



RECEIVED

APR 06 2001

BUREAU OF AIR REGULATION

April 5, 2001

Mr. Clair Fancy  
Florida Department of Environmental Protection  
111 South Magnolia Drive, Suite 4  
Tallahassee, Florida 32301

Via Fed Ex  
Airbill No. 7911 4595 9650

**Re: Tampa Electric Company (TEC) – Big Bend Station  
Unit 4 PSD Permit Modification and Title V Permit Modification  
DEP File Nos. PSD-FL-040 and 0570039-002-AV**

Dear Mr. Sheplak:

Please find enclosed the original Affidavit of Publication from the Tampa Tribune, as required by 62-110.106(5), F.A.C. This public notice was published in the legal section of the Tampa Tribune on Saturday March 31, 2001. If you have any questions, please feel free to telephone Shannon Todd or me at (813) 641-5125.

Sincerely,

A handwritten signature in black ink, appearing to read "P.L. Shell", with a long horizontal flourish extending to the right.

Patrick L. Shell  
Administrator-Air Programs  
Environmental Affairs

EPgm\SKT246

Enclosure

c: Mr. Tom Davis - ECT  
Mr. Buck Oven, FDEP  
Mr. Scott Sheplak, FDEP  
Mr. Jerry Kissel - FDEP SW

**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 \_\_\_\_\_

NOTICE OF INTENT

---

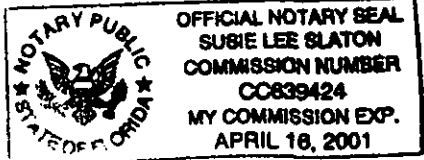
was published in said newspaper in the issues of \_\_\_\_\_  
 MARCH 31, 2001

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 by me, this \_\_\_\_\_ 2 \_\_\_\_\_ day  
 of \_\_\_\_\_ APRIL \_\_\_\_\_ A.D. 20 01

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



*Susie Lee Slaton*

**PUBLIC NOTICE OF INTENT TO ISSUE PSD AIR PERMIT MODIFICATION AND TITLE V AIR OPERATION PERMIT REVISION**  
 STATE OF FLORIDA  
 DEPARTMENT OF ENVIRONMENTAL PROTECTION  
 DRAFT PSD Air Permit Modification No.: 0570039-009-AC Title V DRAFT Permit Revision No.: 0570039-010-AV  
 Hillsborough County  
 Big Bend Station  
 The Department of Environmental Protection (permitting authority) gives notice of its intent to issue a PSD air permit modification and a Title V air operation permit revision to Tampa Electric Company for the Big Bend Station, located at Big Bend Road, North Ruskin, Hillsborough County. The PSD air permit modification reflects a change in wording of the vanadium content limit of the fuel fired in Boiler Unit No. 4. The Title V permit revision reflects a change in wording of the vanadium content limit of the fuel fired in Boiler Units No. 3 and No. 4. The applicant's name and address for the PSD air construction permit are: Mr. Gregory Nelson, Director Environmental Affairs, Tampa Electric Company, P.O. Box 111, Tampa, Florida 33601-0111. The applicant's name and address for the Title V permit are: Mr. Stanley J. Martin, General Manager, Big Bend Station, Tampa Electric Company, P.O. Box 111, Tampa, Florida 33601-0111.  
 The permitting authority will issue the final construction permit modification with the attached condition, and will issue the Title V PROPOSED Permit Revision, and subsequent Title V FINAL Permit Revision, in accordance with the conditions of the attached Title V DRAFT Permit Revision 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 permits revisions issuance action for a period of 30 (thirty) days from the date of publication of this notice.  
 Written comments should be provided to the permitting authority office. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed construction permit modification, the per-

fication and require, if applicable, another Public Notice. If written comments received result in a significant change in this DRAFT Permit Revision, the permitting authority shall issue another DRAFT Permit Revision 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 Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/488-9730; Fax: 850/487-4938). 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, 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; and
- (f) A demand for relief.

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 561d(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 Title V 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, SW, 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:  
Department of Environmental Protection  
Bureau of Air Regulation  
111 South Magnolia Drive,  
Suite 4  
Tallahassee, Florida 32301  
Telephone: 850/488-0114  
Fax: 850/922-5979  
Affected Local Program:  
Environmental Protection  
Commission of Hillsborough County  
1410 North 21 Street  
Tampa, Florida 33605  
Telephone: 813/272-5530  
Fax: 813/272-5506

The complete project file includes the DRAFT Permits Revision, the application, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact Scott M. Sheplak, P.E., at the above address, or call 850/921-9532, for additional information.