

July 12, 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
Suwannee River Facility
Permit No. 1210003-001-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, Suwannee River Facility, which was posted on DEP's web site on May 26, 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 fully meet the periodic monitoring requirements of 40 C.F.R. § 70.6(a)(3)(i), contains conditions which are unclear as to what the source must demonstrate compliance with, and is missing some requirements related to the Acid Rain conditions contained in the permit.

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. Gracy R. Danois, Florida Title V Contact, at (404) 562-9119, or Ms. Angelia Souder-Blackwell, Associate Regional Counsel, at (404) 562-9527.

Sincerely,

/s/

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

Enclosure

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

Mr. Scott Osbourn Sr.
Environmental Engineer
Florida Power Corporation

Enclosure

**U.S. EPA Region 4 Objection
Proposed Part 70 Operating Permit
Florida Power Corporation
Suwannee River Facility
Permit no. 1210003-001-AV**

I. EPA Objection Issues

1. Periodic Monitoring: The permit is not clear about the frequency of testing that the facility must follow to assure compliance with the particulate matter limit. Condition A.5 of the permit requires the facility to conduct annual particulate matter testing. However, conditions A.27 and A.29 establish that the facility will conduct testing once a year if fuel oil is burned for more than 400 hours, and that no testing is required otherwise. The permit must be clear about which one of these conditions the facility must follow to demonstrate compliance with the particulate matter limit.
2. Appropriate Averaging Times: In order for the emissions standard for particulate matter to be practicably enforceable, the appropriate averaging time must be specified in the permit. An approach that can be used to address this deficiency is to include general language in the permit to indicate 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.
3. Periodic Monitoring: Condition A.34 has been identified as "not-Federally enforceable." However, the condition contains documentation, record keeping, and notification requirements for used oil which originate from 40 C.F.R. Parts 279 and 761. Since those conditions are federal requirements, they are automatically federally enforceable. Additionally, conditions A.11, A.30, and A.35 contain operational limitations for using used oil and reporting requirements that are identified as federally enforceable. Since the permit contains a federally enforceable limit and reporting requirement for the use of used oil, the method of establishing compliance with the limit and reporting requirement must also be federally enforceable. Therefore, the recordkeeping required by condition A.34 is federally enforceable.
4. Periodic Monitoring: Condition B.6 limits the operation of the units to 1500 hours per year per unit. The permit must specify that the facility is required to maintain records of the hours of operation of the units.
5. Emission Limits: Conditions B.7, B.8, B.10, and B.12 contain equivalent emissions for the NO_x, SO₂, and PM limits. It is not clear whether the facility is required to

demonstrate compliance with these equivalent emissions and what the basis for these limits are. For example, we were only able to locate PSD permit modification FL-014(A), which modified the limit for SO₂ and it does not include the equivalent emissions for SO₂ that are listed in the permit. Please clarify these conditions of the permit.

6. Acid Rain: The following language regarding Acid Rain Program requirements in title V is not addressed in the Acid Rain Part of the permit and does not appear to be included in elsewhere in the body of the proposed permit: sections 70.6(a)(1)(ii) and 70.6(a)(4)(i). These conditions must be added to the proposed title V permit for this source.

II. General Comments

7. Section II, condition 1: Please make sure that Appendix TV-2 reflects the updated version of condition 51, as it is contained in Appendix TV-3.
8. Section II, condition 10: Please correct the telephone and fax number for the Air Enforcement Section. The correct telephone and fax numbers are 404/562-9155 and 404/562-9163, respectively.