



Florida Department of Environmental Protection

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2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Jonathan P. Steverson
Secretary

Via U.S. Mail and Electronic Mail

November 22, 2016

Mrs. Heather McTeer Toney
Regional Administrator
U.S. Environmental Protection Agency (EPA) – Region 4
61 Forsyth Street SW – Mail Code: 9T25
Atlanta, GA 30303-8909

Re: Proposed Revision to Florida's State Implementation Plan – Response to EPA's Startup, Shutdown, and Malfunction SIP Call; Revisions to Florida's Excess Emissions SIP Rule

Dear Mrs. Toney:

In accordance with 40 C.F.R. 51.103, the Florida Department of Environmental Protection (Department) requests approval of a proposed revision to Florida's State Implementation Plan (SIP) in response to EPA's June 12, 2015 Startup, Shutdown, and Malfunction (SSM) SIP Call (80 Fed. Reg. 33,840).

The complete SIP submittal package (hard copy and electronic copy) has been sent directly to the Air Planning Branch for EPA Region 4. The electronic copy is in a searchable format and is an exact duplicate of the hard copy. The notice of opportunity to submit comments, request a public hearing, or participate in a public hearing, if requested, regarding the proposed SIP revision was published on October 13, 2016, in the Florida Administrative Register. Two comments were received, one from EPA and the other from the Florida Electric Power Coordinating Group, Inc. No hearing was requested; therefore, the hearing scheduled for November 16, 2016, was cancelled. I hereby certify that the public participation requirements of all applicable state and federal regulations, including those of 40 C.F.R. 51.102, have been satisfied with respect to this proposed SIP revision.

This SIP submittal consists of revisions to Florida's "Excess Emissions" rule. Specifically, Florida is proposing to remove subsections 62-210.700(1), (2), and (4), F.A.C., as applied to both category-specific SIP limits found in Chapter 62-296, F.A.C., and source-specific permit limits that have been expressly incorporated into Florida's SIP. Effective May 22, 2018, subsections 62-210.700(1), (2), and (4), F.A.C., will no longer be applicable to SIP-based emission limits. In addition, subsections 62-210.700(1), (2), and (4), F.A.C., will no longer be applicable to limits established through new PSD and NSR permits issued by the Department after the effective date of the rule revision (October 23, 2016).

Mrs. Heather McTeer Toney

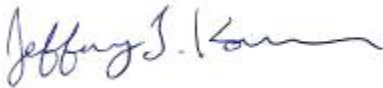
November 22, 2016

Page 2 of 2

Please note that although the Department is complying with EPA's SSM SIP Call, the Department does not agree with EPA's conclusion that Florida's existing SIP is "substantially inadequate." Florida's air program and SIP have worked effectively for decades to reduce emissions and improve air quality for the state's citizens and visitors, and the provisions of Rule 62-210.700, F.A.C., have been an element of Florida's SIP during this time. As you are aware, state petitioners have challenged the legality of EPA's SSM SIP Call, and the Department will evaluate whether any further revisions to Florida's Excess Emissions rule are necessary after litigation concludes.

If you have any questions about this proposed SIP revision, please contact me at (850) 717-9000 or by email at Jeff.Koerner@dep.state.fl.us.

Sincerely,

A handwritten signature in blue ink that reads "Jeff Koerner". The signature is fluid and cursive, with the first name "Jeff" and last name "Koerner" clearly legible.

Jeff Koerner, Interim Director
Division of Air Resource Management

JK/pm

cc (with SIP package): R. Scott Davis, Chief, Air Planning Branch, EPA Region 4