



TAMPA ELECTRIC

December 29, 2005

Ms. Teresa Heron,  
Florida Department of Environmental Protection  
111 South Magnolia Drive, Suite 4  
Tallahassee, Florida 32301

**Re: Tampa Electric Company  
Big Bend Station  
Transloading  
Proof of Publication of the Intent to Issue  
FDEP File No. 0570039-018-AC**

Dear Ms. Heron:

Pursuant to Rule 62-110.106(5), F.A.C., enclosed is the proof of publication of the Notice of Intent to Issue the Tampa Electric Company Big Bend Station Transloading Air Construction Permit. This notice was published in the legal section of the Tampa Tribune on Wednesday, December 28, 2005.

Thank you for your attention to this matter. If you have any concerns or questions feel free to contact me or Shelly Castro at (813) 228-4408.

Sincerely,

Byron T. Burrows  
Manager - Air Programs  
Environmental, Health & Safety

EHS\rlk\SSC240

Enclosure

c/enc: Mr. Al Linero-FDEP  
Mr. Sterlin Woodard-EPC  
Ms. Alice Harman-EPC

RECEIVED

DEC 30 2005

BUREAU OF AIR REGULATION

Via FedEx  
Airbill No. 7913 2200 6553

DEC-28-2005 16:07

**THE TAMPA TRIBUNE**

Published Daily

Tampa, Hillsborough County, Florida

State of Florida )  
County of Hillsborough ) ss.

Before the undersigned authority personally appeared C. Pugh, who on oath says that she is the Advertising Billing Supervisor 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 TAMPA TRIBUNE

in the matter of PUBLIC NOTICE OF INTENT

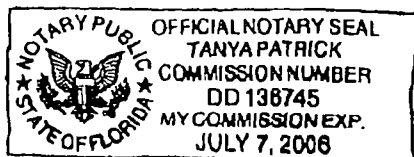
was published in said newspaper in the issues of  
DECEMBER 28, 2005

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.

*C. Pugh*

Sworn to and subscribed by me, this 28 day  
of DECEMBER, A.D. 20 05

Personally Known  or Produced Identification  
Type of Identification Produced



*Tanya Patrick*

Dec. 28. 2005 4:57PM

Tampa Tribune

No. 3751 P. 2/3

P. 02

**PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT 0570039-012-AC**

Florida Department of Environmental Protection  
DRAFT Air Construction Permit No. 0570039-012-AC  
Transloading of Coal, Petroleum and Slag to off-site facilities  
Tampa Electric Company - Big Bend Station  
Hillsborough County

**Applicant:** The applicant for this project is Tampa Electric Company, Big Bend Station, Box 11, Tampa, FL 33601-0111. The applicant's responsible official is Ms. Karen Sheffield, General Manager.

**Facility Location:** The applicant operates a 1998 MW Electric Unit which is located at Big Bend Road in Hillsborough County, Florida.

**Project:** On December 6, 2004 (completed on September 2, 2005), the applicant applied to the Permitting Authority for an application for an air construction permit to allow the off-site transloading of coal, petroleum and slag. Details of the project are provided in the application and the Technical Evaluation and Preliminary Determination available at the offices listed below.

**Permitting Authority:** The application for an air construction permit is subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, and 62-213 and 62-214, Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and air permits are required to operate the facility and to renew and make revisions to the current permit. The FDEP Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination regarding this project. The Permitting Authority's physical address is: FDEP Bureau of Air Regulation at 111 S. Magnolia, Suite 4, Tallahassee, FL 32301. The Permitting Authority's mailing address is: FDEP Bureau of Air Regulation, MS 5505, 2600 Blair Stone Road, Tallahassee, FL 32399-2400. The Permitting Authority's telephone number is 850/488-0114 and facsimile 850/921-9531.

**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 Technical Evaluation and Preliminary Determination DRAFT Permit, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may view the DRAFT Permits and file electronic comments by visiting the following website: <http://www.dep.state.fl.us/air/eprproducts/ards/>. A copy of the complete project file is also available at the following offices:

FDEP Southwest District Office, 3904 Coconut Palm Drive, Tampa, Florida 33619-8318 (Telephone: 813-744-6100)

Environmental Protection Commission of Hillsborough County, 3629 Queen Palm Dr. Tampa, FL 33619-1309 (Telephone: 813/627-2600)

**Notice of Intent to Issue A Permit:** The Permitting Authority gives notice of its intent to issue an air construction 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, 62-204, 62-210, 62-212, 62-213, 62-214, 62-256, 62-257, 62-281, 62-296, and 62-297, F.A.C. The Permitting Authority will issue a FINAL Air Construction 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 a significant change of terms or conditions.

**Comments:** The permitting authority will accept written comments concerning the proposed Draft Air Construction Permit Issuance action for a period of 14 (fourteen) days from the date of publication of this Notice. Written comments should be provided to the Permitting Authority at the above address. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this Draft Air Construction Permit, the permitting authority shall revise the Draft Permit and require if applicable, another Public Notice. All comments filed will be made available for public inspection.

**Petitioners:** 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, P.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 at 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 (14) days of publication of this Public Notice or receipt of a written notice, 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 (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 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 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, 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; and, (g) A statement of the relief sought by the petitioner. A 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 Public 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:** Mediation is not available for this proceeding.

2616 12/28/05