

Adams, Patty

From: Heron, Teresa
Sent: Wednesday, October 03, 2007 2:57 PM
To: Adams, Patty; Friday, Barbara
Subject: FW: Avon Park Power Plant - Public Notice - Proof of Publication
Attachments: Document.pdf

Public Notice

From: Meyer, Dave [mailto:Dave.Meyer@pgnmail.com]
Sent: Wednesday, October 03, 2007 12:56 PM
To: Heron, Teresa
Cc: sosbourn@golder.com; West, Patricia Q.
Subject: Avon Park Power Plant - Public Notice - Proof of Publication

Hi Teresa,

Once again I am having trouble obtaining the proof of publication statement from the newspaper for the public notice within the seven day period. I've attached a copy of a fax that I received from the Highlands Today... I am told that the original has been sent out, however, I have yet to receive the proof of publication.

I will forward on the proof of publication as soon as I receive it. In the meantime, I hope the attached will suffice. Please let me know if you have any concerns.

<<Document.pdf>>

Best Regards, Dave 727 820 5295

To Dave

HIGHLANDS TODAY & THE TAMPA TRIBUNE
Published Daily
Sebring, Highlands County, Florida

State of Florida)
County of Highlands) ss.

Before the undersigned authority personally appeared Tina Gottus, who on oath says that she is the Publisher of The Highlands Today, a daily newspaper published at Sebring in Highlands County, Florida; that the attached copy of advertisement being a

in the matter

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
TITLE V AIR OPERATION PERMIT RENEWAL
PROGRESS ENERGY - AVON PARK POWER PLANT
HIGHLANDS COUNTY

Published in THE HIGHLANDS TODAY in the issues of
SEPTEMBER 26, 2007

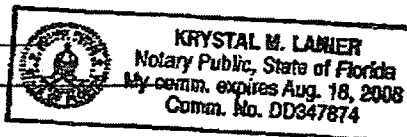
Affiant further says that the said The Tampa Tribune is a newspaper published at Sebring in said Highlands County, Florida, and that the said newspaper has heretofore been continuously published in said Highlands County, Florida, each day and has been entered as second class mail matter at the post office in Sebring, in said Highlands 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, this advertisement for publication in the said newspaper.

Tina Gottus

Tina Gottus, Publisher

Sworn to and subscribed by me, 3rd Day of October, 2007.

Personally Known or Product Identification
Type of Identification Produced



(SEAL) *Krystal M. Lanier*
Krystal M. Lanier

Legal Notices
STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Title V Air Operation Permit Renewal
DRAFT Permit No. 0000000-000-00-00
Progress Energy - Avon Park Power Plant
Highlands County
The application for this project is Progress Energy Florida, 2500 Central Park County Line, Avon Park, Florida 33840. The applicant is the owner of the facility. The facility is located at 1172 Memorial Drive, Avon Park, Highlands County.
The applicant submitted an application for a Title V Air Operation Permit Renewal. The facility consists of two gas turbine peaking units. Both units are permitted to fire No. 2 fuel oil or natural gas. Each turbine is 70,000 hp. The units began commercial service in 1965. These units are not subject to the Standard Air Pollution Control Stationary Gas Turbines and Air Cooled Steam Generating Units Regulations promulgated under Title V of the Federal Air Act. The units are subject to the Federal Air Act Title V program. The facility is a Title V unit that was removed and dismantled.
Permitting Authority: Applications for processing Title V Air Operation permits are subject to review and approval with the provisions of Chapter 400, Florida Statutes (F.S.) and Chapters 62-4, 62-210, 62-212 and 62-213 and 62-214 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from all permitting requirements and an air permit is required to operate the facility in the manner described by the Department of Environmental Protection Bureau of Air Regulation. The Permitting Authority is responsible for making a permit determination regarding the project. The Permitting Authority's physical address is: Florida Department of Environmental Protection, Bureau of Air Regulation, 111 South Magnolia Drive, Suite 8, Tallahassee, Florida 32301. The Permitting Authority's mailing address is: Florida Department of Environmental Protection, 2000 Bank Stone Road, Tallahassee, Florida 32309. The Permitting Authority's telephone number is 904/400-0111.
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 indicated above for the Permitting Authority. The complete project file includes the Draft Permit, the Statement of Basis, the application and the information submitted by the applicant, exclusive of confidential records under Section 400.011, 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 at the following email address: air@fldep.com. A copy of the project file is also available at the Florida Department of Environmental Protection South District Office, 225 Victoria Avenue, Suite 364, Fort Myers, Florida 33902. Telephone: 239/332-6977. Fax: 239/332-6969.
Notice of Intent to Issue a Permit: The Permitting Authority gives notice of its intent to issue a permit 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, 62-210, 62-212, 62-213, 62-214, 62-216, and 62-217 of the Florida Administrative Code (F.A.C.). The Permitting Authority will issue a DRAFT Permit and Statement of Basis to the applicant. The applicant has the right to request a public hearing on the DRAFT Permit unless a request is received in accordance with the following procedures: (a) a written request for a significant change of terms or conditions.
Comments: The Permitting Authority will accept written comments concerning the DRAFT Permit for a period of 17 (17) days from the date of publication of this Public Notice. Written comments must be post marked and addressed to the Permitting Authority and received by the close of business on the date of the public hearing.
Public Hearing: The Permitting Authority will hold a public hearing on this permit at the address and time indicated above. The hearing will be held on the date and time indicated above. The hearing will be held at the address and time indicated above. The hearing will be held at the address and time indicated above.
Mediation: Mediation is not available for this permit.
Objections: In addition to the above right to be heard, pursuant to 42 United States Code (U.S.C.) Title 42, Chapter 752, any person may petition the

Permitting Authority at the above address, or facilities. As part of his or her comments, person may also request that the Permitting Authority hold a public hearing on this permit, as if the Permitting Authority determines there is a clear interest for a public hearing. It will publish the time, date, and location of the Florida Administrative Code (F.A.C.) at <http://www.fldep.com> and in a newspaper of general circulation in the area affected by the permit, and additional information, contact the Permitting Authority at the above address by phone number. If no comments or objections received at a public hearing result in a significant change to the DRAFT Permit, the Permitting Authority shall issue a Re DRAFT Permit and require, if applicable, an Public Notice. All comments filed will be available for public inspection.
Petitions: A person whose substantial interest affected by the proposed permit decision 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. The petition must be filed with the Permitting Authority's Clerk of Environmental Protection at Department of Environmental Protection, 111 South Magnolia Drive, Suite 8, Tallahassee, Florida 32309. Petitions filed by persons other than those entitled to written notice under Section 120.603, F.S., must be filed within 14 (14) days of publication of this Public Notice or receipt of a written notice, whichever is first. Under Section 120.603, F.S., however, person who asked the Permitting Authority for a copy of agency action may file a petition within 14 (14) days of receipt of that notice, regardless of the date of publication. A petitioner shall file a copy of the petition to the applicant at the address indicated above, at the time of filing. The filer of any petition to file a petition within the approval period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, or to intervene in this proceeding and petition as a party to it. Any subsequent intervenor will be bound by the approval of the presiding officer upon the filing of a motion in compliance with 28-106.295, 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 state or local jurisdiction, including, if known, (b) 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 petitioner's substantial rights will be affected by agency determination; (c) A statement of how when the petitioner received notice of the agency action or proposed action; (d) A statement of all pertinent issues of material fact; if there are none, the petitioner must so state; (e) A concise statement of the material facts alleged, including the specific facts the petitioner contends warrant review or modification of the agency's proposed action; 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 specific rules or statutes; and, (f) 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 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 action may be different from the position taken by the Permitting Authority. Persons whose substantial interests will be affected by any such final decision of the Permitting Authority on the a petition 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 permit.
Objections: In addition to the above right to be heard, pursuant to 42 United States Code (U.S.C.) Title 42, Chapter 752, any person may petition the

Oct. 3, 2007 10:18AM

No. 7747