



# Department of Environmental Protection

Lawton Chiles  
Governor

Southwest District  
3804 Coconut Palm Drive  
Tampa, Florida 33619

Virginia B. Wetherell  
Secretary

## NOTICE OF PERMIT ISSUANCE

### CERTIFIED MAIL

Mr. Patrick A. Ho  
Manager, Environmental Planning  
Tampa Electric Company  
Post Office Box 111  
Tampa, FL 33601-0111 /

DEP File No.: A029-250137  
County: Hillsborough

Enclosed is Permit Number A029-250137 to operate F.J. Gannon Station Units 5 and 6 Fly Ash Silo (silo No. 1) with baghouse and pugmill, located at Port Sutton Road, Tampa, Hillsborough County, issued pursuant to Section 403.087, Florida Statutes and Florida Administrative Code Rules 17-200 through 299 & 17-4.

A person whose substantial interests are affected by this permit may petition for an administrative proceeding (hearing) in accordance with Section 120.57, 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 2600 Blair Stone Road, Tallahassee 32399-2400, within 14 days of receipt of this permit. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, Florida Statutes.

The Petition shall contain the following information:

- (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department Permit File Number and the county in which the project is proposed;
- (b) A statement of how and when each petitioner received notice of the Department's action or proposed action;
- (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action;

- (d) A statement of the material facts disputed by petitioner, if any;
- (e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action;
- (f) A statement of which rules or statutes petitioner contends required reversal or modification of the Department's action or proposed action; and
- (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this permit. Persons whose substantial interests will be affected by any decision of the Department with regard to the application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of receipt of this notice, in the Office of General Counsel at the above address of the Department. Failure to petition within the allotted time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, F.A.C.

This permit is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition and conforms to Rule 17-103.070, F.A.C. Upon timely filing of a petition or a request for an extension of time this permit will not be effective until further Order of the Department.

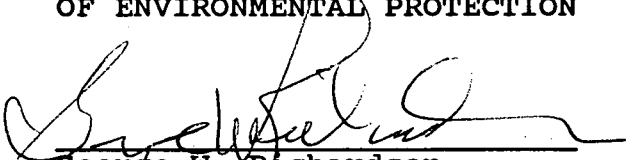
When the Order (Permit) is final, any party to the Order has the right to seek judicial review of the Order pursuant to Section 120.68, Florida Statutes, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date the Final Order is filed with the Clerk of the Department.

Mr. Patrick A. Ho  
Tampa, FL 33601-0111

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Executed in Tampa, Florida

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

  
George W. Richardson  
Air Permitting Engineer  
Southwest District

3804 Coconut Palm Drive  
Tampa, FL 33619-8318  
(813)744-6100, Ext. 420

cc: Air Management Division, Environmental Protection  
Commission of Hillsborough County  
Eric M. Costello, P.E., Tampa Electric Company

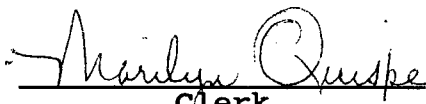
Attachment:

CERTIFICATE OF SERVICE

The undersigned duly designated Deputy Agency Clerk hereby certifies that this NOTICE OF PERMIT ISSUANCE and all copies were mailed before the close of business on JUL 20 1994 to the listed persons.

FILING AND ACKNOWLEDGEMENT

FILED, on this date, pursuant to Section 120.52(11), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

  
Clerk

JUL 20 1994  
Date