



Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Charlie Crist
Governor

Jeff Kottkamp
H. Governor

Michael W. Sole
Secretary

June 8, 2010

Sent by Electronic Mail – Received Receipt Requested

Mr. Frank Busot, Director
H.L. Culbreath Bayside Power Station (Bayside Power Station)
Tampa Electric Company
P.O. Box 111
Tampa, Florida 33601-0111

Re: Bayside Power Station
Project No. 0570040-028-AC (PSD-FL-301D), Draft Air Construction Permit Revision
Project No. 0570040-029-AV, Draft/Proposed Title V Air Operation Permit Revision
Concurrent Projects with Parallel EPA Review

Dear Mr. Busot:

Enclosed is a draft/proposed permit package for the existing Bayside Power Plant, which is located in Hillsborough County at 3602 Port Sutton Road in Tampa, Florida. This project incorporates the air construction permit requirements for the newly constructed aero-derivative simple cycle units into revised Title V air operation Permit No. 0570040-029-AV. It also revises existing permit conditions related to excess emissions and corrects and clarifies some reporting requirements. Some of the changes required revisions to underlying air construction permits, which are made in Permit No. 0570040-028-AC being concurrently processed with the Title V permit. The Title V air operation permit revision is being processed as both a draft and proposed permit package for parallel review by the Environmental Protection Agency.

The permit package includes the following documents: Written Notice of Intent to Issue Air Permits (combined); Public Notice of Intent to Issue Air Permits (combined); Technical Evaluation and Preliminary Determination; Draft Air Construction Permit Revision; Statement of Basis; and Draft/Proposed Title V Air Operation Permit Revision with Appendices. If you have any questions, please contact the project engineer, Jeff Koerner, at 850/921-9536.

Sincerely,

Trina Vielhauser, Chief
Bureau of Air Regulation

For

Enclosures

TLV/jfk

WRITTEN NOTICE OF INTENT TO ISSUE AIR PERMITS

*In the Matter of an
Application for Air Permits by:*

Tampa Electric Company
P.O. Box 111
Tampa, Florida 33601-0111

Authorized Representative:
Frank Busot, Director
Bayside Power Station

Project No. 0570040-028-AC (PSD-FL-301D)
Draft Air Construction Permit Revision
Project No. 0570040-029-AV
Draft/Proposed Title V Air Permit Revision
Concurrent Projects with Parallel EPA Review
Bayside Power Station
Miscellaneous Revisions, Excess Emissions
Hillsborough County, Florida

Facility Location: The existing Bayside Power Station is located in Hillsborough County at 3602 Port Sutton Road in Tampa, Florida.

Project: This project incorporates the air construction permit requirements for the newly constructed aero-derivative simple cycle units into revised Title V air operation Permit No. 0570040-029-AV. It also revises existing permit conditions related to excess emissions and corrects and clarifies some reporting requirements. Some of the changes required revisions to underlying air construction permits, which are made in Permit No. 0570040-028-AC being concurrently processed with the Title V permit. The changes do not result in significant net emissions increases and the project is not subject to preconstruction review for the Prevention of Significant Deterioration (PSD) of Air Quality. The Title V air operation permit revision is being processed as both a draft and proposed permit package for parallel review by the Environmental Protection Agency. A detailed review of the projects is provided in the attached Technical Evaluation and Preliminary Determination and the Statement of Basis.

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.). Applications for Title V air operation permits are subject to review in accordance with the provisions of Chapter 403, F.S. and Chapters 62-4, 62-210, 62-212, 62-213 and 62-214, F.A.C. The projects are not exempt from the permitting procedures for air construction or Title V air operation permits. The Florida Department of Environmental Protection's Bureau of Air Regulation is the Permitting Authority responsible for making the permit determinations for this project. The Bureau of Air Regulation's physical address is 111 South Magnolia Drive, Suite 4, Tallahassee, Florida and the mailing address is 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Bureau of Air Regulation's phone number is 850/488-0114.

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 physical address indicated above for the Permitting Authority. The complete project file includes the Draft/Proposed Permits, the Technical Evaluation and Preliminary Determination, the Statement of Basis, the application and information submitted by the applicant (exclusive of confidential records under Section 403.111, F.S.). Interested persons may contact the Permitting Authority's project engineer for additional information at the address and phone number listed above. In addition, electronic copies of these documents are available on the following web site:
<http://www.dep.state.fl.us/air/emission/apds/default.asp>.

Notice of Intent to Air Issue Permits with Parallel Review by EPA: The Permitting Authority gives notice of its intent to issue a Draft Air Construction Permit Revision and a concurrent Draft/Proposed Title V Air Operation Permit Revision for the projects described above. The applicant has provided reasonable assurance that operation of the facility will not adversely impact air quality and that the project will comply with all applicable 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 final permits in accordance with the conditions of the Draft/Proposed Permits

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unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

Public Notice: Pursuant to Section 403.815, F.S. and Rules 62-110.106 and 62-210.350, F.A.C., you (the applicant) are required to publish at your own expense the enclosed Public Notice of Intent to Issue Air Permits (Public Notice). The Public Notice shall be published one time only as soon as possible in the legal advertisement section of a newspaper of general circulation in the area affected by this project. The newspaper used must meet the requirements of Sections 50.011 and 50.031, F.S. in the county where the activity is to take place. If you are uncertain that a newspaper meets these requirements, please contact the Permitting Authority at the address or phone number listed above. Pursuant to Rule 62-110.106(5) and (9), F.A.C., the applicant shall provide proof of publication to the Permitting Authority at the above address within 7 days of publication. Failure to publish the notice and provide proof of publication may result in the denial of the permit pursuant to Rule 62-110.106(11), F.A.C.

Comments: For a period of 30 days from the date of publication of the Public Notice, the Permitting Authority will accept written comments and requests for a public meeting concerning the Draft Air Construction Permit Revision and the Draft Title V Air Operation Permit Revision. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date and location in the Florida Administrative Weekly. Written comments must be received by the appropriate Permitting Authority by close of business (5:00 p.m.) on or before the end of this 30-day period. In addition, if a public meeting is requested within the 30-day comment period and conducted by the Permitting Authority, any oral and written comments received during the public meeting will also be considered by the Permitting Authority. If timely received comments result in a significant change to a Draft Permit, the Permitting Authority shall revise the Draft Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

Petitions: A person whose substantial interests are affected by the proposed permitting decisions 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, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/245-2241; Fax: 850/245-2303). Petitions filed by the applicant or any of the parties listed below must be filed within 14 days of receipt of this Written Notice of Intent to Issue Air Permits. 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 attached Public Notice or within 14 days of receipt of this Written Notice of Intent to Issue Air Permits, 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. 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 (Project No.), if known; (b) The name, address, and telephone number of the petitioner; the name, address and telephone 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 each petitioner received notice of the

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agency action or proposed decision; (d) A statement of all disputed issues of material fact; (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.

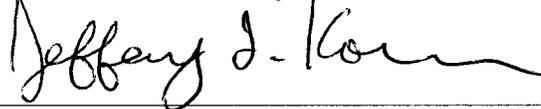
Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Permitting Authority's final action may be different from the position taken by it in this Written Notice of Intent to Issue Air Permits. Persons whose substantial interests 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 in this proceeding.

EPA Review: The EPA has agreed to treat the Draft Title V Air Operation Permit Revision as a Proposed Title V Air Operation Permit Revision and to perform its 45-day review provided by the law and regulations concurrently with the public comment period (parallel review). Although EPA's 45-day review period will be performed concurrently with the public comment period, the deadline for submitting a citizen petition to object to the EPA Administrator will be determined as if EPA's 45-day review period is performed after the public comment period has ended. The Final Title V Air Operation Permit will be issued after the conclusion of the 45-day EPA review period so long as no adverse comments are received that result in a different decision or significant change of terms or conditions. The status regarding EPA's 45-day review of this project and the deadline for submitting a citizen petition can be found at the following website address: <http://www.epa.gov/region4/air/permits/Florida.htm>.

Objections: Finally, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 days of the expiration of the Administrator's 45-day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to issuance of any Title V Air Operation Permit. Any petition shall be based only on objections to the Title V Air Operation Permit that were raised with reasonable specificity during the 30 (thirty) day public comment period provided in this notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any Title V Air Operation Permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460. For more information regarding objections, visit EPA's Region 4 web site at: <http://epa.gov/region4/air/permits/Florida.htm>.

Executed in Tallahassee, Florida.



Trina Vielhauer, Chief
Bureau of Air Regulation

FOR

WRITTEN NOTICE OF INTENT TO ISSUE AIR PERMITS

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Written Notice of Intent to Issue Air Permits package (including the Written Notice of Intent to Issue Air Permits, the Public Notice of Intent to Issue Air Permits, the Technical Evaluation and Preliminary Determination, the Draft Air Construction Permit Revision, the Statement of Basis, and the Draft/Proposed Title V Air Operation Permit Revision with Appendices) was sent by electronic mail (or a link to these documents made available electronically on a publicly accessible server) with received receipt requested before the close of business on 6/9/10 to the persons listed below.

- Mr. Frank Busot, TECO, Director, Bayside Power Plant (flbusot@tecoenergy.com)
Mr. Byron Burrows, TECO, Manager-Air Programs, P.E. (btburrows@tecoenergy.com)
Ms. Laurie Pence, TECO, Environmental Specialist (lapence@tecoenergy.com)
Ms. Cindy Zhang-Torres, DEP SWD Office (cindy.zhang-torres@dep.state.fl.us)
Ms. Dianna Lee, Hillsborough County EPC (lee@epchc.org)
Mr. Mike Halpin, DEP Siting Office (mike.halpin@dep.state.fl.us)
Ms. Katy Forney, U.S. EPA Region 4 (forney.kathleen@epamail.epa.gov)
Ms. Ana Oquendo, U.S. EPA Region 4 (oquendo.ana@epamail.epa.gov)
Ms. Barbara Friday, DEP BAR for posting with U.S. EPA Region 4 (barbara.friday@dep.state.fl.us)
Ms. Victoria Gibson, DEP BAR Reading File (victoria.gibson@dep.state.fl.us)

Clerk Stamp

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to Section 120.52(7), Florida Statutes, with the designated agency clerk, receipt of which is hereby acknowledged.

Handwritten signature of Barbara Friday and date 6/9/10 with (Clerk) and (Date) labels.