



# Florida Department of Environmental Protection

Bob Martinez Center  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Charlie Crist  
Governor

Jeff Labrecque  
Deputy Governor

Abraham W. Wise  
Secretary

*Electronic Mail – Received Receipt Requested*

Mr. Cary W. Hamilton  
Plant Manager  
Suwannee River Power Plant  
Florida Power Corporation dba Progress Energy Florida, Inc. (PEF)  
4037 River Road  
Live Oak, Florida 32060

Re: Draft/Proposed Permit No. 1210003-007-AV  
Suwannee River Power Plant  
Title V Air Operation Permit Renewal

Dear Mr. Hamilton:

Enclosed is the draft/proposed permit package to renew the Title V air operation permit for the Suwannee River Power Plant. This facility is located South of Route 90 - Northwest of Live Oak in Suwannee County, Florida. The permit package includes the following documents:

- The Written Notice of Intent to Issue Title V Air Operation Permit provides important information regarding: the Permitting Authority's intent to issue an air permit for the proposed project; the requirements for publishing a Public Notice of the Permitting Authority's intent to issue an air permit; the procedures for submitting comments on the draft/proposed permit; the process for filing a petition for an administrative hearing; and, the availability of mediation.
- The Public Notice of Intent to Issue Title V Air Operation Permit is the actual notice that you must have published in the legal advertisement section of a newspaper of general circulation in the area affected by this project. The Public Notice of Intent to Issue Title V Air Operation Permit must be published as soon as possible and the proof of publication must be provided to the Department within seven days of the date of publication.
- The Statement of Basis, which summarizes the facility, the equipment, the primary rule applicability, and the changes since the last Title V air operation permit.
- The draft/proposed Title V air operation permit renewal, which includes the specific permit conditions that regulate the emissions units covered by the proposed project.
- **In order to ensure that the Title V air operation permit (including the Title IV Acid Rain Part) is effective January 1, 2010, the Public Notice needs to be published as soon as you receive this document.**

Please submit any written comments you wish to have considered concerning the permitting authority's proposed action to Mr. Jonathan K. Holtom, P.E., Program Administrator, Title V Section, at the above letterhead address. If you have any questions, please contact Mr. Scott M. Sheplak, P.E., by telephone at 850/921-9532 or by email at [Scott.Sheplak@dep.state.fl.us](mailto:Scott.Sheplak@dep.state.fl.us).

Sincerely,

Trina Vielhauer, Chief  
Bureau of Air Regulation

10/22/09

Date

Enclosures  
TLV/jkh/sms

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## WRITTEN NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT

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*In the Matter of an  
Application for Title V Air Operation Permit by:*

Florida Power Corporation  
dba Progress Energy Florida, Inc. (PEF)  
4037 River Road  
Live Oak, Florida 32060

Draft/Proposed Permit No. 1210003-007-AV  
Facility ID No. 1210003  
Suwannee River Power Plant  
Title V Air Operation Permit Renewal  
Suwannee County, Florida

*Responsible Official:*

Mr. Cary W. Hamilton, Plant Manager

**Facility Location:** Florida Power Corporation dba Progress Energy Florida, Inc. (PEF) operates the existing Suwannee River Power Plant, which is located South of Route 90 - Northwest of Live Oak in Suwannee County, Florida.

**Project:** The purpose of this project is to renew Title V air operation permit No. 1210003-005-AV. Details of the project are provided in the application and the enclosed Statement of Basis.

**Permitting Authority:** Applications for Title V air operation permits for facilities that contain acid rain units are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, 62-213 and 62-214 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and a Title V air operation permit is required to operate the facility. The Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination for this project. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, Tallahassee, Florida. The Permitting Authority's mailing address is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/488-0114.

**Project File:** A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at the address indicated above for the Permitting Authority. The complete project file includes the draft/proposed permit, the Statement of Basis, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may view the draft/proposed permit by visiting the following web site: <http://www.dep.state.fl.us/air/emission/apds/default.asp> and entering the permit number shown above. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address or phone number listed above.

**Notice of Intent to Issue Permit:** The Permitting Authority gives notice of its intent to issue a Title V air operation permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of the proposed equipment will not adversely impact air quality and that the project 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. The Permitting Authority will issue a final permit in accordance with the conditions of the draft/proposed permit unless a response received in accordance with the following procedures results in a different decision or a significant change of terms or conditions.

**Public Notice:** Pursuant to Section 403.815, F.S. and Rules 62-110.106 and 62-210.350, F.A.C., you (the applicant) are required to publish at your own expense the enclosed Public Notice of Intent to Issue Air Permit (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 by this project. The newspaper used must meet 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 Permitting Authority at the above address or phone number. Pursuant to Rule 62-110.106(5) and (9), F.A.C., the applicant shall provide proof of publication to the Permitting Authority at the above address within 7 days of publication. Failure to publish the notice and provide proof of publication may result in the denial of the permit pursuant to Rule 62-

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## WRITTEN NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT

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110.106(11), F.A.C.

**Comments:** The Permitting Authority will accept written comments concerning the draft/proposed Title V air operation permit for a period of 30 days from the date of publication of the Public Notice. Written comments must be received by the close of business (5:00 p.m.), on or before the end of this 30-day period by the Permitting Authority at the above address. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location in the Florida Administrative Weekly (FAW). If a public meeting is requested within the 30-day comment period and conducted by the Permitting Authority, any oral and written comments received during the public meeting will also be considered by the Permitting Authority. If timely received written comments or comments received at a public meeting result in a significant change to the draft/proposed permit, the Permitting Authority shall issue a revised draft/proposed permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection. For additional information, contact the Permitting Authority at the above address or phone number.

**Petitions:** 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 with (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by the applicant or any of the parties listed below must be filed within 14 days of receipt of this Written Notice of Intent to Issue Air Permit. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the attached Public Notice or within 14 days of receipt of this Written Notice of Intent to Issue Air Permit, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority for notice of agency action may file a petition within 14 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 (in a proceeding initiated by another party) will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Permitting Authority's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file 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 when and how each petitioner received notice of the agency action or proposed decision; (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, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action including an explanation of how the alleged facts relate to the specific rules or statutes; and, (g) A statement of the relief sought by the petitioner, stating precisely the action the 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 Permitting Authority's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Permitting Authority's final action may be different from the position taken by it in this Written

**WRITTEN NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT**

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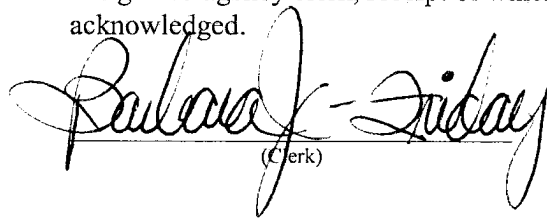
**CERTIFICATE OF SERVICE**

The undersigned duly designated deputy agency clerk hereby certifies that this Written Notice of Intent to Issue Title V Air Operation Permit package (including the Public Notice, the Statement of Basis, and the Draft/Proposed Permit), or a link to these documents available electronically on a publicly accessible server, was sent by electronic mail with received receipt requested before the close of business on 10/23/09 to the persons listed below.

Mr. Cary W. Hamilton, Plant Manager, PEF: [cary.hamilton@pgnmail.com](mailto:cary.hamilton@pgnmail.com)  
Ms. Brenda E. Brickhouse, Director-EH&S, PEF: [brenda.brickhouse@pgnmail.com](mailto:brenda.brickhouse@pgnmail.com)  
Ms. Patricia Q. West, Manager-Environmental Services, PEF: [patricia.west@pgnmail.com](mailto:patricia.west@pgnmail.com)  
Mr. Chris Bradley, PEF: [chris.bradley@pgnmail.com](mailto:chris.bradley@pgnmail.com)  
Mr. Thomas W. Davis, P.E., ECT: [tdavis@ectinc.com](mailto:tdavis@ectinc.com)  
Mr. Chris Kirts, P.E., DEP NED: [christopher.kirts@dep.state.fl.us](mailto:christopher.kirts@dep.state.fl.us)  
Ms. Katy R. Forney, U.S. EPA Region 4: [forney.kathleen@epa.epa.gov](mailto:forney.kathleen@epa.epa.gov)  
Ms. Ana Oquendo-Vazquez, U.S. EPA Region 4: [oquendo.ana@epa.gov](mailto:oquendo.ana@epa.gov)  
Ms. Barbara Friday, DEP BAR: [barbara friday@dep.state.fl.us](mailto:barbara friday@dep.state.fl.us) (for posting with U.S. EPA, Region 4)  
Ms. Victoria Gibson, DEP BAR: [victoria.gibson@dep.state.fl.us](mailto:victoria.gibson@dep.state.fl.us) (for reading file)

Clerk Stamp

**FILED 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.

 Friday 10/23/09  
(Clerk) (Date)