

AFFIDAVIT OF PUBLICATION
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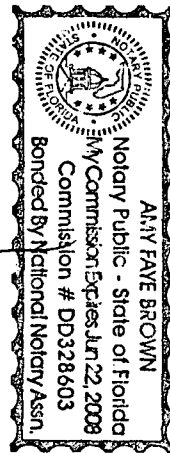
STATE OF FLORIDA,
COUNTY OF HARDEE

Before the undersigned authority personally appeared Ann Basey **BUREAU OF AIR REGULATION**
who on oath says he is the Secretary of The Herald-Advocate, a
newspaper published at Wauchula, in Hardee County, Florida; that the attached copy of advertise-
ment, being a Notice - Dept. of Environmental Protection
in the matter of Notice of Intent to Issue Air Permits
in the _____ Court, was published in said newspaper in the issues
of November 1, 2007

Affiant further says that the said Herald-Advocate is a newspaper published at Wauchula, in
said Hardee County, Florida, and that the said newspaper has heretofore been continuously published
in said Hardee County, Florida, each week and has been entered as second class mail matter at the
post office in Wauchula, in said Hardee County, Florida, for a period of one year next preceding the
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, rebate, commission or refund for the purpose
of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 1 day of November
A.D. 20 07

My Commission Expires June 22, 20 08



PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMITS

Florida Department of Environmental Protection
Notice of Intent to Issue Air Permits
EPA Parallel Review Package

Midulla Generating Station (formerly the Payne Creek Generating Station)
Draft/Proposed Permit No. 0490340-006-AV, Title V Air Permit Renewal
Draft Permit No. 0490340-008-AC, Air Construction Permit Revision

Applicant: The applicant for this project is the Seminole Electric Cooperative, Inc. for the Midulla
Generating Station. The applicant's responsible official is Mr. Michael Opalinski, V.P. of Technical
Services for Seminole Electric Cooperative, Inc. The applicant's mailing address is P.O. Box
272000, Tampa, Florida 33688-2000.

Facility Location: Seminole Electric Cooperative, Inc. operates the Midulla Generating Station,
which is an existing electrical generating plant located in Hardee County at 6695 County Road 663
in Bowling Green, Florida. This station was formerly known as the Payne Creek Generating Station.

Project: The main purpose of this project is to renew the Title V air operation permit. The existing
facility consists of two combined cycle combustion turbines (488 megawatts, total), ten simple
cycle combustion turbines (300 megawatts, total) and miscellaneous ancillary support equipment.
All units fire natural gas as the primary fuel and may fire low sulfur distillate oil as backup fuel. The
combined cycle units are base loaded units and the simple cycle combustion turbines are used
during peak periods of electrical power demand. The Title V permit is being issued as a
Draft/Proposed package for parallel review by the Environmental Protection Agency (EPA).

The project also includes a concurrent draft revision of Permit No. PSD-FL-214, which is the origi-
nal air construction permit for the two combined cycle units. Revisions include the following: spec-
ifying the low sulfur fuel specifications of natural gas and distillate oil as the surrogate emissions
standards for particulate matter and sulfur dioxide; removing allowances for additional nitrogen
oxide emissions due to fuel-bound nitrogen; and allowing use of the vendor's chromatograph data
to satisfy fuel sulfur monitoring for natural gas.

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 con-
struction or Title V air operation permits. The Florida Department of Environmental Protection's
Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination
for this project. The Bureau of Air Regulation's physical address is 111 South Magnolia Drive, Suite
4, Tallahassee, Florida 32301 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 address indi-
cated above for the Permitting Authority. The complete project file includes the Draft/Proposed
Permits, the Statement of Basis, the Technical Evaluation and Preliminary Determination, the appli-
cation, and the additional 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. The
Draft/Proposed permit documents can be viewed at <http://www.dep.state.fl.us/air/eproducts/apds/default.asp>.

Notice of Intent to Issue Permits with Parallel Review by EPA: The Permitting Authority gives notice of its intent to issue a Draft/Proposed Title V air operation permit renewal and a concurrent Draft Air Construction 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 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.

The EPA has agreed to treat the Draft Title V Permit as a Proposed Title V Permit 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>.

Comments on the Draft Air Construction Permit Revision: The Permitting Authority will accept written comments concerning the proposed Draft Air Construction Permit Revision for a period of 14 days from the date of publication of the Public Notice. Written comments received must be post-marked by the Permitting Authority at the above address by 5:00 p.m. on or before the end of the 14-day comment period. If written comments result in a significant change to the Draft Permit, the Permitting Authority will issue a revised Draft Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

Comments on the Draft/Proposed Title V Air Operation Permit Renewal: The Permitting Authority will accept written comments concerning the Draft/Proposed Title V Air Operation Permit for a period of 30 days from the date of publication of the Public Notice. Written comments received must be post-marked by the Permitting Authority at the above address by 5:00 p.m. on or before the end of the 30-day period. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on the Title V 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. Subsequent action on the Title V and Title IV parts of the renewal permit may be split if comments are received on the Title V portion of the draft/proposed permit. 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/Proposed Permit, the Permitting Authority will 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 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 Permit. 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 fourteen 14 days of receipt of this Written Notice of Intent to Issue Air Permit, 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 interests will be affected by the agency determination; (c) A statement of when and how each petitioner received notice of the 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.

Objections to the Draft/Proposed Title V Air Operation Permit: 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 permit. Any petition shall be based only on objections to the Title V 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 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>.