



**TAMPA ELECTRIC**

March 10, 1999

David M. Knowles, P.E.,  
District Air Program Administrator  
Florida Department of Environmental Protection  
Post Office Box 2549  
Fort Myers, Florida 33902-2549

**Via FedEx**  
**Airbill No. 809689265963**

**Re: Tampa Electric Company (TEC)**  
**J.H. Phillips Station**  
**DRAFT Title V Permit NO.: 0550018-001-AV**

Dear Mr. Knowles:

I have enclosed the Affidavit of Publication for the Sebring newspaper, The Tampa Tribune, as requested. This public notice was published on March 5<sup>th</sup>. If you have any questions, please feel free to telephone me at (813) 641-5125. Thank you.

Sincerely,

Shannon K. Todd  
Associate Engineer  
Environmental Planning

EPbj\SKT101

Enclosure

**RECEIVED**

**MAR 11 1999**

**D.E.P. - South District**

TAMPA ELECTRIC COMPANY  
P. O. BOX 111 TAMPA, FL 33601-0111

(813) 228-4111

AN EQUAL OPPORTUNITY COMPANY  
[HTTP://WWW.TECOENERGY.COM](http://www.tecoenergy.com)

CUSTOMER SERVICE:  
HILLSBOROUGH COUNTY (813) 223-0800  
OUTSIDE HILLSBOROUGH COUNTY 1 (888) 223-0800

THE TAMPA TRIBUNE  
Published Daily  
Tampa, Hillsborough County, Florida

State of Florida )  
County of Hillsborough ] ss.

Before the undersigned authority personally appeared J. Rosenthal, who on oath says that she is Classified Billing Manager of The Tampa Tribune, a daily newspaper published at Tampa in Hillsborough County, Florida; that the attached copy of advertisement being a

LEGAL NOTICE

in the matter of \_\_\_\_\_

PUBLIC NOTICE OF INTENT

was published in said newspaper in the issues of \_\_\_\_\_

MARCH 5, 1999

Affiant further says that the said The Tampa Tribune is a newspaper published at Tampa in said Hillsborough County, Florida, and that the said newspaper has heretofore been continuously published in said Hillsborough County, Florida, each day and has been entered as second class mail matter at the post office in Tampa, in said Hillsborough County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, this advertisement for publication in the said newspaper.

*J. Rosenthal*

Sworn to and subscribed before me, this 10th day  
of MARCH, A.D. 1999

Personally Known \_\_\_\_\_ or Product Identification \_\_\_\_\_  
Type of Identification Produced \_\_\_\_\_

(SEAL)

*Charlotte A. Offner*

CHARLOTTE A. OFFNER  
Notary Public, State of Florida  
My Comm. Expires April 21, 2000  
No. CC548844

PUBLIC NOTICE OF INTENT  
TO ISSUE TITLE V AIR OPER-  
ATION PERMIT

DEPARTMENT OF ENVIRON-  
MENTAL PROTECTION  
Title V DRAFT Permit No.  
050019-00-AV  
331 Phillips Station  
Hillsborough County  
The State of Florida Department  
of Environmental Protection  
(permitting authority)  
gives notice of its intention  
to issue a Title V air operating  
permit to Tampa Electric  
Company for 14 Phillips Sta-  
tion located at 7301 Abbott  
Road, Sebring, Florida, High-  
lands County. The applicant's  
address and telephone are Tampa  
Electric Company, Post Office  
Box 111, Tampa, Florida  
33607-0111.

This permitting authority  
will issue the Title V PRO-  
POSED Permit, and Subse-  
quent Title V FINAL Permit, in  
accordance with the condi-  
tions set forth in the DRAFT  
Permit. Any person who  
desires to be heard in opposi-  
tion to the proposed permit  
should file a written notice  
in accordance with the  
following procedures:

The permitting authority  
will accept written comments  
concerning the proposed Title  
V DRAFT Permit issuance ac-  
tion for a period of 30 (thirty)  
days from the date of publica-  
tion of this Notice. Written  
comments should be provided  
to the permitting authority's  
office, State of Florida Depart-  
ment of Environmental Pro-  
tection, Post Office Box 1149,  
Fort Myers, Florida  
33902-1149. Any written com-  
ments filed shall be made  
available for public inspection.  
If written comments received  
result in a significant change  
in this DRAFT Permit, the  
permitting authority shall is-  
sue a Revised DRAFT Permit  
and renotify, if applicable, an-  
other Public Notice.

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  
120.570 Florida Statutes (F.S.).  
The petition must contain the  
information set forth below  
and must be filed (received) in  
the Office of General Counsel,  
3900 Commissioner's Build-  
ing, Tallahassee, Florida, 32399-3000  
(Telephone: 904/488-9775,  
Fax: 904/487-4938). Petitions  
filed by any persons other  
than those entitled to written  
notice under Section 120.607,  
F.S., must be filed within four-  
teen days of publication of the  
public notice or within four-  
teen days of receipt of the  
notice of intent, whichever oc-  
curs first. Under Section  
120.607, F.S., however, any  
person who asked the permit-  
ting authority for notice of  
agency action may file a peti-  
tion within fourteen days of  
receipt of that notice, regard-  
less 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 ap-  
plicable time period shall consti-  
tute a waiver of that person's  
right to request any adminis-  
trative determination (hear-  
ing) under Sections 120.569  
and 120.570, F.S., or to subse-  
quently participate at a public  
hearing. Any subsequent interven-  
tion will be only at the approval  
of the permitting authority upon the  
filing of a motion in confor-  
mance with Rule 29-146.305 of  
the Florida Administrative  
Code (F.A.C.).

A petition that questions  
the material facts on which the  
permitting authority's action  
is based must contain the fol-  
lowing information:

- (a) The name and address of  
each agency affected and  
each agency's file or identifi-  
cation number, if known;
  - (b) The name, address and  
telephone number of the peti-  
tioner, name, address and tele-  
phone number of the peti-  
tioner's representative, if any,  
which shall be the address for  
service; suggestions during the  
course of the proceedings; and  
an explanation of how peti-  
tioner's substantial rights will  
be affected by the agency de-  
terminations;
  - (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 more than one petition, each  
petitioner must so state;
  - (e) A detailed statement of the  
ultimate facts alleged as well  
as the rules and statutes  
which entitle petitioner to re-  
liefs; and
  - (f) A demand for relief.
- A petition that does not dis-  
pute the material facts upon  
which the permitting authori-  
ty's action is based shall state  
that the facts are in dis-  
pute and otherwise shall con-  
tain the same information as

set forth above, as required  
by Rule 29-146.301, 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 notice of intent. Per-  
sons whose substantial inter-  
ests will be affected by any  
such final decision of the per-  
mitting authority on the appli-  
cation have the right to peti-  
tion to become a party to the  
proceeding, in accordance  
with the requirements set  
forth above.

Mediation is not available  
for this proceeding.

In addition to the above,  
pursuant to 42 United States  
Code (U.S.C.) Section  
766 (b)(3), any person may  
petition the Administrator of  
the EPA within 40 (forty) days  
of the expiration of the Ad-  
ministrator's 45 (forty-five)  
day review period as estab-  
lished in 42 U.S.C. Section  
766 (b)(7) to object to is-  
surance of any permit. Any  
objection to the permit that  
was raised with reasonable  
specificity during the 30 (thir-  
ty) day public comment pe-  
riod provided in this notice, un-  
less the petitioner demon-  
strates to the Administrator  
of the EPA that it was imprac-  
ticable, in raise such objec-  
tion within the comment pe-  
riod or unless the grounds for  
such objection arise after the  
comment period, filing of a  
petition with the Administrator  
of the EPA does not show  
the effective date of any per-  
mit property issued pursuant  
to the provisions of Chapter  
40-211, F.A.C. Petitions filed  
with the Administrator of E-  
PA must meet the require-  
ments of 42 U.S.C. Section  
766 (b)(7) and must be filed  
with the Administrator of the  
EPA at U.S. EPA, 401 M  
Street, S.W., Washington, D.C.  
20460.

A complete project file is  
available for public inspection  
during normal business hours,  
8:00 a.m. to 5:00 p.m., Monday  
through Friday, except legal  
holidays at:

Permitting Authority:  
State of Florida Department  
of Environmental Protection  
2293 Victoria Avenue,  
Suite 344W  
Fort Myers, Florida  
33901-2811

Telephone: (813) 232-6975  
Fax: (813) 232-4447

The complete project file in-  
cludes the DRAFT Permit, the  
application, and the informa-  
tion submitted by the respon-  
sible official, exclusive of con-  
fidential records, under Sec-  
tion 403.111, F.S. Interested  
persons may contact David  
M. Knowles, P.E., at the above  
address, or call (813) 232-6975,  
for additional information.  
1674 2/5/99