance with the effective date of the permit, which defines day one.

[Rule 62-213.440, F.A.C.]

10. 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 No. 51., Appendix TV-1, Title V Conditions.}

[Rule 62-214.420(11), F.A.C.]

11. The permittee shall submit all compliance related notifications and reports required in this permit to the Department's Central District office:

Department of Environmental Protection
Central District Office
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767
Telephone: 407/894-7555
Fax: 407/897-2966

12. Any reports, data, notifications, certifications, and requests required to be sent to the United States Environmental Protection Agency, Region 4, should be sent to:

United States Environmental Protection Agency
Region 4
Air, Pesticides & Toxics Management Division
Operating Permits Section
61 Forsyth Street
Atlanta, Georgia 30303
Telephone: 404/562-9099
Fax: 404/562-9095

Section III. Emissions Unit(s) and Conditions.

Subsection A. This section addresses the following emissions unit(s).

E.U. ID No.	Brief Description
001	Fossil Fuel Steam Generator, Unit 3
002	Fossil Fuel Steam Generator, Unit 4
003	Fossil Fuel Steam Generator, Unit 5

Fossil fuel fired steam generators Units 3, 4 and 5 are each fossil fuel steam generators which produce electricity. The emissions units fire natural gas, No. 6 fuel oil, No. 2 fuel oil, and on-specification used oil from FPL operations. Propane is utilized primarily for ignition of the main fuel at startup.

{Permitting note(s): These emissions units are regulated under Acid Rain, Phase II; and Rule 62-296.405, F.A.C., Fossil Fuel Steam Generators with More than 250 million Btu per Hour Heat Input. Fossil fuel fired steam generator Units 3, 4 and 5 began commercial operation in 1959, 1972 and 1973 respectively. These emissions units use a system to inject small quantities of additives periodically such as magnesium oxide, magnesium hydroxide and related compounds into each boiler to prevent soot from sticking to the boiler tubes.}

The following specific conditions apply to the emissions units listed above:

Essential Potential to Emit (PTE) Parameters

A.1. Permitted Capacity. The maximum operation heat input rates are as follows:

E.U. ID No.	mmBtu/hr Heat Input	Fuel Types
001	1762 / 1650	Natural Gas / Fuel Oils
002 and 003	4230 / 4050	Natural Gas / Fuel Oils

[Rules 62-4.160(2), 62-210.200(PTE) and 62-296.405, F.A.C.]

A.2. Emissions Unit Operating Rate Limitation After Testing. See Specific Condition **A.26** of this permit.

[Rule 62-297.310(2), F.A.C.]

A.3. Methods of Operation. Fuels.

- a. **Startup:** The only fuels allowed to be burned are No. 2 fuel oil, and/or natural gas and/or propane followed by any combinations of natural gas, propane and fuel oils.
- b. **Normal:** The only fuels allowed to be burned are any combination of natural gas, No. 6 fuel oil, No. 2 fuel oil, propane and/or on-specification used oil from FPL operations.

[Rule 62-213.410(1), F.A.C.; AO64-217877, Specific Condition 8]

A.4. Hours of Operation. The emissions units may operate continuously, i.e., 8,760 hours/year.

[Rule 62-210.200(PTE), F.A.C.]

Emission Limitations and Standards

{Permitting Note: The attached Table 1-1, Summary of Air Pollutant Standards and Terms, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

A.5. Visible Emissions (VE). Owners or operators of each emissions may elect to test particulates (steady-state) quarterly with a 40% opacity limit, or to test particulates (steady-state) and visible emissions annually with a 20% opacity limit. If a quarterly schedule is selected, the owner shall notify the DEP Central District Office in writing prior to beginning the new schedule. Unit 3 was authorized to test particulates annually with a 40% opacity limit, by order of the DEP Secretary dated 12/21/92. The Department reserves the right to require FPL to return to quarterly particulate testing on Unit 3 if the emissions limiting standard for particulate matter is not regularly complied with. Unit 5 was authorized for annual particulates testing with a visible emissions limit of 40% opacity by DEP Secretary order dated 1/2/86. Failure of owners or operators of Unit 5 to meet either the particulate standard or the 40% opacity standard after 1/2/86 shall constitute grounds for revocation of this order. If this occurs, FPL shall notify the DEP Central District office immediately and the opacity limit shall return to 20% or 40% with annual or quarterly particulate testing respectively. Unit 4 was authorized to test particulates annually with a 40% opacity limit, by order of the DEP Secretary dated 2/26/90.
[Rule 62-296.405(1)(a), F.A.C.; OGC Case No. 92-0890 (Unit 3),
OGC Case No. 85-1420 (Unit 5), and OGC Case No. 89-1454 (Unit 4),]

A.6. Visible Emissions - Soot Blowing and Load Change. Visible emissions shall not exceed 60 percent opacity during the 3-hours in any 24 hour period of excess emissions allowed for boiler cleaning (soot blowing) and load change providing (1) best operational practices to minimize emissions are adhered to and (2) the duration of excess emissions shall be minimized.

(a) A load change occurs when the operational capacity of a unit is in the 10 percent to 100 percent capacity range, other than startup or shutdown, which exceeds 10 percent of the unit's rated capacity and which occurs at a rate of 0.5 percent per minute or more.

(b) Visible emissions above 60 percent opacity shall be allowed for not more than 4, six (6)-minute periods, during the 3-hour period of excess emissions allowed by this condition provided that continuous opacity monitors are used to report excess emissions.

(c) The distributed control system (DCS) shall record the date, the start time and the end times of all soot blowing and load change periods which correspond to periods of emissions which are above the steady state opacity limit. This data shall be kept on file for 5 years at the Sanford plant and made available to DEP personnel upon request.

[Rule 62-210.700(3), 62-213.440, and 62-4.070(3) F.A.C.]

A.7. Particulate Matter. Steady state particulate matter emissions shall not exceed 0.1 pound per million Btu heat input, as measured by applicable compliance methods.

[Rule 62-296.405(1)(b), F.A.C.]

A.8. Particulate Matter - Soot Blowing and Load Change. Particulate matter emissions shall not exceed an average of 0.3 pound per million Btu heat input during the 3-hours in any 24-hour period of excess emissions allowed for boiler cleaning (soot blowing) and load change as measured by applicable compliance methods..

[Rule 62-210.700(3), F.A.C.]

A.9. Sulfur Dioxide. Sulfur dioxide emissions shall not exceed 2.75 pounds per million Btu heat input, as measured by applicable compliance methods.
[Rule 62-296.405(1)(c)1.j, F.A.C.]

Excess Emissions

A.10. 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.]

A.11. Excess emissions resulting from startup or shutdown shall be permitted provided that best operational practices to minimize emissions are adhered to and the duration of excess emissions shall be minimized.
[Rule 62-210.700(2), F.A.C.]

A.12. Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown or malfunction shall be prohibited.
[Rule 62-210.700(4), F.A.C.]

Monitoring of Operations

A.13. CEMS Required. On each of the three emissions units the owner or operator shall install, certify, and operate a continuous emission monitoring system (CEMS) consisting of a stack gas sampling system, a sulfur dioxide, nitrogen oxide, and diluent gas (either oxygen or carbon dioxide) stack gas analyzer, and a data acquisition system which calculates and records emission rates in units of the applicable standard. A continuous opacity monitor (COM) is required for each of the three emissions units.
[Rules 62-4.070(3), 62-213.440(1), and 62-296.405(f)(1)a, c, and d, F.A.C. and 40 CFR 75]

A.14. Annual Tests Required. Except as provided in Specific Conditions **A.17** through **A.19** of this permit, emission testing for particulate emissions and visible emissions shall be performed annually, within 60 days of August 1st of each year, except for units that are not operating because of scheduled maintenance outages and emergency repairs, which will be tested within thirty days of returning to service.
[Rules 62-4.070(3), 62-213.440(1), 62-296.405(1)(a), and 62-297.310(7), F.A.C.]

A.15. Sulfur Dioxide. The owner or operator shall demonstrate compliance with the sulfur dioxide limit of specific condition **A.9** of this permit by the following:

- a. Through the use of a continuous emission monitoring system (CEMS) installed, calibrated, operated and maintained in accordance with the quality assurance requirements of 40 CFR 75 Appendix A, adopted and incorporated by reference in rule 62-204.800, F.A.C, however Relative Accuracy Test Audits (RATA) shall be conducted no less frequently than annually. Compliance shall be based on a 3-hour rolling average.
- b. In the event the CEMS becomes temporarily inoperable or interrupted, or when natural gas is not fired, the emissions units shall be fired with fuel containing a maximum sulfur content of 2.5%, by weight, or less.

[Rules 62-213.440(1), 62-204.800 and 62-296.405(1)(c)3., F.A.C.]

A.16. Determination of Process Variables.

(a) Required Equipment. The owner or operator of an emissions unit for which compliance tests are required shall install, operate, and maintain equipment or instruments necessary to determine process variables, such as process weight input or heat input, when such data are needed in conjunction with emissions data to determine the compliance of the emissions unit with applicable emission limiting standards.

(b) Accuracy of Equipment. Equipment or instruments used to directly or indirectly determine process variables, including devices such as belt scales, weight hoppers, flow meters, and tank scales, shall be calibrated and adjusted to indicate the true value of the parameter being measured with sufficient accuracy to allow the applicable process variable to be determined within 10% of its true value.

[Rule 62-297.310(5), F.A.C.]

A.17. Frequency of Compliance Tests. The following provisions apply only to those emissions units that are subject to an emissions limiting standard for which compliance testing is required.

(a) General Compliance Testing.

1. For excess emission limitations for particulate matter specified in Rule 62-210.700, F.A.C., a compliance test shall be conducted annually while the emissions unit is operating under soot blowing conditions in each federal fiscal year during which soot blowing is part of normal emissions unit operation, except that such test shall not be required in any federal fiscal year in which a fossil fuel steam generator does not burn liquid fuel for more than 400 hours other than during startup.
2. The owner or operator of an emissions unit that is subject to any emission limiting standard shall conduct a compliance test that demonstrates compliance with the applicable emission limiting standard prior to obtaining a renewed operation permit. Emissions units that are required to conduct an annual compliance test may submit the most recent annual compliance test to satisfy the requirements of this provision. In renewing an air operation permit pursuant to Rule 62-210.300(2)(a)3.b., c., or d., F.A.C., the Department shall not require submission of emission compliance test results for any emissions unit that, during the year prior to renewal:
 - a. Did not operate; or
 - b. In the case of a fuel burning emissions unit, burned liquid fuel for a total of no more than 400 hours.
3. During each federal fiscal year (October 1 - September 30), unless otherwise specified by rule, order, or permit, the owner or operator of each emissions unit shall have a formal compliance test conducted for:
 - a. Visible emissions, if there is an applicable standard;
 - b. Each of the following pollutants, if there is an applicable standard, and if the emissions unit emits or has the potential to emit: 5 tons per year or more of lead or lead compounds measured as elemental lead; 30 tons per year or more of acrylonitrile; or 100 tons per year or more of any other regulated air pollutant; and
 - c. Each NESHAP pollutant, if there is an applicable emission standard.
4. An annual compliance test for particulate matter emissions shall not be required for any fuel burning emissions unit that, in a federal fiscal year, does not burn liquid fuel for a total of more than 400 hours.
5. The owner or operator shall notify the Department, at least 15 days prior to the date on which each formal compliance test is to begin, of the date, time, and place of each such test, and the test contact person who will be responsible for coordinating and having such test conducted for the owner or operator.

(b) Special Compliance Tests. When the Department, after investigation, has good reason (such as complaints, increased visible emissions or questionable maintenance of control equipment) to believe that any applicable emission standard contained in a Department rule or in a permit issued pursuant to those rules is being violated, it may require the owner or operator of the emissions unit to conduct compliance tests which identify the nature and quantity of pollutant emissions from the emissions unit and to provide a report on the results of said tests to the Department.

(c) Waiver of Compliance Test Requirements. If the owner or operator of an emissions unit that is subject to a compliance test requirement demonstrates to the Department, pursuant to the procedure established in Rule 62-297.620, F.A.C., that the compliance of the emissions unit with an applicable weight emission limiting standard can be adequately determined by means other than the designated test procedure, such as specifying a surrogate standard of no visible emissions for particulate matter sources equipped with a bag house or specifying a fuel analysis for sulfur dioxide emissions, the Department shall waive the compliance test requirements for such emissions units and order that the alternate means of determining compliance be used, provided, however, the provisions of Rule 62-297.310(7)(b), F.A.C, for special compliance tests requested by DEP shall apply.

[Rule 62-297.310(7), F.A.C.; and SIP approved language for item (b) above]

A.18. When Visible Emissions Tests Not Required. By this permit, annual emissions compliance testing for visible emissions is not required for these emissions units while burning:

- a. only gaseous fuel(s); or
- b. gaseous fuel(s) in combination with any amount of liquid fuel(s) for less than 400 hours per year; or
- c. only liquid fuel(s) for less than 400 hours per year.

[Rule 62-297.310(7)(a)4., F.A.C.]

A.19. When PM Tests Not Required. Annual and permit renewal compliance testing for particulate matter emissions is not required for these emissions units while burning:

- a. only gaseous fuel(s); or
- b. gaseous fuel(s) in combination with any amount of liquid fuel(s) for less than 400 hours per year; or
- c. only liquid fuel(s) for less than 400 hours per year.

[Rules 62-297.310(7)(a)3. & 5., F.A.C.; and, ASP Number 97-B-01.]

Test Methods and Procedures

{Permitting Note: The attached Table 2-1, Summary of Compliance Requirements, summarizes information for convenience purposes only. This table does not supersede any of the terms or conditions of this permit.}

A.20. Visible emissions (VE). The test method for visible emissions shall be DEP Method 9, incorporated in Chapter 62-297, F.A.C. (see Specific Condition **A.21** of this permit). A transmissometer shall be used, certified and calibrated according to Rule 62-297.520, F.A.C. VE testing shall be conducted in accordance with the requirements of Specific Condition **A.27** of this permit.

[Rule 62-296.405(1)(e)1., F.A.C. and AO64-217877 Specific Condition 9]

A.21. DEP Method 9. The provisions of EPA Method 9 (40 CFR 60, Appendix A) are adopted by reference with the following exceptions:

1. EPA Method 9, Section 2.4, Recording Observations. Opacity observations shall be made and recorded by a Florida DEP certified observer at sequential fifteen second intervals during the required period of observation.

2. EPA Method 9, Section 2.5, Data Reduction. For a set of observations to be acceptable, the observer shall have made and recorded, or verified the recording of, at least 90 percent of the possible individual observations during the required observation period. For single-valued opacity standards (e.g., 20 percent opacity), the test result shall be the highest valid six-minute average for the set of observations taken. For multiple-valued opacity standards (e.g., 20 percent opacity, except that an opacity of 40 percent is permissible for not more than two minutes per hour) opacity shall be computed as follows:

- a. For the basic part of the standard (i.e., 20 percent opacity) the opacity shall be determined as specified above for a single-valued opacity standard.
- b. For the short-term average part of the standard, opacity shall be the highest valid short-term average (i.e., two-minute, three-minute average) for the set of observations taken.

In order to be valid, any required average (i.e., a six-minute or two-minute average) shall be based on all of the valid observations in the sequential subset of observations selected, and the selected subset shall contain at least 90 percent of the observations possible for the required averaging time. Each required average shall be calculated by summing the opacity value of each of the valid observations in the appropriate subset, dividing this sum by the number of valid observations in the subset, and rounding the result to the nearest whole number. The number of missing observations in the subset shall be indicated in parenthesis after the subset average value.

[Rule 62-297.401, F.A.C.]

A.22. Particulate Matter. The test methods for particulate emissions shall be EPA Methods 17 or Method 5, incorporated by reference in Chapter 62-297, F.A.C. The minimum sample volume shall be 30 dry standard cubic feet. EPA Method 5 may be used with filter temperature no more than 320 degrees Fahrenheit. For EPA Method 17, stack temperature shall be less than 375 degrees Fahrenheit. EPA Method 3 or 3A with Orsat analysis shall be used when the oxygen based F-factor, computed according to EPA Method 19, is used in lieu of heat input. Acetone wash shall be used with EPA Method 5 or 17. Particulate testing shall be conducted in accordance with the requirements of Specific Conditions **A.26** and **A.27** of this permit.

[Rules 62-213.440, 62-296.405(1)(e)2., and 62-297.401, F.A.C.]

A.23. Sulfur Dioxide. Compliance shall be demonstrated based on a CEMS system containing a SO₂ stack gas analyzer. The emission rate shall be calculated as a 3 hour rolling average and emission factors pursuant to EPA Method 19 shall be used to convert from concentration to lb/mmBtu. The sulfur dioxide emission limitation shall apply at all times including startup, shutdown, load change and malfunction. Fuel sampling and analysis may be used in accordance with condition **A.24** as an alternate sampling procedure in the event the CEMS becomes temporarily inoperable or interrupted, or when natural gas is not co-fired with fuel oil containing more than 2.5% sulfur by weight. In this case, the DEP Central District Office shall be notified as soon as possible but no later than the next DEP business day, and the emissions units shall be fired only with fuel containing a maximum sulfur content of 2.5%, by weight, or less. The owners or operators shall only supply fuel to the emissions units from storage tanks (via the respective day tank) which contain fuel oils containing no more than 2.5% sulfur content by weight during all periods when the CEMS is not used to demonstrate compliance. All fuel deliveries to these storage tanks shall be sampled and analyzed using the methods in condition **A.24** and shall be limited to fuel oils of no more than 2.5% sulfur content by weight. The

Department will retain the authority to require EPA Method 6C if it has reason to believe that exceedences of the sulfur dioxide emissions limiting standard are occurring.

[Rules 62-213.440, 62-296.405(1)(c)3 and 62-296.405(1)(e)3, F.A.C.]

A.24. For each emissions unit, the following fuel sampling and analysis protocol may be used as an alternate sampling procedure authorized by permit to demonstrate compliance with the sulfur dioxide standard:

a. Determine and record the fuel sulfur content, percent by weight, for liquid fuels delivered to the facility using either ASTM D2622-92, ASTM D4294-90, or both ASTM D4057-88 and ASTM D129-91 (or latest editions) to analyze a representative sample of the fuel from each fuel delivery.

b. The owner or operator shall identify and dedicate each storage tank containing fuels with sulfur content of no more than 2.5% by weight.

[Rules 62-213.440(1), 62-4.070(3), 62-296.405(1)(e)3., 62-296.405(1)(f)1.b. and 62-297.440, F.A.C.]

A.25. Required Number of Test Runs. For mass emission limitations, a compliance test shall consist of three complete and separate determinations of the total air pollutant emission rate through the test section of the stack or duct and three complete and separate determinations of any applicable process variables corresponding to the three distinct time periods during which the stack emission rate was measured provided, however, that three complete and separate determinations shall not be required if the process variables are not subject to variation during a compliance test, or if three determinations are not necessary in order to calculate the unit's emission rate. The three required test runs shall be completed within one consecutive five day period. In the event that a sample is lost or one of the three runs must be discontinued because of circumstances beyond the control of the owner or operator, and a valid third run cannot be obtained within the five day period allowed for the test, the Secretary or his or her designee may accept the results of the two complete runs as proof of compliance, provided that the arithmetic mean of the results of the two complete runs is at least 20 percent below the allowable emission limiting standards.

[Rule 62-297.310(1), F.A.C.]

A.26. Operating Rate During Testing. Testing of emissions shall be conducted with each emissions unit operation at permitted capacity, which is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. If it is impracticable to test at permitted capacity, an emissions unit may be tested at less than the minimum permitted capacity; in this case, subsequent emissions unit operation is limited to 110 percent of the test load until a new test is conducted. Once the emissions unit is so limited, operation at higher capacities is allowed for no more than 15 consecutive days for the purpose of additional compliance testing to regain the authority to operate at the permitted capacity.

[Rules 62-297.310(2) & (2)(b), F.A.C.]

A.27. Operating Conditions During Testing - PM and VE Either (a) and (c), or (b) and (c) below:

(a) When Only Liquid Fuels Containing No More Than 2.5% Sulfur Are Fired During The Federal Fiscal Year Testing for particulate matter and visible emissions shall be conducted concurrently and under the worst case conditions, i.e. while firing No. 6 fuel oil with the boiler operating at capacity. The sulfur content of the No. 6 fuel oil fired during the compliance test should be within 10% of the maximum sulfur content fired during the previous 12 months. If it is impractical to test with the highest sulfur content fuel oil used during the previous 12 months

and lower sulfur No. 6 fuel oil is fired during the compliance test, the sulfur content of the fuel subsequently fired in this emissions unit shall be limited to 110% of the sulfur content of the tested No. 6 fuel oil. Once the emissions unit is so limited, operation with higher sulfur fuels is allowed for no more than 15 consecutive days for the purpose of additional compliance testing. The as-fired sulfur content of liquid fuels from each run of this compliance test shall be obtained from sampling and analysis and averaged to obtain the baseline sulfur content for comparison with the daily fuel oil sulfur content according to condition (c) (below). Particulate and visible emissions annual compliance tests shall be conducted under both nonsotblowing (three one-hour runs) followed by sootblowing (three one-hour runs) conditions, and shall be conducted without altering the additive (magnesium hydroxide) injection rate or schedule or the sootblowing rate or schedule before the PM and VE tests. The fuel sulfur content monitoring from condition (c) shall not be required for purposes of determining whether additional compliance tests are required provided that the fuel sulfur content during PM and VE testing is between 2.25% and 2.5% by weight.

(b) When Liquid Fuels Containing More Than 2.5% Sulfur Are Fired During The Federal Fiscal Year Particulate matter and visible emissions tests shall be conducted during both nonsotblowing (three one-hour runs) followed by soot blowing operation (three one-hour runs) and shall be performed annually as required in Condition A.14 while co-firing such oil with the appropriate proportion of natural gas required to maintain SO₂ emissions between 90 to 100% of the SO₂ emission limit (corresponding to 2.475 and 2.75 lb/mmBtu heat input). Following successful completion of such PM and VE testing, further PM and VE testing shall not be required during the next 12 months unless fuel oil is fired that contains greater than 0.20% sulfur above the percentage sulfur concentration fired during the most recent co-firing test. The as-fired sulfur content of liquid fuels from each run of this compliance test shall be obtained from sampling and analysis and averaged to obtain the baseline sulfur content for comparison with the monthly composite fuel oil sulfur content according to condition (c) (below). If oil is co-fired containing greater than 0.20% sulfur above the percentage sulfur concentration fired during the most recent co-firing test, additional PM and VE tests shall be performed as described above as soon as practicable, but in no case shall be more than 60 days after firing such higher sulfur fuel oil.

(c) Fuel Records. The owner or operator shall create and maintain for each emissions unit daily records of sulfur content for each liquid fuel fired. These records must be of sufficient detail to identify the testing requirements of Condition (a) or (b) (above). For each emissions unit, fuel oil sulfur content shall be determined by taking an as-fired daily sample of the fuel, combining those samples into a monthly composite, and analyzing a representative sample of the composite each month. Split samples of this monthly composite of fuel oil shall be labeled with the analysis date, and the identity of which boiler the as-fired sample came from. Split samples shall be retained for three months after analysis and made available to DEP upon request for further testing if necessary. Analysis for sulfur content shall be performed using one of ASTM D2622-94, ASTM D4294-90(95), ASTM D1552-95, ASTM D1266-91, or both ASTM D4057-88 and ASTM D129-95 or latest editions. Comparison of the daily as-fired fuel oil sulfur content shall be made with that from the most recent PM and VE compliance test, and recorded monthly upon receipt of each monthly composite analysis.

[Rules 62-213.440, 62-4.070(3), 62-210.700(3) 62-297.310(7) F.A.C., and AO-64217877
Specific Condition 5(b)]

Not Federally Enforceable: In the event FPL exceeds the tested additive injection rate by 10 percent or more, FPL shall notify the DEP Central District in writing within 10 days of the date that the higher rate was initiated. The notification shall include the date the higher injection rate

began, the magnitude of the higher rate, and, if applicable, the approximate date by which the higher rate would cease. [AO64-217877 Specific Condition 5b]

A.28. Calculation of Emission Rate. The indicated emission rate or concentration shall be the arithmetic average of the emission rate or concentration determined by each of the separate test runs unless otherwise specified in a particular test method or applicable rule.
[Rule 62-297.310(3), F.A.C.]

A.29. Applicable Test Procedures.

(a) Required Sampling Time.

1. Unless otherwise specified in the applicable rule, the required sampling time for each test run shall be no less than one hour and no greater than four hours, and the sampling time at each sampling point shall be of equal intervals of at least two minutes.

2. **Opacity Compliance Tests.** When using DEP Method 9 for compliance testing the required minimum period of observation for a compliance test shall be sixty (60) minutes for each of the emissions units. The opacity test observation period shall include the period during which the highest opacity emissions can reasonably be expected to occur. Exceptions to these requirements are as follows:

c. The minimum observation period for opacity tests conducted by employees or agents of the Department to verify the day-to-day continuing compliance of a unit or activity with an applicable opacity standard shall be twelve minutes.

(b) Required Flow Rate Range. For EPA Method 5 or Method 17 particulate sampling which uses Greenburg Smith type impingers, the sampling nozzle and sampling time shall be selected such that the average sampling rate will be between 0.5 and 1.0 actual cubic feet per minute, and the required minimum sampling volume will be obtained.

(c) Calibration of Sampling Equipment. Calibration of the sampling train equipment shall be conducted in accordance with the schedule shown in Table 297.310-1 (attached to this permit).

(d) Allowed Modification to EPA Method 5. When EPA Method 5 is required, the following modification is allowed: the heated filter may be separated from the impingers by a flexible tube.
[Rule 62-297.310(4), F.A.C.]

A.30. Required Stack Sampling Facilities. When a mass emissions stack test is required, the permittee shall comply with the requirements contained in Appendix SS-1, Stack Sampling Facilities, attached to this permit.

[Rule 62-297.310(6), F.A.C.]

Record Keeping and Reporting Requirements

A.31. Excess Emissions - Malfunctions. If the permittee is temporarily unable to comply with any of the conditions of the permit due to breakdown of equipment or destruction by hazard of fire, wind or by other cause, the permittee shall immediately notify the Department. Notification shall include pertinent information as to the cause of the problem, and what steps are being taken to correct the problem and to prevent its recurrence, and where applicable, the owner's intent toward reconstruction of destroyed facilities. Such notification does not release the permittee from any liability for failure to comply with Department rules. In the case of excess emissions resulting from malfunctions, each owner or operator shall notify the Department's Central District, Air Section. A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Department.

[Rule 62-210.700(6), 62-4.130 F.A.C.]

A.32. Excess Emissions - Reports. Submit to the Department's Central District, Air Section, a written report of emissions in excess of emission limiting standards as set forth in Rule 62-296.405(1), F.A.C., for each calendar quarter. The nature and cause of the excess emissions shall be explained. This report does not relieve the owner or operator of the legal liability for violations. All recorded data shall be maintained on file by the Source for a period of five years. [Rules 62-213.440(1) and 62-296.405(1)(g), F.A.C.]

A.33. Test Reports.

- (a) The owner or operator of an emissions unit for which a compliance test is required shall file a report with the Department's Central District, Air Section, on the results of each such test.
- (b) The required test report shall be filed with the Department's Central District, Air Section, as soon as practical but no later than 45 days after the last sampling run of each test is completed.
- (c) The test report shall provide sufficient detail on the emissions unit tested and the test procedures used to allow the Department's Central District, Air Section, to determine if the test was properly conducted and the test results properly computed. As a minimum, the test report, other than for an EPA or DEP Method 9 test, shall provide the following information:
1. The type, location, and designation of the emissions unit tested.
 2. The facility at which the emissions unit is located.
 3. The owner or operator of the emissions unit.
 4. The normal type and amount of fuels used and materials processed, and the types and amounts of fuels used and material processed during each test run.
 5. The means, raw data and computations used to determine the amount of fuels used and materials processed, if necessary to determine compliance with an applicable emission limiting standard.
 6. The type of air pollution control devices installed on the emissions unit, their general condition, their normal operating parameters (pressure drops, total operating current and GPM scrubber water), and their operating parameters during each test run.
 7. A sketch of the duct within 8 stack diameters upstream and 2 stack diameters downstream of the sampling ports, including the distance to any upstream and downstream bends or other flow disturbances.
 8. The date, starting time and duration of each sampling run.
 9. The test procedures used, including any alternative procedures authorized pursuant to Rule 62-297.620, F.A.C. Where optional procedures are authorized in this chapter, indicate which option was used.
 10. The number of points sampled and configuration and location of the sampling plane.
 11. For each sampling point for each run, the dry gas meter reading, velocity head, pressure drop across the stack, temperatures, average meter temperatures and sample time per point.
 12. The type, manufacturer and configuration of the sampling equipment used.
 13. Data related to the required calibration of the test equipment.
 14. Data on the identification, processing and weights of all filters used.
 15. Data on the types and amounts of any chemical solutions used.
 16. Data on the amount of pollutant collected from each sampling probe, the filters, and the impingers, are reported separately for the compliance test.
 17. The names of individuals who furnished the process variable data, conducted the test, analyzed the samples and prepared the report.
 18. All measured and calculated data required to be determined by each applicable test procedure for each run.
 19. The detailed calculations for one run that relate the collected data to the calculated emission rate.

20. The applicable emission standard, and the resulting maximum allowable emission rate for the emissions unit, plus the test result in the same form and unit of measure.

21. A certification that, to the knowledge of the owner or his authorized agent, all data submitted are true and correct. When a compliance test is conducted for the Department or its agent, the person who conducts the test shall provide the certification with respect to the test procedures used. The owner or his authorized agent shall certify that all data required and provided to the person conducting the test are true and correct to his knowledge.

22. The identification and measured concentrations of any audit samples.

[Rules 62-213.440(1) and 62-297.310(8) and 62-4.070(3), F.A.C.]

A.34. Sulfur Dioxide Emission Report. During any quarter that fuels with more than 2.5% sulfur are received at the Sanford plant or fired in the emissions units, the owner or operator shall, by the thirtieth day following each calendar quarter, submit to the Department's Central District, Air Section, a report of each period in which the 3 hour rolling average of sulfur dioxide emissions exceed 2.75 lb/mmBtu. The report shall identify the steps taken to minimize the magnitude and duration of sulfur dioxide emissions during these episodes and any preventative measures implemented to avoid recurrence of these episodes.

[Rule 62-4.070(3) and 62-213.440(1) and 62-213.440(1)b., F.A.C.]

Miscellaneous Conditions

A.35. Used Oil. Burning of on-specification used oil is authorized at this facility in accordance with all other conditions of this permit and the following additional conditions:

- a. On-specification Used Oil Allowed as Fuel: This permit allows the burning of used oil fuel consisting only of used lubricating oils resulting from Sanford plant maintenance activities, and mineral oil from FPL system wide maintenance operations on transformers. FPL shall control the collection of these waste oils by the use of placards at used oil collection sites, and by informing plant personnel of the restrictions above, to insure that other liquids (waste solvents, paints, and hazardous wastes) are not mixed with the used oils fired in the boilers. This used oil shall meet EPA "on-specification" criteria, and have a PCB concentration of less than 50 ppm. Used oil that does not meet the specifications for on-specification used oil shall not be burned at this facility.

On-specification used oil shall meet the following specifications: [40 CFR 279, Subpart B.]

- Arsenic shall not exceed 5.0 ppm;
- Cadmium shall not exceed 2.0 ppm;
- Chromium shall not exceed 10.0 ppm;
- Lead shall not exceed 100.0 ppm;
- Total halogens shall not exceed 1000 ppm;
- Flash point shall not be less than 100 degrees F.

- b. Quantity Limited: The annual quantity of used lubricating oil that may be burned in the boilers shall not exceed the quantity of new lubricating oils consumed at the Sanford plant in any consecutive 12-month period. The annual quantity of used mineral oil burned in the boilers shall not exceed the quantity generated from FPL system wide maintenance activities.

- c. Used Oil Containing PCBs Not Allowed: Used oil containing a PCB concentration of 50 or more ppm shall not be burned at this facility. Used oil shall not be blended to meet this requirement.
- d. PCB Concentration of 2 to less than 50 ppm: On-specification used oil with a PCB concentration of 2 to less than 50 ppm shall be burned only at normal source operating temperatures.
- e. Testing Required: The owner or operator shall sample and analyze each batch of used oil to be burned for the following parameters:

Arsenic, cadmium, chromium, lead, total halogens, flash point, PCBs.

Testing (sampling, extraction and analysis) shall be performed using approved methods specified in EPA Publication SW-846 (Test Methods for Evaluating Solid Waste, Physical/Chemical Methods), latest edition.

Split samples of the used oil shall be labeled with the batch analysis date, when the batch was fired and in which boiler the batch was fired. Split samples shall be retained for three months after analysis and made available to DEP upon request for further testing if necessary.

- f. Record Keeping Required: The owner or operator shall obtain and keep the following records related to the use of used oil in a form suitable for inspection at the facility by the Department: [40 CFR 279.61 and 761.20(e)]
 - (1) The gallons of on-specification used oil burned each month. (This record shall be completed no later than the fifteenth day of each succeeding month that used oil is fired.)
 - (2) The analysis results, date, batch quantity, date of firing and identification of which boiler fired each batch shall be recorded.
- g. Reporting Required: The owner or operator shall submit, with the Annual Operation Report form, a separate listing of the analytical results and the total amount of on-specification used oil burned during the previous calendar year.

[Rules 62-4.070(3) and 62-213.440(1), F.A.C., 40 CFR 279 and 40 CFR 761, unless otherwise noted]

Section IV. This section is the Acid Rain Part.

Operated by: Florida Power and Light Company

ORIS code: 0620 (Sanford Plant)

Subsection A. This subsection addresses requirements of The Acid Rain Program, Phase II.

The emissions unit(s) listed below are regulated under The Acid Rain Program, Phase II.

E.U. ID No.	Brief Description
001	Fossil Fuel Steam Generator, Unit 3 (Acid Rain Boiler ID: PSN3)
002	Fossil Fuel Steam Generator, Unit 4 (Acid Rain Boiler ID: PSN4)
003	Fossil Fuel Steam Generator, Unit 5 (Acid Rain Boiler ID: PSN5)

A.1. The Phase II permit application(s) submitted for this facility, as approved by the Department, is a part of this permit. The owners and operators of these Phase II acid rain unit(s) must comply with the standard requirements and special provisions set forth in the application(s) listed below:

- a. DEP Form No. 62-210.900(1)(a), dated December 6, 1995.
[Chapter 62-213, F.A.C. and Rule 62-214.320, F.A.C.]

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

E.U. ID No.	EPA ID	Year	2000	2001	2002
001	PSN3	SO₂ allowances, under Table 2 or 3 of 40 CFR Part 73	1073*	1073*	1073*
002	PSN4	SO₂ allowances, under Table 2 or 3 of 40 CFR Part 73	8568*	8568*	8568*
003	PSN5	SO₂ allowances, under Table 2 or 3 of 40 CFR Part 73	3177*	3177*	3177*

* 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.

A.3. Emission Allowances. Emissions from sources subject to the Federal Acid Rain Program (Title IV) shall not exceed any allowances that the source lawfully holds under the Federal Acid Rain Program. Allowances shall not be used to demonstrate compliance with a non-Title IV applicable requirement of the Act.

1. 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(3), F.A.C.
2. No limit shall be placed on the number of allowances held by the source under the Federal Acid Rain Program.
3. Allowances shall be accounted for under the Federal Acid Rain Program.
[Rule 62-213.440(1)(c)1., 2. & 3., F.A.C.]

A.4. Comments, notes, and justifications:

- a. Unit 4 received 5290 bonus allowances for use prior to 2010 as shown in 40 CFR 73.10 Table 2.
- b. The Designated Representative was changed from John N. Lindsay to William M. Reichel by legal notice published November 3, 1993.

**Appendix A-1, Abbreviations, Acronyms, Citations, and Identification Numbers
(version dated 02/05/97)**

Abbreviations and Acronyms:

°F: Degrees Fahrenheit
BACT: Best Available Control Technology
CFR: Code of Federal Regulations
DEP: State of Florida, Department of Environmental Protection
DARM: Division of Air Resource Management
EPA: United States Environmental Protection Agency
F.A.C.: Florida Administrative Code
F.S.: Florida Statute
ISO: International Standards Organization
LAT: Latitude
LONG: Longitude
MMBtu: million British thermal units
MW: Megawatt
ORIS: Office of Regulatory Information Systems
SOA: Specific Operating Agreement
UTM: Universal Transverse Mercator

Citations:

The following examples illustrate the methods used in this permit to abbreviate and cite the references of rules, regulations, guidance memorandums, permit numbers, and ID numbers.

Code of Federal Regulations:

Example: [40 CFR 60.334]

Where:	40	reference to	Title 40
	CFR	reference to	Code of Federal Regulations
	60	reference to	Part 60
	60.334	reference to	Regulation 60.334

Florida Administrative Code (F.A.C.) Rules:

Example: [Rule 62-213, F.A.C.]

Where:	62	reference to	Title 62
	62-213	reference to	Chapter 62-213
	62-213.205	reference to	Rule 62-213.205, F.A.C.

ISO: International Standards Organization refers to those conditions at 288 degrees K, 60 percent relative humidity, and 101.3 kilopascals pressure.

**Appendix A-1, Abbreviations, Acronyms, Citations, and Identification Numbers
(continued)**

Identification Numbers:

Facility Identification (ID) Number:

Example: Facility ID No.: 1050221

Where:

105 = 3-digit number code identifying the facility is located in Polk County
0221 = 4-digit number assigned by state database.

Permit Numbers:

Example: 1050221-002-AV, or
1050221-001-AC

Where:

AC = Air Construction Permit
AV = Air Operation Permit (Title V Source)
105 = 3-digit number code identifying the facility is located in Polk County
0221 = 4-digit number assigned by permit tracking database
001 or 002 = 3-digit sequential project number assigned by permit tracking database

Example: PSD-FL-185
PA95-01
AC53-208321

Where:

PSD = Prevention of Significant Deterioration Permit
PA = Power Plant Siting Act Permit
AC = old Air Construction Permit numbering

Appendix E-1, List of Exempt Emissions Units and/or Activities

The facilities, emissions units, or pollutant-emitting activities listed in Rule 62-210.300(3)(a), F.A.C., Full Exemptions, are exempt from the permitting requirements of Chapters 62-210 and 62-4, F.A.C.; provided, however, that exempt emissions units shall be subject to any applicable emission limiting standards and the emissions from exempt emissions units or activities shall be considered in determining whether a facility containing such emissions units or activities would be subject to any applicable requirements. Emissions units and pollutant-emitting activities exempt from permitting under Rule 62-210.300(3)(a), F.A.C., are also exempt from the permitting requirements of Chapter 62-213, F.A.C., provided such emissions units and activities also meet the exemption criteria of Rule 62-213.430(6)(b), F.A.C. The below listed emissions units and/or activities are hereby exempt pursuant to Rule 62-213.430(6), F.A.C.

Brief Description of Emissions Units and/or Activities

1. Vacuum pumps used in laboratory operations
2. Propane relief valves
3. Hydrazine mixing tank and relief valves
4. Fire and safety equipment
5. Lube oil tank vents and extraction vents
6. Oil/water separators and related equipment
7. Miscellaneous mobile vehicle operation (cars, light trucks, heavy-duty trucks, backhoes, tractors, forklifts, cranes, etc.)
8. Brazing, soldering, and welding equipment
9. Degreasing units using heavier than air vapors except those which use solvents which are listed HAPs
10. Space heating equipment other than boilers
11. Equipment used for steam cleaning
12. Laboratory equipment used exclusively for chemical and physical analysis, including CEMS
13. Evaporation of on-site generated boiler non-hazardous used cleaning chemicals (citrosolv and ammonia) by injection into an operating boiler furnace provided that the boiler tube scale and other sediment has been substantially removed from the spent cleaning solution. This activity occurs once every three to five years or longer.

Appendix H-1, Permit History/ID Number Changes

Permit History (for tracking purposes):

E.U. ID No.	Description	Permit No.	Issue Date	Expiration Date	Extended Date ^{1,2}	Revised Date(s)
001, 002, 003	Fossil Fuel Steam Generators, Units 3, 4, and 5	AO64-217877	3/10/93	02/25/98		04/18/94

Notes:

1 - AO permit(s) automatic extension(s) in Rule 62-210.300(2)(a)3.a., F.A.C., effective 03/21/96.

2 - AC permit(s) automatic extension(s) in Rule 62-213.420(1)(a)4., F.A.C., effective 03/20/96.

{Rule 62-213.420(1)(b)2., F.A.C., effective 03/20/96, allows Title V Sources to operate under existing valid permits}

Appendix U-1, List of Unregulated Emissions Units and/or Activities

Unregulated Emissions Units and/or Activities. An emissions unit which emits no “emissions-limited pollutant” and which is subject to no unit-specific emission limiting standard, though it may be subject to regulations applied on a facility-wide basis (e.g., unconfined emissions, odor, general opacity) or to regulations that require only that it be able to prove exemption from unit-specific emissions or work practice standards.

The below listed emissions units and/or activities are neither ‘regulated emissions units’ nor ‘exempt emissions units’.

E.U. ID

No.

Brief Description of Emissions Units and/or Activity

- 004 (2) Small diesel emergency generators operated less than 400 hours per year:
Stationary Detroit Diesel model no. 7124-7200N, 500 KW emergency generator, and
Mobile Detroit Diesel 500 KW emergency generator
Tank A, 268,000 barrel No. 6 fuel oil, pre NSPS
Tank B, 268,000 barrel No. 6 fuel oil, pre NSPS
Tank C, 55,000 barrel No. 6 fuel oil, pre NSPS
Tank D, 1000,000 barrel No. 6 fuel oil, pre NSPS
Tank 3AD, 6,000 barrel No. 6 fuel oil, pre NSPS, day tank for Unit 3
Tank 3BD, 6,000 barrel No. 6 fuel oil, pre NSPS, day tank for Unit 3
Tank 4M, 12,000 barrel No. 6 fuel oil, pre NSPS, day tank for Unit 4
Tank 5M, 12,000 barrel No. 6 fuel oil, pre NSPS, day tank for Unit 5
Tank LO, 1,000 barrel No. 2 fuel oil, pre NSPS, for units 3, 4, and 5
Day tank for No. 2 fuel oil, 275 gallons
Sandblasting operations
Parts washing
General painting

Appendix S
Permit Summary Tables

Table 1-1, Summary of Air Pollutant Emission Standards

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	Fossil Fuel Steam Generator, Unit 3, maximum heat input on fuel oil: 1650 mmBtu/hr
002	Fossil Fuel Steam Generator, Unit 4, maximum heat input on fuel oil: 4050 mmBtu/hr
003	Fossil Fuel Steam Generator, Unit 5, maximum heat input on fuel oil: 4050 mmBtu/hr

Pollutant	Fuel(s) ²	Hours per Year	Allowable Emissions ²			Equivalent Emissions ¹		Regulatory Citations	See Permit Condition(s)
			Standard(s)	lb/hour	TPY	lb/hour	TPY		
VE Steady State	No. 6 fuel Oil	8760	40% opacity					Rule 62-296.405(1)(a), F.A.C.	A.5
VE Soot Blowing or Load Change	No. 6 fuel Oil	8760	60 % opacity (>60% opacity for not more than 4, six-minute periods)					Rule 62-210.700(3), F.A.C.	A.6
PM Steady State	No. 6 fuel Oil	8760	0.1 lb/mmBtu					Rule 62-296.405(1)(b), F.A.C.	A.7
PM Soot Blowing or Load Change	No. 6 fuel Oil	8760	0.3 lb/mmBtu			U3: 206 U4: 506 U5: 506	U3: 903 U4: 2,217 U5: 2,217	Rule 62-210.700(3), F.A.C.	A.8
SO₂	No. 6 fuel Oil	8760	2.75 lb/mmBtu			U3: 4,537 U4: 11,137 U5: 11,137	U3: 19,874 U4: 48,782 U5: 48,782	Rules 62-213.440 & 62-296.405(1)(c)l.g., F.A.C.	A.9

Appendix S
Permit Summary Tables

Notes:

¹ The "Equivalent Emissions" listed are for each unit firing No. 6 fuel oil, PM equivalent emissions are based on an emission factor which reflects both steady state and soot blowing/load change emission rates. Equivalent Emissions are listed for informational purposes only.

NA = not applicable

² PM and VE tests shall be conducted concurrently with the unit operating at capacity, with the magnesium hydroxide injection rate and schedule consistent with normal operation of this system, and firing the worst case fuel, i.e., No. 6 fuel oil (alone) with sulfur content within 10% of the maximum sulfur fuel fired in the past 12 months or with blends of No. 6 fuel oil and other fuels which results in the highest emissions. If cofiring natural gas and high sulfur fuel oil (above 2.5% sulfur), a compliance test must be conducted under the worst case conditions, i.e., while cofiring a representative high sulfur fuel oil and natural gas in a ratio which results in SO₂ emissions which are 90% of the emission limit.

**Appendix S
Permit Summary Tables**

Table 2-1, Summary of Compliance Requirements

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

Emissions Unit	Brief Description
001	Fossil Fuel Steam Generator, Unit 1
002	Fossil Fuel Steam Generator, Unit 2

Pollutant or Parameter	Fuel(s)	Compliance Method	Testing Frequency	Frequency Base Date ¹	Minimum Compliance Test Duration	CMS ²	See Permit Condition(s)
SO ₂	Oil	CEMS along with Method 19 or fuel sampling & analysis and a fuel sulfur limit of 2.5%, or Method 6C if required by the Department	fuel sampling of the delivered fuel upon each shipment, Condition A.27 may require additional fuel sampling for PM/VE testing purposes.	Not Applicable	three hour averages when using CEMS or one hour runs for Method 6C stack tests	Yes	A.9, A.13, A.15, A.23 & A.24
NO _x						Yes	A.13
PM	Oil	Method 5 or Method 17	Annual	August 1	1 hour	No	A.22, A.26 & A.27
VE	Oil	DEP Method 9	Annual	August 1	1 hour (annual test, concurrent with PM) 12 minutes (M9 at other times)	Yes	A.20, A.18, A.21 & A.27
On-spec. Used Oil		Record Keeping and Analysis	batch testing of representative sample				A.35

Notes: ¹ Frequency base date established for planning purposes only; see Rule 62-297.310, F.A.C.

² CMS = continuous monitoring system

Phase II Permit Application

For more information, see instructions and refer to 40 CFR 72.30 and 72.31 and Chapter 214, F.A.C.

This submission is: New Revised

STEP 1
Identify the source by plant name, State, and ORIS code from NADB

Sanford Plant	FL	620
Plant Name	State	ORIS Code

Compliance Plan

STEP 2
Enter the boiler ID# from NADB for each affected unit, and indicate whether a repowering plan is being submitted for the unit by entering "yes" or "no" at column c. For new units, enter the requested information in columns d and e

a	b	c	d	e
Boiler ID#	Unit Will Hold Allowances in Accordance with 40 CFR 72.9(c)(1)	Repowering Plan	New Units Commence Operation Date	New Units Monitor Certification Deadline
PSN3	Yes	N/A	N/A	N/A
PSN4	Yes	N/A	N/A	N/A
PSN5	Yes	N/A	N/A	N/A
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			

STEP 3
Check the box if the response in column c of Step 2 is "Yes" for any unit

For each unit that will be repowered, the Repowering Extension Plan form is included and the Repowering Technology Petition form has been submitted or will be submitted by June 1, 1997.

Plant Name (from Step 1)

STEP 4

Read the standard requirements and certification, enter the name of the designated representative, and sign and date

Standard Requirements**Permit Requirements.**

- (1) The designated representative of each Acid Rain source and each Acid Rain unit at the source shall:
 - (i) Submit a complete Acid Rain part application (including a compliance plan) under 40 CFR part 72, Rules 62-214.320 and 330, F.A.C. in accordance with the deadlines specified in Rule 62-214.320, F.A.C.; and
 - (ii) Submit in a timely manner any supplemental information that the permitting authority determines is necessary in order to review an Acid Rain part application and issue or deny an Acid Rain permit;
- (2) The owners and operators of each Acid Rain source and each Acid Rain unit at the source shall:
 - (i) Operate the unit in compliance with a complete Acid Rain part application or a superseding Acid Rain part issued by the permitting authority; and
 - (ii) Have an Acid Rain Part.

Monitoring Requirements.

- (1) The owners and operators and, to the extent applicable, designated representative of each Acid Rain source and each Acid Rain unit at the source shall comply with the monitoring requirements as provided in 40 CFR part 75, and Rule 62-214.420, F.A.C.
- (2) The emissions measurements recorded and reported in accordance with 40 CFR part 75 shall be used to determine compliance by the unit with the Acid Rain emissions limitations and emissions reduction requirements for sulfur dioxide and nitrogen oxides under the Acid Rain Program.
- (3) The requirements of 40 CFR part 75 shall not affect the responsibility of the owners and operators to monitor emissions of other pollutants or other emissions characteristics at the unit under other applicable requirements of the Act and other provisions of the operating permit for the source.

Sulfur Dioxide Requirements.

- (1) The owners and operators of each source and each Acid Rain unit at the source shall:
 - (i) Hold allowances, as of the allowance transfer deadline, in the unit's compliance subaccount (after deductions under 40 CFR 73.34(c)) not less than the total annual emissions of sulfur dioxide for the previous calendar year from the unit; and
 - (ii) Comply with the applicable Acid Rain emissions limitations for sulfur dioxide.
- (2) Each ton of sulfur dioxide emitted in excess of the Acid Rain emissions limitations for sulfur dioxide shall constitute a separate violation of the Act.
- (3) An Acid Rain unit shall be subject to the requirements under paragraph (1) of the sulfur dioxide requirements as follows:
 - (i) Starting January 1, 2000, an Acid Rain unit under 40 CFR 72.6(a)(2); or
 - (ii) Starting on the later of January 1, 2000 or the deadline for monitor certification under 40 CFR part 75, an Acid Rain unit under 40 CFR 72.6(a)(3).
- (4) Allowances shall be held in, deducted from, or transferred among Allowance Tracking System accounts in accordance with the Acid Rain Program.
- (5) An allowance shall not be deducted in order to comply with the requirements under paragraph (1)(i) of the sulfur dioxide requirements prior to the calendar year for which the allowance was allocated.
- (6) An allowance allocated by the Administrator under the Acid Rain Program is a limited authorization to emit sulfur dioxide in accordance with the Acid Rain Program. No provision of the Acid Rain Program, the Acid Rain permit application, the Acid Rain permit, or the written exemption under 40 CFR 72.7 and 72.8 and no provision of law shall be construed to limit the authority of the United States to terminate or limit such authorization.
- (7) An allowance allocated by the Administrator under the Acid Rain Program does not constitute a property right.

Nitrogen Oxides Requirements. The owners and operators of the source and each Acid Rain unit at the source shall comply with the applicable Acid Rain emissions limitation for nitrogen oxides.

Excess Emissions Requirements.

- (1) The designated representative of an Acid Rain unit that has excess emissions in any calendar year shall submit a proposed offset plan, as required under 40 CFR part 77.
- (2) The owners and operators of an Acid Rain unit that has excess emissions in any calendar year shall:
 - (i) Pay without demand the penalty required, and pay upon demand the interest on that penalty, as required by 40 CFR part 77; and
 - (ii) Comply with the terms of an approved offset plan, as required by 40 CFR part 77.

Recordkeeping and Reporting Requirements.

- (1) Unless otherwise provided, the owners and operators of the source and each Acid Rain unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 5 years, in writing by the Administrator or permitting authority:
 - (i) The certificate of representation for the designated representative for the source and each Acid Rain unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation, in accordance with Rule 62-214.350, F.A.C.; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation changing the designated representative;
 - (ii) All emissions monitoring information, in accordance with 40 CFR part 75;
 - (iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the Acid Rain Program; and,

Plant Name (from Step 1)

Recordkeeping and Reporting Requirements (cont.)

(iv) Copies of all documents used to complete an Acid Rain part application and any other submission under the Acid Rain Program or to demonstrate compliance with the requirements of the Acid Rain Program.

(2) The designated representative of an Acid Rain source and each Acid Rain unit at the source shall submit the reports and compliance certifications required under the Acid Rain Program, including those under 40 CFR part 72, subpart I and 40 CFR part 75.

Liability.

- (1) Any person who knowingly violates any requirement or prohibition of the Acid Rain Program, a complete Acid Rain part application, an Acid Rain part, or a written exemption under 40 CFR 72.7 or 72.8, including any requirement for the payment of any penalty owed to the United States, shall be subject to enforcement pursuant to section 113(c) of the Act.
- (2) Any person who knowingly makes a false, material statement in any record, submission, or report under the Acid Rain Program shall be subject to criminal enforcement pursuant to section 113(c) of the Act and 18 U.S.C. 1001.
- (3) No permit revision shall excuse any violation of the requirements of the Acid Rain Program that occurs prior to the date that the revision takes effect.
- (4) Each Acid Rain source and each Acid Rain unit shall meet the requirements of the Acid Rain Program.
- (5) Any provision of the Acid Rain Program that applies to an Acid Rain source (including a provision applicable to the designated representative of an Acid Rain source) shall also apply to the owners and operators of such source and of the Acid Rain units at the source.
- (6) Any provision of the Acid Rain Program that applies to an Acid Rain unit (including a provision applicable to the designated representative of an Acid Rain unit) shall also apply to the owners and operators of such unit. Except as provided under 40 CFR 72.44 (Phase II repowering extension plans), and except with regard to the requirements applicable to units with a common stack under 40 CFR part 75 (including 40 CFR 75.16, 75.17, and 75.18), the owners and operators and the designated representative of one Acid Rain unit shall not be liable for any violation by any other Acid Rain unit of which they are not owners or operators or the designated representative and that is located at a source of which they are not owners or operators or the designated representative.
- (7) Each violation of a provision of 40 CFR parts 72, 73, 75, 77, and 78 by an Acid Rain source or Acid Rain unit, or by an owner or operator or designated representative of such source or unit, shall be a separate violation of the Act.

Effect on Other Authorities. No provision of the Acid Rain Program, an Acid Rain part application, an Acid Rain part, or a written exemption under 40 CFR 72.7 or 72.8 shall be construed as:

- (1) Except as expressly provided in title IV of the Act, exempting or excluding the owners and operators and, to the extent applicable, the designated representative of an Acid Rain source or Acid Rain unit from compliance with any other provision of the Act, including the provisions of title I of the Act relating to applicable National Ambient Air Quality Standards or State Implementation Plans;
- (2) Limiting the number of allowances a unit can hold; *provided*, that the number of allowances held by the unit shall not affect the source's obligation to comply with any other provisions of the Act;
- (3) Requiring a change of any kind in any State law regulating electric utility rates and charges, affecting any State law regarding such State regulation, or limiting such State regulation, including any prudence review requirements under such State law;
- (4) Modifying the Federal Power Act or affecting the authority of the Federal Energy Regulatory Commission under the Federal Power Act; or,
- (5) Interfering with or impairing any program for competitive bidding for power supply in a State in which such program is established.

Certification

I am authorized to make this submission on behalf of the owners and operators of the Acid Rain source or Acid Rain units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment. (There are no attachments to this document)

Name		William M. Reichel
Signature	<i>William M. Reichel</i>	Date 12/4/95

Enter the source AIRS
and FINDS identification
numbers, if known

AIRS
FINDS

RECEIVED

JAN 06 1993

Heppling Boyd
Green & Sams

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

In the matter of:)	Permit No.	AO 64-131230
)		
Florida Power & Light Company))		TFR-91-A-01
Sanford Plant Unit No. 3,)		
)		
Petitioner.)		

ORDER ON REQUEST
FOR
REDUCTION IN QUARTERLY
PARTICULATE EMISSIONS COMPLIANCE TESTING

Pursuant to Rule 17-296.405(1)(a), Florida Administrative Code (F.A.C.), Florida Power and Light Company, petitioned for approval to reduce the frequency of particulate emissions compliance testing from quarterly to annual for Petitioner's Sanford Plant Unit No. 3, operation permit number AO 64-131230, located in Volusia 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 May 21, 1991, Petitioner requested a reduction in the frequency of particulate emission compliance testing for the fossil fuel-fired steam generator known as Sanford Plant Unit Number 3. [Exhibit 1]
2. Petitioner asked that the frequency of particulate emission compliance testing be reduced from the initial quarterly basis required by Rule 17-296.405(1)(a), F.A.C., to an annual basis. [Exhibit 1]
3. The petition and supporting documentation indicate that Petitioner has conducted the quarterly particulate emission compliance tests required by Rule 17-296.405(1)(a), F.A.C., with the exception of those quarters when the unit did not operate or natural gas was the primary fuel burned. [Exhibit 1]
4. Petitioner's submission included the results of thirteen particulate emission compliance tests that were conducted while Sanford Plant Unit Number 3 was operating at steady state conditions and six particulate emission compliance tests that were

conducted while soot blowing operations were being conducted.

5. The results of Petitioner's particulate emission compliance tests indicate that Sanford Unit Number 3 was in compliance with the applicable emission limiting standard for particulate matter from 1983 through 1991. [Exhibit 1]

CONCLUSIONS OF LAW

1. The Department has jurisdiction to consider Petitioner's request pursuant to Section 403.061, Florida Statutes (F.S.), and Rule 17-296.405(1)(a), F.A.C.

2. Pursuant to Rule 17-296.405(1)(a), F.A.C., the Department may reduce the required frequency of particulate matter compliance testing from quarterly to annual based upon a showing that the affected source has regularly complied with the emission limiting standard for particulate matter.

3. Pursuant to Rule 17-4.080, F.A.C., the petitioner may apply for changes to permit conditions and the Department may grant the request by requiring Petitioner to conform to new or additional requirements.

5. Pursuant to Rule 17-297.340(2), F.A.C., the Department may require the owner or operator of an air pollution source to conduct compliance testing whenever the Department has good reason to believe an applicable emission limiting standard is being violated.

6. Pursuant to Rules 17-4.070(3), 17-4.070(5), and 17-4.080(1), F.A.C., the Department may require Petitioner to return to the more frequent testing schedule in Rule 17-296.405(1)(a), F.A.C., if the emission limiting standard for particulate matter is not regularly complied with.

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 - September 30), Petitioner shall conduct one steady-state particulate emission compliance test of Sanford Plant Unit Number 3 and one particulate emission compliance test of Sanford Plant Unit Number 3 while it is being operated under soot blowing conditions;

3. Visible emissions from Sanford Plant Unit No. 3 shall not exceed forty (40) percent opacity, except as allowed by Rule 17-210.700(3), F.A.C.;

5. The annual particulate compliance test frequency specified in this order shall supersede the quarterly particulate compliance testing frequency specified for Sanford Unit Number 3 in operation permit AO 64-131230;

6. Pursuant to Rule 17-297.340(2), 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,

7. Pursuant to Rules 17-4.070(3), 17-4.070(5), and 17-4.080(1), F.A.C., the Department reserves the right to require Petitioner to return to the more frequent testing schedule in Rule 17-296.405(1)(a), F.A.C., if the emission limiting standard for particulate matter is not regularly complied with.

PETITION FOR ADMINISTRATIVE REVIEW

1. A person whose substantial interests are affected by the Department's decision may petition for an administrative proceeding (hearing) in accordance with Section 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 at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within 21 days of receipt of this Order. The petitioner shall mail a copy of the petition to the applicant at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, F.S.

2. The petition shall contain the following information:

(a) The name, address, and telephone number of each petitioner, the applicant's name and address, and the Department File Number;

(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 which each petitioner contends warrant reversal or modification of the Department's action or proposed action;

(f) A statement of which 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 petitioner wants the Department to take with respect to the Department's action or proposed action.

3. If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, 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 decision of the Department with regard to the application have the right to petition to become a party to the proceeding. The petition must conform with the requirements specified above and be filed (received) within 21 days of receipt of this notice in the Office of General Counsel at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, F.A.C.

4. This Order constitutes final agency action unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition and conforms to Rule 17-103.070, F.A.C. Upon timely filing of a petition or a request for an extension of time 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, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; 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 21st day of December, 1992 in Tallahassee, Florida.

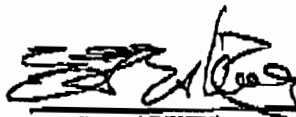
STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL REGULATION



CAROL M. BROWNER
Secretary
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400
(904) 488-4805

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Order has been mailed, postage prepaid, to Peter C. Cunningham, Esq., Hopping Boyd Green and Sams, P. O. Box 6526, Tallahassee, Florida 32314, this 5th day of February, 1997. (99)



E. G. ESTEVEZ
Assistant General Counsel

**STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION**

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

Telephone (904) 488-9730