

**Scearce, Lynn**

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**From:** Scearce, Lynn  
**Sent:** Wednesday, October 05, 2011 11:17 AM  
**To:** 'mary.archer@fpl.com'  
**Cc:** Anderson, Lennon; Cascio, Tom; Holtom, Jonathan; Mulkey, Cindy; Friday, Barbara; Scearce, Lynn  
**Subject:** 0250003-017-AC, Turkey Power Point, Notice of an Exemption  
**Attachments:** 0250003-017-AC, Turkey Power Point, Exemption, signature page.pdf

Dear Ms. Archer:

Attached is the official **Notice of an Exemption** for the project referenced below. Click on the link displayed below to access the permit project documents and send a "reply" message verifying receipt of the document(s) provided in the link; this may be done by selecting "Reply" on the menu bar of your e-mail software, noting that you can view the documents, and then selecting "Send".

*Note: We must receive verification that you are able to access the documents. Your immediate reply will preclude subsequent e-mail transmissions to verify accessibility of the document(s).*

Owner/Company Name: FLORIDA POWER and LIGHT (PTF)  
Facility Name: TURKEY POINT POWER PLANT  
Project Number: 0250003-017-AC  
Permit Status: FINAL  
Permit Activity: CONSTRUCTION  
Facility County: MIAMI-DADE

Click on the following link to access the permit project documents:  
[http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf\\_permit\\_zip\\_files/0250003.017.AC.F\\_pdf.zip](http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf_permit_zip_files/0250003.017.AC.F_pdf.zip)

The Office of Permitting and Compliance is issuing electronic documents for permits, notices and other correspondence in lieu of hard copies through the United States Postal System, to provide greater service to the applicant and the engineering community. Access these documents by clicking on the link provided above, or search for other project documents using the "Air Permit Documents Search" website at <http://www.dep.state.fl.us/air/emission/apds/default.asp>.

Permit project documents addressed in this email may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible, and verify that they are accessible. Please advise this office of any changes to your e-mail address or that of the Engineer-of-Record. If you have any problems opening the documents or would like further information, please contact the Florida Department of Environmental Protection, Office of Permitting and Compliance.

Note: The attached document is in Adobe Portable Document Format (pdf). Adobe Acrobat Reader can be downloaded for free at the following internet site: <<http://www.adobe.com/products/acrobat/readstep.html>> .

Regards,  
**Lynn Scearce**  
Office of Permitting and Compliance (OPC)  
Division of Air Resources Management  
850-717-9025



# Florida Department of Environmental Protection

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

Rick Scott  
Governor

Jennifer Carroll  
Lt. Governor

Herschel T. Vinyard Jr.  
Secretary

October 4, 2011

*Sent by Electronic Mail – Received Receipt Requested*

Ms. Mary J. Archer, Program Manager  
Florida Power & Light Company (FPL)  
700 Universe Boulevard  
Juno Beach, Florida 33408

Re: Exemption from the Requirement to Obtain an Air Construction Permit  
Florida Power & Light Company, Turkey Point Nuclear Plant  
Project No. 0250003-017-AC  
Temporary Diesel Equipment

Dear Ms. Archer:

On September 27, 2011, FPL submitted a request to evaluate the need to permit the deployment of six Diesel powered engines as temporary equipment to support the pending extended power uprate of the facility. The expected duration of use ranges from one month to eighteen months. The Department has determined that the project qualifies for exemption under Rule 62-4, F.A.C. The existing Turkey Point Nuclear Plant is located in Miami-Dade County, 10 miles east of Florida City on SW 344<sup>th</sup> Street, in Florida City, Florida. All of the equipment is classified as non-road and portable. It is expected that the equipment will be moved around the site as needed. See attached chart for a description.

**Determination:** A complete review of this project is summarized in the attached Technical Evaluation. Pursuant to Rule 62.4.040(1)(b) of the Florida Administrative Code (F.A.C.) and for the reasons stated in the Technical Evaluation, the Division of Air Resource Management determines that the activity will not emit air pollutants, "... in sufficient quantity, with respect to its character, quality or content, and the circumstances surrounding its location, use and operation, as to contribute significantly to the pollution problems within the State, so that the regulation thereof is not reasonably justified." Therefore, the project is exempt from the requirement to obtain an air construction permit. This determination may be revoked if the proposed activity is substantially modified or the basis for the exemption is determined to be materially incorrect. A copy of this letter shall be maintained at the site of the proposed activity. This permitting decision is made pursuant to Chapter 403, Florida Statutes.

**Permitting Authority:** Applications for air construction permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210 and 62-212, F.A.C. The Permitting Authority responsible for making a permit determination for this project is the Office of Permitting and Compliance in the Department of Environmental Protection's Division of Air Resource Management. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, Tallahassee, Florida 32301. The Permitting Authority's mailing address is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/717-9000.

**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

## EXEMPTION FROM AIR CONSTRUCTION PERMITTING

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information set forth below and must be filed with (received by) the 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 must be filed within 21 days of receipt of this exemption from air permitting requirements. 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 state; (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 permitting action. Persons whose substantial interests will be affected by any such final decision of the Permitting Authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.


**Mediation:** Mediation is not available in this proceeding.

**Effective Date:** This permitting decision is final and effective on the date filed with the clerk of the Permitting Authority 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 pursuant to Rule 62-110.106, F.A.C., and the petition conforms to the content requirements of Rules 28-106.201 and 28-106.301, F.A.C. Upon timely filing of a petition or a request for extension of time, this action will not be effective until further order of the Permitting Authority.

**Judicial Review:** Any party to this permitting decision (order) has the right to seek judicial review of it under Section 120.68, F.S., by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department of Environmental Protection in the Office of General Counsel, Mail Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The notice must be filed within 30 days after this order is filed with the clerk of the Department.

EXEMPTION FROM AIR CONSTRUCTION PERMITTING

Executed in Tallahassee, Florida.



Jeffery F. Koerner, Program Administrator  
Office of Permitting and Compliance  
Division of Air Resource Management

JFK/jkh/tbc

**CERTIFICATE OF SERVICE**

The undersigned duly designated deputy agency clerk hereby certifies that this Exemption from Air Construction Permitting was sent by electronic mail, or a link to these documents made available electronically on a publicly accessible server, with received receipt requested before the close of business on 10-5-11 to the persons listed below.

Ms. Mary Archer, FPL: [mary.archer@fpl.com](mailto:mary.archer@fpl.com)

Mr. Lennon Anderson, P.E., Southeast District Office: [lennon.anderson@dep.state.fl.us](mailto:lennon.anderson@dep.state.fl.us)

Ms. Lynn Searce, DEP OPC: [lynn.searce@dep.state.fl.us](mailto:lynn.searce@dep.state.fl.us) (for reading file)

Ms. Cindy Mulkey, DEP Siting Office: [cindy.mulkey@dep.state.fl.us](mailto:cindy.mulkey@dep.state.fl.us)

Ms. Mallika Muthia, Dade County: [muthim@miamidade.gov](mailto:muthim@miamidade.gov)

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.



(Clerk)

October 5, 2011  
(Date)

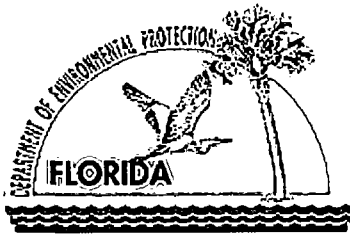
## CONDITIONS OF EXEMPTION

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Subject to the following provisions and restrictions, FPL is authorized to deploy temporary Diesel engine equipment for the purpose of assisting in uprate construction at the Turkey Point Nuclear Plant in accordance with the following condition.

- FPL will notify the Department and the Miami-Dade County Department of Environmental Resources Management prior to the delivery of the various temporary equipment needed for the facility uprate, and upon their removal from the site.

ID	Project	Type of Equipment	Engine Type	Location	Rated HP	Cylinder Displacement	Manufacture Date	Year Spec's Printed	Fuel Type		Fuel Capacity/ Tank Size	Fuel Consumption		Total Fuel (estimated)/ Re-fueling Method	Status (portable, etc.)	On site Date	Duration on site/use	Description of work	Hydraulic Sump gal	Emission Regulation Certification	Equipment location during outage
	EPU	Engine and tank	Detroit Diesel GM 12V-71T		493	12 cylinder; 852 cu.in (14.0 L), bore/stroke 4-1/4" x 5" inch	1970		Diesel	750	750 Gallons; Separate tank	10 Gal/Hr	20000	20,000 gallons; tanker truck	Non-road, Portable	12/15/11	9 months	Tower Crane U3 Ramp	120 gallons		Will be moved around the site to different locations as needed
	EPU	Engine and tank	Kubota Diesel Engine (small) V3800DI-T		99	4 cylinder; 230 cu.in (3.769L) bore/stroke 3.94" x 4.72" inch		2006	Diesel	12.5	12.5 Gallons; attached tank	1.5 Gal/Hr	4000	4,000 gallons; fuel skid (barrel pump)	Non-road, portable	09/01/11	9 months	U3 Dome Crane (Palfinger Hydraulics)	150 gallons	Tier 3/Stage IIIA	Will be moved around the site to different locations as needed
	EPU	Engine and tank	Kubota Diesel Engine (small) V3800DI-T		99	4 cylinder; 230 cu.in (3.769L) bore/stroke 3.94" x 4.72" inch		2006	Diesel	12.5	12.5 Gallons; attached tank	1.5 Gal/Hr	8000	8,000 gallons; fuel skid (barrel pump)	Non-road, portable	09/01/11	18 months	U4 Dome Crane (Palfinger Hydraulics)	150 gallons	Tier 3/Stage IIIA	Will be moved around the site to different locations as needed
	EPU	Engine and tank	Cat 3516C Diesel Engine 1 of 3		2200	16 cylinder; 4,210 cu.in, bore/stroke 6.7" x 7.5" inch		2010	Diesel	1250	1250 Gallons; attached (inside trailer)	107 Gal/Hr	18000	18,000 gallons; tanker truck	Non-road, portable	06/10/12	1 month (in service for one week)	Loop Test Generator (U1/2 New Warehouse )	N/A	Tier 2 (certified 2006)	equipment can be moved around the site to different locations
	EPU	Engine and tank	Cat 3516C Diesel Engine 2 of 3		2200	16 cylinder; 4,210 cu.in, bore/stroke 6.7" x 7.5" inch		2010	Diesel	1250	1250 Gallons; attached (inside trailer)	107 Gal/Hr	18000	18,000 gallons; tanker truck	Non-road, portable	06/10/12	1 month (in service for one week)	Loop Test Generator (U1/2 New Warehouse )	N/A	Tier 2 (certified 2006)	equipment can be moved around the site to different locations
	EPU	Engine and tank	Cat 3516C Diesel Engine 3 of 3 (spare)		2200	16 cylinder; 4,210 cu.in, bore/stroke 6.7" x 7.5" inch		2010	Diesel	1250	1250 Gallons; attached (inside trailer)	107 Gal/Hr	18000	18,000 gallons; tanker truck	Non-road, portable	06/10/12	1 month (in service for one week)	Loop Test Generator (U1/2 New Warehouse )	N/A	Tier 2 (certified 2006)	equipment can be moved around the site to different locations



## **TECHNICAL EVALUATION**

### **APPLICANT**

Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach, Florida 33408

Turkey Point Nuclear Plant  
Facility ID No. 0250003

### **PROJECT**

Project No. 0250003-017-AC  
Determination of Need for Air Construction Permit  
Temporary Diesel Equipment

### **COUNTY**

Miami-Dade County, Florida

### **PERMITTING AUTHORITY**

Florida Department of Environmental Protection  
Division of Air Resource Management  
Office of Permitting and Compliance  
Power Plant Group  
2600 Blair Stone Road, MS #5505  
Tallahassee, Florida 32399-2400

October 3, 2011

# TECHNICAL EVALUATION

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## 1. GENERAL PROJECT INFORMATION

### Air Pollution Regulations

Projects at stationary sources with the potential to emit air pollution are subject to the applicable environmental laws specified in Section 403 of the Florida Statutes (F.S.). The statutes authorize the Department of Environmental Protection (Department) to establish regulations regarding air quality as part of the Florida Administrative Code (F.A.C.), which includes the following applicable chapters: 62-4 (Permits); 62-204 (Air Pollution Control – General Provisions); 62-210 (Stationary Sources – General Requirements); 62-212 (Stationary Sources – Preconstruction Review); 62-213 (Operation Permits for Major Sources of Air Pollution); 62-296 (Stationary Sources - Emission Standards); and 62-297 (Stationary Sources – Emissions Monitoring). Specifically, air construction permits are required pursuant to Rules 62-4, 62-210 and 62-212, F.A.C.

In addition, the U. S. Environmental Protection Agency (EPA) establishes air quality regulations in Title 40 of the Code of Federal Regulations (CFR). Part 60 specifies New Source Performance Standards (NSPS) for numerous industrial categories. Part 61 specifies National Emission Standards for Hazardous Air Pollutants (NESHAP) based on specific pollutants. Part 63 specifies NESHAP based on the Maximum Achievable Control Technology (MACT) for numerous industrial categories. The Department adopts these federal regulations on a quarterly basis in Rule 62-204.800, F.A.C.

### Facility Description and Location

Turkey Point Nuclear Plant is an existing electrical generating power plant, which is categorized under Standard Industrial Classification Code No. 4911. The existing Turkey Point Nuclear Plant is located in Miami-Dade County, 10 miles east of Florida City on SW 344<sup>th</sup> Street, in Florida City, Florida. The UTM coordinates of the existing facility are Zone 17,567.2 km East, and 2813.2 km North. This site is in an area that is in attainment (or designated as unclassifiable) for all air pollutants subject to state and federal Ambient Air Quality Standards (AAQS).

### Facility Regulatory Categories

- The facility is a major source of hazardous air pollutants (HAP).
- The facility operates units subject to the acid rain provisions of the Clean Air Act.
- The facility is a Title V major source of air pollution in accordance with Chapter 213, F.A.C.
- The facility is a major stationary source in accordance with Rule 62-212.400, F.A.C. for the Prevention of Significant Deterioration (PSD) of Air Quality.

### Project Description

- On September 27, 2011, the Department received a request from FPL to evaluate the need for a construction permit to allow the deployment of six Diesel powered engines as temporary equipment to support the pending extended power uprate of the facility.

## 2. DEPARTMENT REVIEW

- The equipment will be deployed on a temporary basis only. The engines' status is non-road and portable. The expected duration of use ranges from one month to eighteen months. The Department has determined that the project qualifies for exemption under Rule 62-4, F.A.C.

## 3. CONCLUSION

Pursuant to Rule 62.4.040(1)(b) of the Florida Administrative Code (F.A.C.) and for the reasons previously stated, the Office of Permitting and Compliance in the Division of Air Resource Management determines that the activity will not emit air pollutants, "... in sufficient quantity, with respect to its character, quality or content, and the circumstances surrounding its location, use and operation, as to contribute significantly to the pollution problems



## TECHNICAL EVALUATION

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within the State, so that the regulation thereof is not reasonably justified.” Therefore, the project is exempt from the requirement to obtain an air construction permit. This determination may be revoked if the proposed activity is substantially modified or the basis for the exemption is determined to be materially incorrect. Dr. Tom Cascio is the project engineer responsible for reviewing the application and drafting the permit. Additional details of this analysis may be obtained by contacting the project engineer at the Department’s Bureau of Air Regulation at Mail Station #5505, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

## Scearce, Lynn

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**From:** Archer, Mary [Mary.Archer@fpl.com]  
**Sent:** Wednesday, October 05, 2011 11:32 AM  
**To:** Scearce, Lynn  
**Cc:** Anderson, Lennon; Cascio, Tom; Holtom, Jonathan; Mulkey, Cindy; Friday, Barbara  
**Subject:** RE: 0250003-017-AC, Turkey Power Point, Notice of an Exemption

Dear Ms. Scearce,

I can view all of the documents.

Thank you, Mary

Mary J. Archer, QEP  
Project Manager  
FPL Environmental Services  
office: 561-691-7057  
Cell: 561-758-3760

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**From:** Scearce, Lynn [mailto:Lynn.Scearce@dep.state.fl.us]  
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Facility Name: TURKEY POINT POWER PLANT  
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Regards,

**Lynn Searce**

Office of Permitting and Compliance (OPC)

Division of Air Resources Management

850-717-9025

*Please take a few minutes to share your comments on the service you received from the department by clicking on this link. [DEP Customer Survey](#).*