



August 8, 1997

Ms. Kim Tober
Florida Department of Environmental Protection
2600 Blair Stone Rd.
Tallahassee, Florida 32399-2400

Dear Ms. Tober:

Re: FPC University of Florida Cogeneration Facility
Public Notice of Intent to Issue Draft Title V Air Permit

Enclosed please find the original public notice and notarized proof of publication regarding the Department's Intent to Issue a Draft Title V Permit for Florida Power Corporation's University of Florida Cogeneration facility. The legal notice ran on Thursday, July 24, 1997 in the Gainesville Sun.

If you should have any questions or require additional information, please do not hesitate to contact me at (813) 866-5158.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott H. Osbourn", is written over a horizontal line.

Scott H. Osbourn
Senior Environmental Engineer

Attachment

cc: Chris Kirts, NE District
Charles Logan, DEP
Ken Kosky, Golder Associates

8/13/97 *Charles Logan*

RECEIVED

AUG 13 1997

**BUREAU OF
AIR REGULATION**

STATE OF FLORIDA
COUNTY OF ALACHUA

Before the undersigned authority personally appeared Naomi Williams-Jordan
who on oath says that he/she is Assistant Classified Mgr. of THE GAINESVILLE SUN, a daily
newspaper published at Gainesville in Alachua County, Florida, that the attached copy of advertisement, being a
Notice of Intent
in the matter of
in the Court, was published in said newspaper in the issue of,
July 24, 1997

Affiant further says that the said THE GAINESVILLE SUN is a newspaper published at Gainesville, in said Alachua County, Florida, and that the said newspaper has heretofore been continuously published in said Alachua County, each day, and has been entered as second class mail matter at the post office in Gainesville, in said Alachua County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount for publication in the said newspaper.

Sworn to and subscribed before me this

28 day of July, 1997

Martha A. Cameron
(Seal) Notary Public



Naomi Williams-Jordan

**PUBLIC NOTICE OF
INTENT
TO ISSUE TITLE V
AIR OPERATION PERMIT**

STATE OF FLORIDA
DEPARTMENT OF ENVIRON-
MENTAL PROTECTION

Title V DRAFT Permit No.:
0010001-001-AV
University of Florida Cogener-
ation Plant
Alachua County

The Department of Environmen-
tal Protection (permitting
authority) gives notice of its
intent to issue a Title V air
operation permit to Florida
Power Corporation for the
University of Florida Cogener-
ation Plant located on Mowry
Road at Building 82, Univer-
sity of Florida Gainesville,
Alachua County. A case-by-
case Maximum Achievable
Control Technology (MACT)
determination was not
required in issuing this permit
action. The applicant's name
and address are: Florida
Power Corporation, 3201 34th
Street South, St. Petersburg,
Florida 33711.

The permitting authority will
issue the Title V PROPOSED
Permit, and subsequent Title
V FINAL Permit, in accord-
ance with the conditions of
the Title V DRAFT Permit,
unless a response received in
accordance with the follow-
ing procedures results in a
different decision or signifi-
cant change of terms or
conditions.

The permitting authority will
accept written comments
concerning the proposed Title
V DRAFT Permit for public
inspection for a period of 30 (thir-
ty) days from the date of pub-
lication of this Notice. Written
comments should be pro-
vided to the Department's
Bureau of Air Regulation,
2600 Blair Stone Road, Mail
Station #5505, Tallahassee,
Florida 32399-2400. Any writ-
ten comments filed shall be
made available for public
inspection. If written com-
ments received results in a
significant change in this
DRAFT Permit, the permitting
authority shall issue a
Revised DRAFT Permit and
require, if applicable, another
Public Notice.

The permitting authority will
issue the permit unless a
timely petition for an admin-
istrative hearing is filed pur-
suant to section 120.569 and
120.57, Florida Statutes (F.S.)
or a party requests mediation
as an alternative remedy
under Section 120.573, F.S.,
before the deadline for filing
a petition. Choosing media-
tion will not adversely affect
the right to a hearing if medi-
ation does not result in a set-
tlement. The procedures for
petitioning for a hearing are
set forth below, followed by
the procedures for requesting
mediation.

A person whose substantial
interests are affected by the
proposed permitting decision
may petition for an adminis-
trative 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
(received) in the Office of
General Counsel of the
Department of Environmen-
tal Protection, 390 Common-
wealth Boulevard, Mail Sta-
tion #35, Tallahassee, Florida
32399-3000. (Telephone:
904/488-9730; Fax: 904/487-
4938) Petitions must be filed
within 14 (fourteen) days of
publication of the public
notice or within 14 (fourteen)
days of receipt of the notice
of intent, whichever occurs
first. A petitioner must mail a
copy of the petition to the
applicant at the address indi-
cated above, at the time of fil-
ing. The failure of any person
to file a petition (or a request
for mediation, as discussed
below) within the applicable
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 partici-
pate as a party to it. Any sub-
sequent intervention will be
only at the approval of the
presiding officer upon the fil-
ing of a motion in compliance
with Rule 28.5.207 of the Flor-
ida Administrative Code.

A petition must contain the fol-
lowing information:

(a) The name, address, and tele-

phone number of each peti-
tioner, the applicant's name
and address, the Permit File
Number, and the county in
which the project is
proposed;

(b) A statement of how and
when each petitioner
received notice of the permit-
ting authority's action or pro-
posed action;

(c) A statement of how each
petitioner's substantial inter-
ests are affected by the per-
mitting authority's action or
proposed action;

(d) A statement of the material
facts disputed by the peti-
tioner, if any;

(e) A statement of the facts that
the petitioner contends war-
rant reversal or modification
of the permitting authority's
action or proposed action;

(f) A statement identifying the
rules or statutes that the peti-
tioner contends require rever-
sal or modification of the per-
mitting authority's action or
proposed action; and,

(g) A statement of the relief
sought by the petitioner, stat-
ing precisely the action that
the petitioner wants the per-
mitting authority to take with
respect to the action or pro-
posed action addressed in
this notice of intent.

Because the administrative
hearing process is designed
to formulate final agency
action, the filing of a peti-
tion shall be based only on

means that the permitting
authority's final action may be
different from the position
taken by it in this notice of
intent. Persons whose sub-
stantial 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 pro-
ceeding, in accordance with
the requirements set forth
above.

A request for mediation must
contain the following
information:

(a) The name, address, and tele-
phone number of the person
requesting mediation and that
person's representative, if
any;

(b) A statement of the prelimi-
nary agency action;

(c) A statement of the relief
sought; and,

(d) Either an explanation of how
the requester's substantial
interests will be affected by
the action or proposed action
addressed in this notice of
intent or a statement clearly
identifying the petition for
hearing that the requester has
already filed, and incorporat-
ing it by reference.

The agreement to mediate must
include the following:

(a) The names, addresses, and
telephone numbers of any
persons who may attend the
mediation;

(b) The name, address, and tele-
phone number of the medi-
ator selected by the parties, or
a provision for selecting a
mediator within a specified
time;

(c) The agreed allocation of the
costs and fees associated
with the mediation;

(d) The agreement of the parties
on the confidentiality of dis-
cussions and documents
introduced during mediation;

(e) The date, time, and place of
the first mediation session, or
a deadline for holding the first
session, if no mediator has
yet been chosen;

(f) The name of each party's rep-
resentative who shall have
authority to settle or recom-
mend settlement; and,

(g) The signatures of all parties
or their authorized
representatives.

As provided in Section 120.573,
F.S., the timely agreement of
all parties to mediate will toll
the limitations imposed by
Sections 120.569 and 120.57,
F.S., as requesting and hold-
ing an administrative hearing.

Unless otherwise agreed by
the parties, the mediation
must be concluded within 60
(sixty) days of the execution
of the agreement. If mediation
results in settlement of the
administrative dispute, the
Department of Environmental
Protection must enter an
order incorporating the agree-
ment of the parties in accord-
ance with the provisions of
Section 403.0872(7), F.S. If
mediation terminates without
settlement of the dispute, the
permitting authority shall
notify all parties in writing
that the administrative hear-
ing processes under Sections
120.569 and 120.57, F.S.
remain available for disposi-
tion of the dispute, and the
notice will specify the dead-
lines that then will apply for
challenging the agency action
and electing remedies under
those two statutes.

In addition to the above, pursu-
ant to 42 United States Code
(U.S.C.) Section 7661(b)(2),
any person may petition the
Administrator of the EPA
within 60 (sixty) days of the
expiration of the
Administrator's 45 (forty-five)
day review period as estab-
lished at 42 U.S.C. Section
7661d(b)(1), to object to issu-
ance of any permit. Any peti-
tion shall be based only on

objections to the permit that
were raised with reasonable
specificity during the 30 (thir-
ty) day public comment
period provided in this notice,
unless the petitioner demon-
strates to the Administrator of
the EPA that it was impracti-
cal to raise such objections
within the comment period or
unless the grounds for such
objection arose after the com-
ment period. Filing of a peti-
tion with the Administrator of
the EPA does not stay the
effective date of any 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 410 M. Street, SW,
Washington, D.C. 20460.

A complete project file is avail-
able for public inspection dur-
ing normal business hours,
8:00 a.m. to 5:00 p.m., Mon-
day through Friday, except
legal holidays, at:

Permitting Authority:
Department of Environmental
Protection
Bureau of Air Regulation
111 South Magnolia Drive,
Suite 4
Tallahassee, Florida 32301
Telephone: 904/488-1344
Fax: 904-922-6979.