



TAMPA ELECTRIC

April 8, 2004

RECEIVED

APR 09 2004

BUREAU OF AIR REGULATION

Mr. Al Linero
Florida Department of Environmental Protection
Division of Air Resource Management
111 South Magnolia, Suite 4
Tallahassee, FL 32301

Via FedEx
Airbill No. 7926 1272 2850

**Re: Tampa Electric Company
J.H. Phillips Station
Title V Air Operation Permit Renewal
Public Notice of Intent
DEP File No. 0570018-003-AV**

Dear Mr. Sheplak:

Please find enclosed the original Affidavit of Publication from the News-Sun, as required by 62-110.106(5), F.A.C. This public notice was published in the legal section of the News-Sun on Friday, April 2, 2004. If you have any questions, please feel free to telephone Raiza Calderon or me at (813) 228-4369.

Sincerely,

Laura R. Crouch
Manager - Air Programs
Environmental Affairs

EA/gm/RC177

Enclosure

c: Teresa Heron - FDEP
Mara G. Nasca, FDEP South District

THE NEWS-SUN
2227 U.S. 27 SOUTH
Published three (3) times weekly
SEBRING, HIGHLANDS COUNTY, FLORIDA

**PUBLIC NOTICE OF INTENT TO ISSUE
TITLE V AIR OPERATION PERMIT RENEWAL**

DEPARTMENT OF
ENVIRONMENTAL PROTECTION

DRAFT Permit Project No.: 0550018-003-AV
J.H. Phillips Station
Highlands County

**STATE OF FLORIDA,
COUNTY OF HIGHLANDS:**

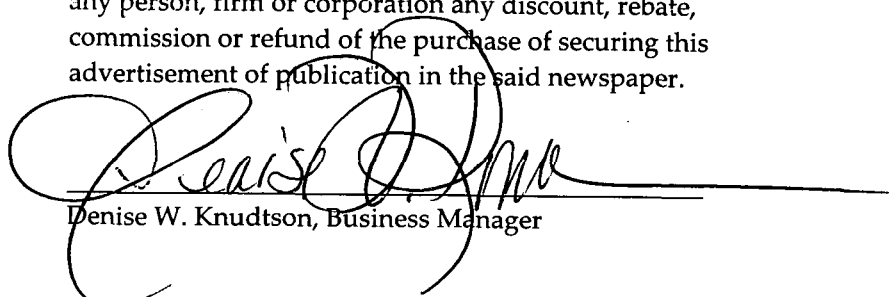
Before the undersigned authority personally appeared Denise W. Knudtson, who on oath says that she is Business Manager of the News-Sun, a tri-weekly newspaper published at Sebring, in Highlands County, Florida; that the attached copy of advertisement, being a Proof of Publication in the matter of:

**PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR
OPERATION PERMIT RENEWAL**
PROJECT NO. 0550018-003-AV

Was published in said newspaper in the issue(s) of

APRIL 2, 2004

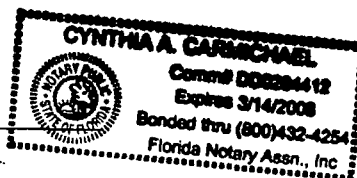
Affiant further says the News-Sun is a newspaper published at Sebring, in Highlands County, Florida, and that the said newspaper has heretofore been continuously published in said County, Florida, Wednesday, Friday and/or Sunday and has been entered as a second class mail matter at the post office Sebring, in said 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, firm or corporation any discount, rebate, commission or refund of the purchase of securing this advertisement of publication in the said newspaper.



Denise W. Knudtson, Business Manager

Sworn to and subscribed before me
on this 2nd day of April A.D. 2004

Cynthia A. Carmichael



The Department of Environmental Regulation (permitting authority) gives notice of its intent to issue a Title V Air Operation Permit Renewal to Tampa Electric Company (TEC) for their J.H. Phillips Station facility located at 7301 Airport Road, Sebring, Florida, Highlands County. The applicant's name and address are: Tampa Electric Company (TEC), P.O. Box-111, Tampa, Florida 33601-0111.

The permitting authority will issue the PROPOSED Permit, and subsequent FINAL Permit, in accordance with the conditions of the DRAFT Permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The permitting authority will accept written comments concerning the proposed DRAFT Permit issuance action for a period of 30 (thirty) days from the date of publication of this Notice. Written comments should be provided to the Department's Bureau of Air Regulation, at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400 (Telephone: 850/488-0114 / Fax 850/922-6979). Any written comments 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 issue a Revised DRAFT Permit and require, if applicable, another Public Notice.

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 of the Florida Statutes (F.S.). The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department of Environmental Protection, 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 days of publication of the public notice or within fourteen days of receipt

of the notice of intent, 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 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 applicable 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 of the Florida Administrative Code (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; 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 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, as well as the rules and statutes which entitle petitioner to relief;

(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 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 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 is not available for this proceeding.

In addition to the above, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 (sixty) 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 issuance of any permit. Any petition shall be based only on objections to the 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 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.

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:

Florida Department of
Environmental Protection
Bureau of Air Regulation
111 S. Magnolia Drive, Suite 4
Tallahassee, Florida 32301
Telephone: (850) 488-0114
Fax: (850) 922-6979

Affected District/Local Program:

Florida Department of
Environmental Protection
South District Office
2295 Victoria Avenue, Suite 364
Fort Myers, Florida 33902-2549
Telephone: (941) 332-6975
Fax: (941) 332-6969

The complete project file includes the DRAFT Permit, the application for renewal, and the information submitted by the responsible official, exclusive of confidential records under Section 403-111, F.S. Interested persons may contact Al Linero, P.E., at the above address, or call 850/488-0114, for additional information.

April 2, 2004