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JAN 26 2009

BUREAU OF AIR REGULATION

January 23, 2009

Mr. Jonathan Holtom, P.E.
Title V Administrator
Bureau of Air Regulation
Department of Environmental Protection
Division of Air Resource Management
2600 Blair Stone Road MS 5505
Tallahassee, Florida 32399-2400

Re: Affidavit of Publication of Intent to Issue
BART Units 1 & 2 and SCR/Scrubbers 4 & 5
Draft Air Construction Permits Nos: 0170004-017-AC/0170004-019-AC
Crystal River Power Plant
Citrus County

Mr. Holtom:

Pursuant to Rule 62-210.350 of the Florida Administrative Code (F.A.C.), Progress Energy Florida, Inc. (PEF) has published the public notice of draft permit for the Levy Nuclear Project in the Levy County Journal. This notice of intent was published on January 14, 2009. Enclosed is an original notarized Affidavit of Publication of the public notice.

If you have any questions, please contact me at (727) 820-5962. In addition, thank you for your assistance in this matter.

Best regards,

A handwritten signature in cursive script that reads "Dave Meyer".

Dave Meyer, P.E.
Senior Environmental Specialist

Enclosure

Progress Energy Florida, Inc.
P.O. Box 14042
St. Petersburg, FL 33733

Proof of Publication
from the
CITRUS COUNTY CHRONICLE
Crystal River, Citrus County, Florida
PUBLISHED DAILY

STATE OF FLORIDA
COUNTY OF CITRUS

Before the undersigned authority personally appeared

Mary Ann Naczi

Of the Citrus County Chronicle, a newspaper published daily at Crystal River, in Citrus County, Florida, that the attached copy of advertisement being a public notice in the matter of the

751-0114 WCRN PUBLIC NOTICE PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT Florida Department of Environmental Protection Division of Air Resource Management, Bureau of Air Regulation Draft Air Construction Permit No. 0170004-017-AC Draft Construction Permi

Court, was published in said newspaper in the issues of
January 14th, 2009.

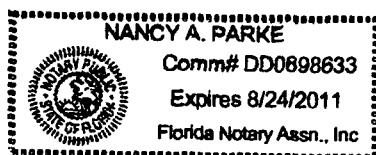
Affiant further says that the Citrus County Chronicle is a Newspaper published at Crystal River in said Citrus County, Florida, and that the said newspaper has heretofore been continuously published in Citrus County, Florida, each week and has been entered as second class mail matter at the post office in Inverness in said Citrus 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/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Mary Ann Naczi
The forgoing instrument was acknowledged before me

This 14th day of January 2009
By: Mary Ann Naczi

who is personally known to me and who did take an oath.

Nancy A. Parke
Notary Public



751-0114 WCRN
PUBLIC NOTICE

PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT

Florida Department of Environmental Protection
Division of Air Resource Management,
Bureau of Air Regulation
Draft Air Construction Permit No. 0170004-017-AC
Draft Construction Permit No. 0170004-019-0AC /
PSD-FL-383A
Progress Energy Florida, Crystal River Power Plant
Citrus County, Florida

Applicant: The applicant for this project is Progress Energy Florida. The applicant's authorized representative and mailing address is: Mr. Bernie Cumble, Plant Manager, Progress Energy Florida, Crystal River Power Plant, 100 Central Avenue CN 77, St. Petersburg, Florida 33701.

Facility and Location: The applicant, Progress Energy Florida, operates the existing Crystal River Power Plant, which is located in Citrus County on Power Line Road, West of U.S. Highway 19, in Crystal River, Florida. The facility is an existing coal-fired power plant, which is identified by Standard Industrial Classification code No. 4911.

BART Project: On January 31, 2007, Progress Energy Florida submitted an application to satisfy the requirements of Best Available Retrofit Technology (BART) in Rule 62-296.340, Florida Administrative Code (F.A.C.) for the existing Crystal River Power Plant. The purpose of the BART regulation is to improve visibility in the Class I areas, which include six national parks and federal wildlife areas in and around Florida. The BART provisions apply to emissions units built between 1962 and 1977 at one of the 26 specified industrial categories that have the potential to emit more than 250 tons per year of visibility-impairing pollutants, which only includes particulate matter for electric utilities subject to CAIR. Many of these units have not previously been subject to pollution control requirements under the Clean Air Act.

The BART regulation requires a control technology review to establish a BART standard, which is an emission limitation based on the degree of reduction achievable through the application of the best system of continuous emission reduction for each pollutant which is emitted by a BART-eligible source. The emission limitation must be established, on a case-by-case basis, taking into consideration the technology available, the costs of compliance, the energy and non-air quality environmental impacts of compliance, any pollution control equipment in use or in existence at the source, the remaining useful life of the source, and the degree of improvement in visibility which may reasonably be anticipated to result from the use of such technology. In addition, an air dispersion modeling analysis is conducted to evaluate the visibility impacts.

For the existing Crystal River Power Plant, the BART-eligible units are coal-fired Units 1 and 2. The Department of Environmental Protection (Department) reviewed the application and establishes BART emissions standards for particulate matter in the draft air construction permit as 0.04 lb/MMBtu. This limit will be a combined limit based on the weighted average of the heat inputs from Units 1 and 2. To meet this new limit, Progress energy will make upgrades to the ESP for Unit 2. In addition, Units 1 and 2 will cease to be operated as coal-fired units by December 31, 2020. This date assumes timely licensing, construction and commencement of commercial operation of PEF's proposed new nuclear units (Levy County Units 1 and 2). The shutdown (or repowering) of Units 1 and 2 coal-fired units is contingent upon completion of the first fuel cycle for Levy County Unit 2. PEF shall timely advise the Department of any developments that would delay the shutdown (or repowering) of Units 1 and 2 beyond the completion of the first fuel cycle for Levy County Unit 2.

Units 4 and 5 Pollution Controls Project Revisions: Subsequent to the issuance of permit No. 0170004-016-AC / PSD-FL-383, the Environmental Protection Agency revised the 8-hour ozone standard. Pursuant to the Department's authority under Rule 62-4.080, Florida Administrative Code, the Department is revising permit No. 0170004-016-AC / PSD-FL-383 to require the continuous operation of the scrubber and the selective catalytic reduction systems that were authorized to be built by that permit. In addition, the NOX limit is being reduced to reflect the emission reductions achievable by the required continuous operation of the new low-NOX burners and new SCR systems.

Permitting Authority: Applications for air construction permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and F.A.C. Chapters 62-4, 62-210, 62-212 and 62-296. The proposed projects are not exempt from air permitting requirements and air permits are required to perform the proposed work. The Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination for these projects. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite 44, Tallahassee, Florida. The Permitting Authority's mailing address is: 2600 Blair Stone Road, MS #505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/488-0114.

Project File: Complete project files are 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 address indicated above for the Permitting Authority. The complete project files include the Draft Permits, the Technical Evaluation and Preliminary Determinations, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Permitting Authority's project review 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/eproducts/apds/default.asp>.

Notice of Intent to Issue Air Permit: The Permitting Authority gives notice of its intent to issue air permits to the applicant for the projects described above. The applicant has provided reasonable assurance that operation of proposed equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296 and 62-297, F.A.C. The Permitting Authority will issue Final Permits in accordance with the conditions of the proposed Draft Permits 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.

Comments: The Permitting Authority will accept written comments concerning the proposed Draft BART Permit (project No. 0170004-017-AC) for a period of 30 days from the date of publication of the Public Notice. Written comments must be postmarked by the Permitting Authority by close of business (5:00 p.m.) on or before the end of this 30-day period. If written comments received result in a significant change to the 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.

The Permitting Authority will accept written comments concerning the Draft Permit for the pollution controls project revisions (project No. 0170004-019-AC) for a period of 14 days from the date of publication of the Public Notice. Written comments must be postmarked by the Permitting Authority by close of business (5:00 p.m.) on or before the end of this 14-day period. If written comments received result in a significant change to the 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 decision 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 at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by persons other than those entitled to written notice under Section 120.60(3), F.S. must be filed within 14 days of publication of this Public Notice or receipt of a written notice, 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, 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 rights will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency action or proposed decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so state; (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 Public Notice of Intent to Issue Air Permit. 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 for this proceeding.

Published one (1) time in the Citrus County Chronicle, Jan. 14, 2009.