



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

SEP 16 1999

4APT-ARB

Howard L. Rhodes, Director
Air Resources Management Division
Florida Department of Environmental Protection
Mail Station 5500
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

SUBJ: EPA's Review of Proposed Title V Permit
Florida Power Corporation
Bartow Power Plant
Permit No. 1030011-002-AV

Dear Mr. Rhodes:

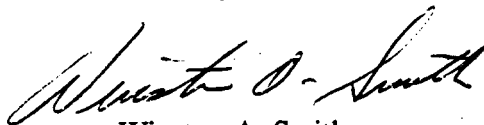
The purpose of this letter is to provide comments to the Florida Department of Environmental Protection (DEP) on the proposed title V operating permit for Florida Power Corporation, Bartow Power Plant, which was posted on DEP's web site on August 3, 1999. Based on the Environmental Protection Agency's (EPA's) review of the proposed permit and the supporting information for this facility, EPA formally objects, under the authority of Section 505(b) of the Clean Air Act (the Act) and 40 C.F.R. § 70.8(c) (see also Florida Regulation 62-213.450), to the issuance of the title V permit for this facility. The basis of EPA's objection is that the permit does not ensure compliance with the applicable requirements of 40 C.F.R. § 70.6(a)(1).

Section 70.8(c) requires EPA to object to the issuance of a proposed permit in writing within 45 days of receipt of the proposed permit (and all necessary supporting information) if EPA determines that the permit is not in compliance with the applicable requirements under the Act or 40 C.F.R. Part 70. Section 70.8(c)(4) and Section 505(c) of the Act further provide that if the State fails to revise and resubmit a proposed permit within 90 days to satisfy the objection, the authority to issue or deny the permit passes to EPA and EPA will act accordingly. Because the objection issues must be fully addressed within the 90 days, we suggest that the revised permit be submitted in advance in order that any outstanding issues may be addressed prior to the expiration of the 90-day period.

Pursuant to 40 C.F.R. § 70.8(c), this letter and its enclosure contain a detailed explanation of the objection issues and the changes necessary to make the permit consistent with the requirements of 40 C.F.R. Part 70. The enclosure also contains general comments applicable to the permit.

If you have any questions or wish to discuss this further, please contact Mr. Gregg Worley, Chief, Operating Source Section at (404) 562-9141. Should your staff need additional information they may contact Ms. Elizabeth Bartlett, Florida Title V Contact, at (404) 562-9122, or Ms. Angelia Souder-Blackwell, Associate Regional Counsel, at (404) 562-9527.

Sincerely,



Winston A. Smith
Director
Air, Pesticides & Toxics
Management Division

Enclosure

cc: Mr. W. Jeffrey Pardue, Director
Environmental Services Dept.
Florida Power Corporation

Enclosure

U.S. EPA Region 4 Objection Proposed Part 70 Operating Permit Florida Power Corporation Bartow Power Plant Permit no. 1030011-002-AV

I. EPA Objection Issues

1. Emissions Limitations - The statement of basis indicates that each emission unit is subject to a particulate matter emissions limit of 0.1 lb/MMBtu, and this limit is effectively equivalent to 0.149 lb/MMBtu due to rounding. This is also stated for conditions of soot blowing, where the particulate matter emission limit of 0.3 lb/MMBtu would be equivalent to 0.349 lb/MMBtu. However, these statements are incorrect. A measured emission rate of 0.149 lb/MMBtu actually rounds to 0.15 lb/MMBtu rather than 0.1 lb/MMBtu, which is in excess of the emission limit, and therefore not allowable¹.

Part 70 authorizes EPA to object "to issuance of any proposed permit determined by the Administrator not to be in compliance with applicable requirements or requirements under [part 70]." See 40 C.F.R. § 70.8(c)(1). We are objecting to the statement in the statement of basis indicating that the permit's 0.1 lb/MMBtu particulate limit is "effectively equivalent to 0.149 lb/mmbtu because of rounding." This represents an improper and incorrect statement of the legal and factual basis for the permit's 0.1 lb/MMBtu particulate limit, and therefore issuance of the proposed permit with this statement of basis does not comply with the requirement of part 70 at 40 C.F.R. § 70.7(a)(5). Moreover, emission levels of 0.149 lb/MMBtu will not assure compliance with the 0.1 lb/MMBtu particulate limit. Accordingly, issuance of the proposed permit with this statement of basis would not assure compliance with the applicable requirement represented by the 0.1 lb/MMBtu particulate limit.

¹ According to the June 6, 1990 memorandum "Performance Test Calculation Guidelines", issued by William G. Laxton, Director of the Technical Support Division, OAQPS, and John S. Seitz, Director of the Stationary Source Compliance Division, OAQPS, when calculating and reporting emission rates and concentrations in determining compliance with the new source performance standards (NSPS) and national emission standards for hazardous pollutants (NESHAP), as well as state implementation plans (SIP's), all emission standards should be considered to have at least two significant figures (SF's), but no more than three. Therefore, since the 0.1 lb/MMBtu emission limit for particulate matter comes from the Florida state SIP, it should be considered to have two SF's. In this case, the emission limit effectively becomes 0.10 lb/MMBtu. In order to comply with the emission limit of 0.1 lb/MMBtu, the highest allowable measured emission rate (measured to four SF's) is 0.1049 lb/MMBtu.

The statement of basis justifies use of rounding based on "the agreement of March 10, 1998, between EPA, Region 4 and the Department to resolve an objection on this specific issue." However, EPA's March 16, 1998, response to FDEP's March 10, 1998, letter specifically requested that language on rounding be removed from the statement of basis for five Florida Power and Light permits "in order to avoid misinterpretation." As a result, all references to rounding must be removed from the statement of basis.

Future permit determinations should provide justification for allowing annual particulate matter stack testing based on past compliance with emission limits and the potential for variability of emissions based on review of historical data. Periodic monitoring should be based on a case-by-case evaluation of emissions data rather than on a "bright line" test of whether average emissions exceed fifty percent of a "rounded" emission limit.

2. Appropriate Averaging Times - The particulate matter emission limits in conditions A.7 and A.8 do not contain averaging times. Because the stringency of emission limits is a function of both magnitude and averaging time, appropriate averaging times must be added to the permit in order for the limits to be practicably enforceable. An approach that may be used to address this deficiency is to include a general condition in the permit stating that the averaging times for all specified emission standards are tied to or based on the run time of the test method(s) used for determining compliance.

II. General Comments

3. General Comment - The title page of the permit specifies that this permit determination is both a proposed title V permit and a draft construction permit. The statement of basis and the permit should both identify which conditions are part of the draft construction permit, and/or which units are subject to the construction permit.
4. CAM Applicability - The Unit No. 1 discussions in the statement of basis and in Section III, Subsection A on page 6 of the permit, state that "the provisions of 40 CFR 64 do not apply [40 CFR 64.2(b)(ii)]." While the electrostatic precipitator for Unit No. 1 may not meet the applicability requirement for CAM specified under 40 C.F.R. § 64.2(a)(2), Region 4 believes that CAM should not be referenced in the permit until a formal applicability determination has been made through the title V permit renewal process. Furthermore, reference to CAM is not necessary to support the claim that particulate and opacity limits can be met without use of the ESP.

5. Statement of Basis - The discussions for units 1 through 3 provide justification for annual testing of particulate matter based on five years of data showing emissions at less than half of the allowable limit. Review of the permit application indicates that FPC petitioned for annual particulate testing in accordance with the provisions of 62-296.405(1)(a) F.A.C. so that they would be allowed a visible emissions limit of 40 percent with annual, rather than quarterly, particulate testing. The statement of basis should be modified to reflect the allowance of annual particulate testing with a 40 percent VE in accordance with the SIP and supporting orders issued by FDEP.
6. Compliance Certification - Facility-wide Condition 11 of the permit should specifically reference the required components of Appendix TV-3, item 51, which lists the compliance certification requirements of 40 C.F.R. 70.6(c)(5)(iii), to ensure that complete certification information is submitted to EPA.
7. Minimum Sample Volume for Particulate Testing - Condition A.20. specifies a minimum sample volume of 30 dry standard cubic feet for particulate testing, in accordance with 62-296.405(e)2. F.A.C. of the SIP. Condition A.26.(b) specifies a minimum sample volume of 25 dscf, or other volume as required by rule. Since these permit conditions are contradictory, a permitting note should be added to Conditions A.26.(b) to clarify that the required sample volume is 30 dry standard cubic feet.
8. Record keeping - Conditions D.19 and D.20 address record keeping for the relocatable generators. The permit states that this generator will be operated at six different facilities, five of which are not covered under this permit. This emission unit should also be included in the permits for the other five facilities. Please clarify in the statement of basis whether or not this is the case. The above referenced permit conditions require the source to keep records for the hours of operation as well as the fuel oil sulfur content in order to demonstrate compliance with operational and emission limitations. However, the permit does not indicate whether the records will be transferred with the emission unit when it is moved to another facility, or if each facility will be responsible for maintaining their own records. The permit and/or statement of basis should specify how these records will be maintained and if record keeping activities must be coordinated among the facilities.
9. Acid Rain Requirements - Please note that the allowances allocated to the Bartow facility units 001 through 003, as indicated under Section IV, Condition A.2. of the proposed permit have been changed. This revision was published in the Federal Register on September 28, 1998 (Vol. 63 No. 187, pp 51706-51765). We recommend that the allowances that are indicated for these units be adjusted to reflect the revised allocation.