



Jeb Bush
Governor

Department of Environmental Protection

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

Colleen M. Castille
Secretary

July 5, 2005

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Michael P. Opalinski, Vice President of Technical Services
Seminole Electric Cooperative, Inc.
16313 North Dale Mabry Highway
Tampa, Florida 33688-2000

Re: Payne Creek Generating Station
Project No. 0490340-004-AC / PSD-FL 214C
Modification of Permit No. PSD-FL-214A, Unit's 1 and 2 Excess Emissions Conditions

Dear Mr. Opalinski:

On November 2, 2004, the Department received your request to make several changes to the PSD air construction permit 214A for Unit's 1 and 2. Based on your application, the Department makes the following determinations and modifies this permit accordingly.

MODIFICATION OF PERMIT NO. PSD-FL-214A (UNIT'S 1 AND 2)

Applicant Request: For a day with a cold startup, the applicant requests up to 6 hours of excess emissions from any Combustion Turbine (CT)/Heat Recovery Steam Generator (HRSG) units. Similarly, the applicant requests 2 hours of excess emissions per startup event and no more than three startup events in any 24-hour period from any CT/HRSG units resulting from a hot and warm startups. Additionally, applicant requests 2 hours of excess emissions per shutdown event and no more than three shutdown events in any 24-hour period from any CT/HRSG units.

Determination: The request is approved provided the applicant meets the following three provisions:

- NOx excess emissions data shall not be excluded from the annual NOx emissions cap. This is necessary to maintain an enforceable emissions cap.
- The permittee shall submit quarterly reports that identify the amount of NOx emission data excluded from compliance determination with the short-term limit due to startups, shutdowns, documented malfunctions and fuel switches.
- Excess emissions greater than 6 hours in any 24-hour period shall be reported to the Department's Southwest District Office within 24 hours.

Accordingly, the following revisions of Permit No. PSD-FL-214A will be made.

Revise Condition No. B.4 as follows:

"Excess emissions from a turbine resulting from startup, shutdown, malfunction, fuel switch or load change shall be reported in accordance with 40 CFR 60.334(c) and accepted providing (1) best operational practices to minimize emissions are adhered to and (2) 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 a longer duration~~ except for the following specific cases:

- a. For cold startups, excess emissions from any CT/heat recovery steam generator (HRSG) unit shall not exceed six hours in any 24-hour period. "Cold startup" is defined as a startup following a CT/HRSG shutdown of 48 hours or more.

"More Protection, Less Process"

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- b. For hot and warm startups, excess emissions from any CT/HRSG unit shall not exceed two hours per startup event, and no more than three startup events in any 24-hour period. "Hot and warm startup" is defined as a startup following a CT/HRSG shutdown of less than 48 hours.
- c. For shutdowns, excess emissions from any CT/HRSG unit shall not exceed two hours per shutdown event, and no more than three shutdown events in any 24-hour period.

All quality-assured hourly NOx emissions data shall be used when demonstrating compliance with the emissions cap. When monitoring data is not available, substitution for missing data shall be handled as required by Title IV (40 CFR 75).

New Condition Nos. E.5, E.6 and E.7 are added as follows:

- 5. The permittee shall notify the Department's Southwest District Office by telephone, facsimile transmittal or electronic mail within 24 hours if the NOx excess emissions exceed six hours in any 24-hour period.
[Applicant Request]
- 6. The permittee shall include the NOx excess emissions data in determining compliance with the annual facility-wide emission cap of 906 tpy.
[Rule 62-4.070(3), F.A.C.]
- 7. Quarterly NOx Monitoring Report. Within 30 days following each calendar quarter, the permittee shall submit a report to the Department's Southwest District Office that summarizes the following information for the quarter.
 - a. Identify the hours of NOx emission data excluded from compliance determination with the short-term limit due to each of the following: startups, shutdowns, documented malfunctions and fuel switches.
 - b. For each malfunction, identify the: date; approximate time range; duration (hours) of the malfunction; NOx emission levels during the malfunction; problem and cause of the problem (if known); and corrective action taken (if any).
 - c. Identify the hours of NOx monitoring system down time due to each of the following: monitor malfunctions; non-monitor malfunctions; quality assurance calibrations; other known causes; and unknown causes. Identify the monitor availability.
[Rules 62-4.070(3), 62-4.130, 62-4.160(14)(b), and Rule 62-210.700(6), F.A.C.]

Details of the Department's review are available in the Technical Evaluation and Preliminary Determination that accompanied the Draft Permit modification package. This permit modification is issued pursuant to Chapter 403 of the Florida Statutes. Attached are copies of air construction permit No. PSD-FL-214A. A copy of this letter shall be filed with the referenced permit and shall become part of the permit.

Any party to this order (permit modification) has the right to seek judicial review of it under Section 120.68 of the Florida Statutes by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department of Environmental Protection in the Office of General Counsel, 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 thirty (30) days after this order is filed with the clerk of the Department.

Sincerely,



Michael G. Cooke, Director
Division of Air Resource Management

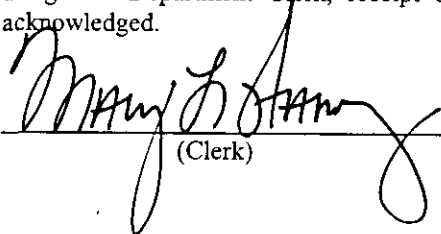
CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Notice of Final Permit Modification was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on 7/5/05 to the persons listed:

Mr. Michael P. Opalinski, Seminole Electric Cooperative, Inc.*
Mr. Tom Davis, P.E., Environmental Consulting & Technology, Inc.
Mr. Joel Smolen, DEP-SWD
Mr. Gregg Worley, EPA Region 4

Clerk Stamp

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


(Clerk)

7/5/05
(Date)