



**Progress Energy**

11/13/06

**RECEIVED**

NOV 13 2006

November 9, 2006

BUREAU OF AIR REGULATION

Mr, Jonathan Holtom P.E.  
DEP/DARM  
North Permitting Section  
Division of Air Resource Management  
2600 Blair Stone Road MS 5500  
Tallahassee, Florida 32399-2400

Re: Crystal River Power Plant – Coal Yard Modifications – Affidavit of Publication

Dear Mr. Holtom:

In accordance with Ms. Trina Vielhauer's letter to Mr. Cumbie dated October 25, 2006, we have published the public notice in the Citrus County Chronicle on November 3, 2006.

Attached is the Affidavit of Publication.

If you have any questions, please contact me at (727) 820-5295. Thank you very much for processing the Construction permit.

Best Regards,

Dave Meyer  
Senior Environmental Specialist

XC: Bernie Cumbie

Attachment

# 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

Amanda O'Kelley

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

895-1103 FCRN PUBLIC NOTICE OF INTENT TO  
 ISSUE AIR PERMIT PUBLIC NOTICE PUBLIC NOTICE  
 OF INTENT TO CONCURRENTLY ISSUE AN AIR  
 CONSTRUCTION PERMIT & TITLE V AIR  
 OPERATION PERMIT REVISION STATE OF FLORIDA  
 DEPARTMENT OF ENVIRONMENTAL PROTECTION  
 Draft Air

Court, was published in said newspaper in the issues of  
November 3rd, 2006.

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.

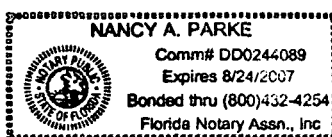
The foregoing instrument was acknowledged before me

This 3rd day of November, 2006

By: Amanda O'Kelley

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

*Nancy A. Parke*  
 Notary Public



895-1103 FCRN  
 PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT  
 PUBLIC NOTICE

PUBLIC NOTICE OF INTENT TO CONCURRENTLY ISSUE AN  
 AIR CONSTRUCTION PERMIT & TITLE V AIR OPERATION  
 PERMIT REVISION

STATE OF FLORIDA  
 DEPARTMENT OF ENVIRONMENTAL PROTECTION

Draft Air Construction Permit No. 0170004-014-AC  
 Draft Title V Operation Permit Revision No.:  
 0170004-015-AV

Florida Power Corporation dba Progress Energy, Florida  
 Inc. Crystal River Power Plant Citrus County

**Applicant:** The applicant for this project is Florida Power Corporation dba Progress Energy, Florida Inc. The applicant's responsible official is: Mr. Bernie M. Cumble, Manager, Crystal River Fossil Plant & Operations, Progress Energy Florida, Inc., 100 Central Avenue, CN77, St. Petersburg, Florida 33701.

**Facility Location:** Florida Power Corporation dba Progress Energy, Florida Inc. operates the existing Crystal River Power Plant, which is located North of Crystal River and West of U.S. 19 in Citrus County.

**Project:** The applicant, Florida Power Corporation dba Progress Energy, Florida Inc., applied on July 14, 2006 to the Department for an Air Construction Permit and a revised Title V air operation permit to replace the aging coal barge unloading equipment at the existing Crystal River Power Plant. The applicant did not request an increase in any of the current permitted allowable annual emission rates for any existing emissions unit. This revision process is also being used to replace the existing Appendix TV-4, Title V Conditions (version dated 02/12/02) with Appendix TV-6, Title V Conditions (version dated 06/23/06). These changes, as outlined in the Draft Title V Permit Revision, are the only portions of the Title V permit that are open for review and subject to Public Comment.

**Permitting Authority:** Applications for Permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, 62-213 and 62-214, Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and a Permit is required to operate the facility. The Department's Bureau of Air Regulation is the Permitting Authority responsible for making a Permit determination regarding this project. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301. The Permitting Authority's mailing address is: 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone 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 address indicated above for the Permitting Authority. The complete project file includes the DRAFT Permits, the Statement of Basis, 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, or may view the DRAFT Permit and file electronic comments by visiting the following website: <http://www.dep.state.fl.us/air/eproducts/ards/>. A copy of the complete project file is also available at:

**Permitting Authority:**  
 Department of Environmental Protection  
 Bureau of Air Regulation  
 111 South Magnolia Drive, Suite 4  
 Tallahassee, Florida 32301  
 Telephone: 850/488-0114  
 Fax: 850/921-9533

**Affected District:**  
 Department of Environmental Protection  
 Southwest District  
 13051 N. Telecom Parkway  
 Temple Terrace, FL 33637-0926  
 Telephone: 813/632-7600  
 Fax: 813-744-6456

**Notice of Intent to Issue An Air Permit:** The Permitting Authority gives notice of its intent to concurrently issue an Air Construction permit and a Title V Air Operation Permit Revision to the applicant for the project 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 appropriate 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 a PROPOSED Title V Air Operation Permit and subsequent FINAL Air Construction and Title V Air Operation Permits in accordance with the conditions of the DRAFT Permits unless a response received in accordance with the following procedures results in a different decision or a significant change of terms or conditions.

**Comments:** The Permitting Authority will accept written comments concerning the DRAFT Air Construction Permit for a period of fourteen (14) days from the date of

publication of this Public Notice and will accept comments concerning the DRAFT Title V Air Operator Permit for a period of thirty (30) days from the date of publication of this Public Notice. Written comments must be post-marked, and all e-mail or facsimile comments must be received by the close of business (5 pm), on or before the end of the 14-day or 30-day periods by the Permitting Authority at the above address, e-mail, or facsimile. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. 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 (<http://faw.dos.state.fl.us/>) and in a newspaper of general circulation in the area affected by the permitting action. For additional information, contact the Permitting Authority at the above address or phone number. If written comments or comments received at a public meeting result in a significant change to the DRAFT Permit, the Permitting Authority shall issue a Revised 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 any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within fourteen (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 fourteen (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 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 how and when the petitioner received notice of the agency action or proposed action; (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; 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. 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.

**Objections:** In addition to the above right to petition, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within sixty (60) days of the expiration of the Administrator's 45 (forty-five) day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to the issuance of any Permit. Any petition shall be based only on objections to the permit that were raised with reasonable specificity during the thirty (30) day public comment period provided in the Public 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 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 the EPA Region 4 web site at: [www.epa.gov/region4/air/permits](http://www.epa.gov/region4/air/permits)

Published one (1) time in the Citrus County Chronicle, November 3, 2006.