

PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT

Florida Department of Environmental Protection
Division of Air Resource Management, Office of Permitting and Compliance
Draft Permit No. 1270009-027-AC, Air Construction Permit
Florida Power and Light Company (FPL)
Sanford Power Plant
Volusia County, Florida

Applicant: The applicant for this project is Florida Power and Light Company (FPL). The applicant's responsible official and mailing address are: Mr. Mike Lunday, Plant General Manager, Florida Power and Light Company (FPL), Sanford Power Plant, 950 South Highway 17-92, DeBary, Florida 32713.

Facility Location: The applicant owns and operates the existing Sanford Power Plant, which is located in Volusia County at 950 South Highway 17-92 in DeBary, Florida.

Project: FPL operates the existing Sanford Power Plant, which is an electric utility. This existing facility consists of 8 combined-cycle combustion turbines, designated as Units 4A, 4B, 4C, 4D, 5A, 5B, 5C and 5D. Also included at this facility are miscellaneous insignificant emissions units and/or activities.

The applicant applied on May 4, 2016, to the Department for a minor source air construction permit. The minor source air construction permit is for improving the performance of the existing General Electric (GE) Model MS7241FA (7FA.04) combustion turbines (CTs) associated with Units 4A, 4B, 4C, 4D, 5A, 5B, 5C and 5D {emission unit identification numbers 005 - 012, respectively} at the Sanford Power Plant with GE 7FA.05 and dry low-NO_x (DLN) 2.6+ components. The resulting performance is referred to as a "7FA.05 hybrid CT."

Any increases in annual emissions will be less than the respective significant emission rates (SER) established in Rule 62-210.200, Florida Administrative Code (F.A.C.). A review for the Prevention of Significant Deterioration (PSD) and a new Best Available Control Technology (BACT) determination were not required pursuant to Rule 62-212.400, F.A.C. However, since the increase in nitrogen oxides (NO_x) emissions is close to its respective SER, in accordance with Rule 62-212.300(1)(e), F.A.C., monitoring, reporting and recordkeeping is required for NO_x emissions for a period of 10 years using the existing continuous emissions monitoring systems to ensure that PSD is not triggered.

There may or may not be a small increase in short-term mass emission rates of NO_x as a result of the project. To determine if an increase occurred, emissions before and after the project for Units 4A-D and/or 5A-D will be compared in accordance with 40 Code of Federal Regulation, Part 60 (40 CFR 60), Appendix C - Determination of Emission Rate Change. If a short-term mass emission rate increase occurs, then Units 4A-D and/or 5A-D will then be subject to the requirements of 40 CFR 60, Subpart KKKK - Standards of Performance for Stationary Combustion Turbines.

Further details of the project are provided in the application and the Technical Evaluation & Preliminary Determination.

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 of the Florida Administrative Code (F.A.C.).

The proposed project is not exempt from air permitting requirements. The Office of Permitting and Compliance is the Permitting Authority responsible for making a permit determination for this project. The Permitting Authority's physical address and mailing address is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/717-9000.

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 air construction permit, the Technical Evaluation & Preliminary Determination, and 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 air construction permit by visiting the following web site: <http://www.dep.state.fl.us/air/emission/apds/default.asp>

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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 Air Permit: The Permitting Authority gives notice of its intent to issue a draft air construction permit for the project described above. The applicant has provided reasonable assurance that operation of the existing 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 air construction permit unless a response received in accordance with the following procedures results in a different decision or a significant change of terms or conditions.

Comments: The Permitting Authority will accept written comments concerning the draft air construction permit for a period of 14 days from the date of publication of the Public Notice. Written comments must be received by the Permitting Authority by close of business (5:00 p.m.) on or before the end of this 14-day period. If written comments received result in a significant change to the draft air construction permit, the Permitting Authority shall revise the draft air construction 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 at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. 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 Public Notice or receipt of a written notice, 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. A petition for administrative hearing must contain the information set forth below and must be filed (received) with 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, Agency_Clerk@dep.state.fl.us, before the deadline. 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, any email address, telephone number, and any facsimile number of the petitioner; the name, address, any email address, telephone number, and any facsimile 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 the 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.

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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 Public Notice of Intent to Issue Air Permit. 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 for this proceeding.