

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

In the Matter of an
Application for Permit by:

DER File No. A029-163823

Mr. Jerry L. Williams
Director Environmental
Tampa Electric Company
Post Office Box 111
Tampa, Florida 33601

INTENT TO ISSUE

The Department of Environmental Regulation gives notice of its intent to issue a permit (copy attached) for the proposed project as detailed in the application specified above, for the reasons stated below.

The applicant, Tampa Electric Company, applied on April 10, 1989 to the Department of Environmental Regulation for a permit to operate the Gannon Coal Bunkers Units 1-6 with Six Roto-Clones at Port Sutton Road in Tampa.

The Department has permitting jurisdiction under 403.087(c), F.S. The project is not exempt from permitting procedures. The Department has determined that an air pollution operation permit is required for the proposed work.

The Department intends to issue this permit based on the belief reasonable assurances have been provided to indicate the proposed project will not adversely impact air quality and the proposed project will comply with the appropriate provisions of Florida Administrative Code Rules 17-2 and 17-4.

Pursuant to Section 403.815, F.S. and DER Rule 17-103.150, FAC, you (the applicant) are required to publish at your own expense the enclosed Notice of Intent to Issue Permit. The notice must be published one time only within 30 days, in the legal ad section of a newspaper of general circulation in the area affected. For the purpose of this rule, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. The applicant shall provide proof of publication to the Department, at 4520 Oak Fair Boulevard, Tampa, Florida 33610-9544 within seven days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit.

The Department will issue the permit with the attached conditions unless a petition for an administrative proceeding (hearing) is filed pursuant to the provisions of Section 120.57, F.S.. A person whose substantial interests are affected by the Department's proposed permitting decision 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, Florida 32399-2400. Petitions filed by the permit applicant and the parties listed below must be filed within fourteen (14) days of receipt of this intent. Petitions filed by other persons must be filed within fourteen (14) days of publication of the public notice or within fourteen (14) day of their receipt of this intent, whichever first occurs. 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 subsequent 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 require 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 intent. 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 intent, 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.

Executed in Tampa, Florida.

Issued this 6 day of July
1989

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION

Richard D. Garrity
For Richard D. Garrity, Ph.D.
Deputy Assistant Secretary
Southwest District

4520 Oak Fair Boulevard
Tampa, Florida 33610-7347
(813) 623-5561

cc: Richard T. Donelan, Esq.
Environmental Protection Commission
of Hillsborough County
Thomas W. Davis, P.E.

CERTIFICATE OF SERVICE

This is to certify that this INTENT TO ISSUE and all copies were mailed before the close of business on JUL 6 1989 to the listed persons.

FILING AND ACKNOWLEDGEMENT
FILED, on this date, pursuant to
§120.52(9), Florida Statutes, with
the designated Department Clerk,
receipt of which is hereby
acknowledged.

Marilyn Quispe JUL 6 1989
Clerk Date

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION
NOTICE OF INTENT TO ISSUE PERMIT

The Department of Environmental Regulation gives notice of its intent to issue a permit, A029-163823, to Tampa Electric Company, Post Office Box 111, Tampa, Florida 33601 to operate the Gannon Station Coal Bunkers 1-6 with Six Roto-Clones to control emissions at Port Sutton Road, Tampa, Hillsborough County.

A Best Available Control Technology (BACT) determination was not required.

A person whose substantial interests are affected by the Department's proposed permitting decision 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, Florida 32399-2400, within 14 days of publication of this notice. 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 require 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 Notice. 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 allowed 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.

The application 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 the Department of Environmental Regulation, Southwest District, 4520 Oak Fair Boulevard, Tampa, Florida 33610-9544.