Department of Environmental Protection

Jeb Bush
Governor

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

Colleen M. Castille
Secretary

August 21, 2006

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Mr. Craig Arcari
Plant Manager and Responsible Official
Martin Power Plant
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408

Re: Martin Power Plant - Intent to Issue Air Permits
DEP Files Nos. 0850001-016-AC and 0850001-017-AV
Facility ID: 0850001; ORIS Code: 0643

Dear Mr. Arcari:

Attached are copies of a Draft Air Construction Permit Modification and a DRAFT Title V Air Operation Permit Revision for the Martin Power Plant located in the western part of unincorporated Martin County, approximately seven miles north of Indiantown, on State Road 710, Martin County, Florida. The Department's Intent to Issue Permits, the Public Notice of Intent to Issue Air Permits (the Public Notice) and Statement of Basis are also included.

Electronic versions of the permits will be posted on the Division of Air Resource Management's world wide web site for the United States Environmental Protection Agency (USEPA) Region 4 office's review at www.dep.state.fl.us/air/eproducts/ards/default.asp.

The enclosed Public Notice must be published as soon as possible. Proof of publication, i.e., newspaper affidavit, must be provided to the Department's office within 7 (seven) days of publication pursuant to Rule 62-110.106(5), F.A.C. 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 62-110.106(11), F.A.C.

Please submit any written comments you wish to have considered concerning the Department's proposed action to Scott M. Sheplak, P.E., at the above letterhead address. If you have any other questions, please contact Teresa Heron at 850/921-9529.

Sincerely,

Trina L. Vielhauer, Chief
Bureau of Air Regulation

TLV/aal/sms/th

Enclosures

In the Matter of an Application for a Construction Permit Modification
and a Title V Permit Revision by:

Florida Power & Light Company 700 Universe Boulevard Juno Beach, FL 33408	DEP Files: Related Files: Facility: Location:	0850001-016-AC and 0850001-017-AV PSD-FL-146C, PSD-FL-327B Martin Power Plant Martin County

INTENT TO ISSUE AIR PERMITS

The Department of Environmental Protection (Department) gives notice of its intent to issue:

- An Air Construction Permit Modification to establish certain startup, testing, or operational conditions for Martin Power Plant Combined Cycle Units 3, 4 and 8; and,
- A Title V Air Operation Permit Revision to incorporate Combined Cycle Unit 8 and the mentioned Air Construction Permit Modification.

Copies of the Draft Air Construction Permit Modification and the DRAFT Title V Air Operation Permit Revision are attached. The details are provided in the application file specified above. The reasons for issuance are stated below.

The applicant, Florida Power & Light Company, applied on March 3, 2006 for modification of conditions in two previously issued Air Construction (PSD) Permits and revision of the Title V Air Operation Permit for the Martin Power Plant. The facility is located in the western part of unincorporated Martin County, approximately seven miles north of Indiantown, on State Road 710.

The Department authority has permitting jurisdiction under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, 62-212, 62-213, and 62-214. This source is not exempt from construction and Title V permitting procedures. The Department has determined that an Air Construction Permit Modification is required to establish the startup, testing, or operational conditions for Martin Power Plant Combined Cycle Units 3, 4 and 8 and a Title V Air Operation Permit Revision is required to incorporate Combined Cycle Unit 8.

The Department intends to issue the Air Construction Permit Modification and the Title V Air Operation Permit Revision based on the belief that reasonable assurances have been provided to indicate that the construction activity and 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, 62-296, and 62-297, F.A.C.

Pursuant to Sections 403.815 and 403.087, F.S., and Rules 62-110.106 and 62-210.350(3), F.A.C., you (the applicant) are required to publish at your own expense the enclosed PUBLIC NOTICE OF INTENT TO ISSUE PERMITS (Public Notice). The Public 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. If you are uncertain that a newspaper meets these requirements, please contact the Department at the address or telephone number listed below. The applicant shall provide proof of publication to the Department's Bureau of Air Regulation, 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400 (Telephone: 850/488-0114; Fax: 850/922-6979, within 7 (seven) days of publication pursuant to Rule 62-110.106(5), F.A.C. Failure to publish the notice and provide proof of publication may result in the denial of the permits pursuant to Rule 62-110.106(11), F.A.C.

The Department will issue the Air Construction Permit Modification and the PROPOSED Title V Air Operation Permit Revision and subsequent FINAL Title V Air Operation Permit Revision, in accordance with the conditions of the attached Draft Air Construction Permit Modification and the DRAFT Title V Air Operation Permit Revision unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed Air Construction Permit Modification issuance action for a period of 14 (fourteen) days from the date of publication of the Public Notice. Written comments should be provided to the Department's office. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this Draft Air Construction Permit Modification, the Department shall revise the Draft Air Construction Permit Modification and require, if applicable, another Public Notice.

The Department will accept written comments concerning the DRAFT Title V Air Operation Permit Revision issuance action for a period of 30 (thirty) days from the date of publication of the Public Notice. Written comments should be provided to the Department's office. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this DRAFT Title V Air Operation Permit Revision, the Department shall further revise the DRAFT Title V Air Operation Permit Revision and require, if applicable, another Public Notice.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, 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: 850/245-2242; Fax: 850/245-2303).

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 persons other than those entitled to written notice under Section 120.60(3), F.S., 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. Under Section 120.60(3), F.S., however, any person who asked the Department for notice of agency action may file a petition within 14 (fourteen) days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

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

(a) The name and address of each agency affected and each agency's file or identification number, if known;

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

(c) A statement of how and when each petitioner received notice of the agency action or proposed action;

(d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;

(e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief;

(e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief;

(f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and,

(g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

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

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice of intent. Persons whose substantial interests will be affected by any such final decision of the Department on the application(s) have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above. Mediation will not be available in this proceeding.

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 revision. Any petition shall be based only on objections to the permit revision that were raised with reasonable specificity during the 30 (thirty) day public comment period provided in this notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460.

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Trina L. Vielhauer, Chief
Bureau of Air Regulation

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this INTENT TO ISSUE AIR PERMITS (including the combined Public Notice, Draft Air Construction Permit Modification, and the DRAFT Title V Air Operation Permit Revision) and all copies were sent by U.S. mail* or electronic mail before the close of business on 8/21/06 to the persons listed below:

Craig Arcari, Florida Power & Light Company*
John Hampp, Florida Power & Light Company (via e-mail)
Darrel Graziani, P.E., Southeast District Office (via e-mail)
Jim Little, U.S. EPA, Region 4 (via e-mail)
Kennard F. Kosky, P.E., Golder Associates, Inc. (via e-mail)
Mike Halpin, P.E., Siting Office (via e-mail)

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.

Victoria Gibson 8/21/06
(Clerk) (Date)

PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMITS

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Draft Air Construction Permit Modification No. 0850001-016-AC
DRAFT Title V Operation Permit Revision No. 0850001-017-AV
FPL Martin Power Plant - Martin County

The Department of Environmental Protection (permitting authority) gives notice of its intent to issue an Air Construction Permit and a Title V Air Operation Permit Revision to the Florida Power & Light Company for the Martin Power Plant, located in the western part of unincorporated Martin County, approximately seven miles north of Indiantown, on State Road 710. The applicant's name and address are: Mr. Craig Arcari, Plant Manager, Florida Power & Light Company, 700 Universe Boulevard, Juno Beach, FL 33408.

This facility consists of two oil and natural gas fired conventional steam electric generating stations (Units 1 and 2) and three natural gas fueled combined-cycle units (Units 3, 4, and 8). Combined Cycle Unit 8 is a nominal 1,150 megawatt (MW) unit that recently began operation. It consists of four combustion turbine/heat recovery steam generator (CT/HRSG) sets and a nominal 470 MW steam turbine electric generator (STG). Pollutants from Unit 8 are controlled by use of inherently clean natural gas, Dry Low NO_X/CO combustors, and selective catalytic reduction (SCR).

All physical construction related to Combined Cycle Unit 8 is complete and the unit is in operation. A Modification of the current Unit 8 Air Construction/PSD Permit will be issued that will allow excess emissions from individual CT/HRSG sets for a period of eight rather than six hours during future cold startups of the 470 MW STG. Such cold startups of a STG are infrequent and typically years apart for baseloaded combined cycle units.

The Draft Air Construction/PSD Permit Modification addresses a request by FP&L to allow annual testing of Units 3 and 4 to be conducted at 90 to 100 percent of capacity rather than 95 to 100 percent. The request is consistent with the requirements in the original Air Construction/PSD Permit for Units 3 and 4. The Modification will also recognize a high power mode of operation known as power or steam augmentation. This is a feature included in the original design and actual construction of Units 3 and 4 within the permitted heat input and emission limits.

The DRAFT Title V Operation Permit Revision incorporates the conditions of the Unit 8 Air Construction/PSD Permit as well as the Draft Air Construction Permit Modification.

The Department will issue the Air Construction Permit Modification and the PROPOSED Title V Air Operation Permit Revision and subsequent FINAL Title V Air Operation Permit Revision, in accordance with the conditions of the Draft Air Construction Permit Modification and the DRAFT Title V Air Operation Permit Revision unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed Draft Air Construction Permit Modification issuance action for a period of 14 (fourteen) 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 Air Construction Permit, the Department shall issue a Revised Draft Air Construction Permit and require, if applicable, another Public Notice.

The Department will accept written comments concerning the DRAFT Title V Air Operation Permit Revision for a period of thirty (30) days from the date of publication of this Public Notice. Written comments must be post-marked and all facsimile comments must be received by the close of business (5:00 pm), on or before the end of this 30-day period, by the Department at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400 or facsimile (850/922-6979). As part of his or her comments, any person may also request that the Department hold a public meeting on this permitting action. If the Department determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location on the Department's official web site for notices at http://faw.dos.state.fl.us/ and in a newspaper of general circulation in the area affected by the permitting action. For additional information, contact the Department at the above address or phone number.

If written comments or comments received at a public meeting result in a significant change to the DRAFT Title V Air Operation Permit Revision, the Department shall issue a further revision of the DRAFT Title V Air Operation Permit Revision and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57 of the Florida Statutes (F.S.). The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000

NOTICE TO PUBLISH IN THE NEWSPAPER

(Telephone: 850/245-2242; Fax: 850/245-2303). Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., 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. Under Section 120.60(3), F.S., however, any person who asked the Department for notice of agency action may file a petition within 14 (fourteen) days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the applicable time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205 of the Florida Administrative Code (F.A.C.).

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

(a) The name and address of each agency affected and each agency's file or identification number, if known;

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

(c) A statement of how and when the petitioner received notice of the agency action or proposed action;

(d) A statement of all disputed issues of material fact. If there are none, the petition must so state;

(e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle petitioner to relief;

(f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and,

(g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

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

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice of intent. Persons whose substantial interests will be affected by any such final decision of the Department on the application(s) have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above. Mediation is not available for this proceeding.

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

A complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

Department of Environmental Protection
Bureau of Air Regulation
111 S. Magnolia Drive, Suite 4
Tallahassee, Florida 32399-2400
Telephone: 850/488-0114
Fax: 850/922-6979

Department of Environmental Protection
Southeast District Office
400 North Congress Avenue
West Palm Beach, FL 33416-5425
Telephone: 561/681-6600
Fax: 561/681-6790

The complete project file includes the Statement of Basis, Draft Permits, the application(s), and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Administrator, South Permitting Section, at the above address, or call 850/488-0114, for additional information.

NOTICE TO PUBLISH IN THE NEWSPAPER