



TAMPA ELECTRIC

September 13, 2004

Mrs. Cindy L. Phillips, P.E.
Florida Department of Environmental Protection
111 South Magnolia Drive, Suite 4
Tallahassee, Florida 32301

**Re: Tampa Electric Company
Big Bend Station
Low NO_x Burners and Separate Overfire Air
Proof of Publication of the Intent to Issue
FDEP File No. 0570039-014-AC**

Dear Mrs. Phillips:

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 Low NO_x Burner and Separate Overfire Air systems Air Construction Permit. This notice was published in the legal section of the Tampa Tribune on Thursday, September 9, 2004.

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,

Laura R. Crouch
Manager - Air Programs
Environmental, Health & Safety

EHS\bm\ssc200

c: Mr. Al Linero-FDEP
Mr. Sterlin Woodard-EPCHC
Ms. Alice Harman-EPCHC

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SEP 14 2004

BUREAU OF AIR REGULATION

Via FedEx
Airbill No. 7920 8804 1671

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 matter of PUBLIC NOTICE OF INTENT

was published in said newspaper in the issues of SEPTEMBER 9, 2004

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.

Handwritten signature of C. Pugh

Sworn to and subscribed by me, this 09 day of SEPTEMBER, A.D. 20 04

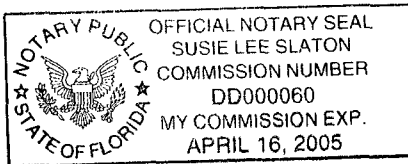
Personally Known or Produced Identification
Type of Identification Produced

Handwritten signature of Susie Lee Slaton

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SEP 14 2004

BUREAU OF AIR REGULATION



PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

DEP File No. 0570039-014-AC

Tampa Electric Company Big Bend Station, Hillsborough County

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit to Tampa Electric Company (TEC) for the Big Bend Station located at Big Bend Road, North Ruskin, Hillsborough County. This permit is for installation of Low NOx burners (LNB) on Steam Generators No. 1-4 and separate overfire air (SOFA) on Steam Generator No. 4, for the reduction of emissions of nitrogen oxides (NOx). A Best Available Control Technology (BACT) determination was not required pursuant to Rules 62-212.400, F.A.C. and 40 CFR 52.21, Prevention of Significant Deterioration (PSD). The applicant's mailing address is: Tampa Electric Company, P.O. Box 111, Tampa, Florida 33601-0111.

The LNB and SOFA projects are part of a larger program by TEC pursuant to a Consent Final Judgment (CFJ) with the Department and a Consent Decree (CD) with the Environmental Protection Agency to reduce emissions from the coal fired plants. There have been very substantial reductions of sulfur dioxide (SO2) to date primarily due to the installation of a scrubber on Unit 1 and 2. The LNB and SOFA projects will reduce NOx emissions.

To avoid delay and because the projects are pollution control projects reducing emissions, the required work was conducted subsequent to the CFJ and CD. This air construction permit will establish the LNB and SOFA projects as applicable requirements for subsequent incorporation into the facility Title V Operation Permit.

The Department will issue the Final construction permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed construction permit issuance action for a period of fourteen (14) days from the date of publication of this Public Notice of Intent to Issue Air Construction Permit. Written comments should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, FL 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the proposed permit and require, if applicable, another Public Notice.

The Department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to sections 120.569 and 120.57 F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

Mediation is not available in this proceeding.

A person whose substantial interests are affected by the proposed

permitting decision may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under section 120.60(3) of the Florida Statutes must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under section 120.60(3), however, any person who asked the Department 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 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 of the Florida Administrative Code.

A petition that disputes the material facts on which the Department'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 interests will be affected by the agency determination; (c) A statement of how and when 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 indicate; (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, 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 Department'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.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

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:

Dept. of Environmental Protection
Bureau of Air Regulation
Suite 13, 111 S. Magnolia Drive
Tallahassee, Florida, 32301
Telephone: 850/488-0114
Fax: 850/922-6979

Dept. of Environmental Protection
Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619-8218
Telephone: 813/744-6100

Hillsborough County
Environmental Protection
Commission
Air Management Division
1410 North 21 Street
Tampa, Florida 33605
Telephone: 813/272-5530

The complete project file includes the permit application, technical

evaluation, Draft construction permit, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Department's reviewing engineer for this project, Cindy L. Phillips, P.E., at MS 5505, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, or Cindy.Phillips@dep.state.fl.us, or call 850/921-9534, for additional information.

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