



TAMPA ELECTRIC

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OCT 15 2004

BUREAU OF AIR REGULATION

October 14, 2004

Mr. Jeffery F. Koerner, P.E.
New Source Review Section
Florida Department of Environmental Protection
111 South Magnolia Drive, Suite 4
Tallahassee, Florida 32301

Via FedEx
Airbill No. 7921 1316 4360

**Re: Tampa Electric Company (TEC)
H.L. Culbreath Bayside Power Station
(Formerly the F. J. Gannon Station)
Revision of Permit No. PSD-FL-301A
Renewal of Title V Air Operation Permit
(Dual) Public Notice of Intent
DEP File Nos. 0570040-021-AC and 0570040-023-AV**

Dear Mr. Koerner:

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 October 9, 2004. If you have any questions, please feel free to telephone Ms. Greer Briggs or me at (813) 228-4302.

Sincerely,

for

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

EHS\bmr\GMB206

Enclosure

c: Mr. Al Linero - FDEP

THE TAMPA TRIBUNE
Published Daily
Tampa, Hillsborough County, Florida

State of Florida }
County of Hillsborough } ss.

Before the undersigned authority personally appeared C. Offner, 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
OCTOBER 9, 2004

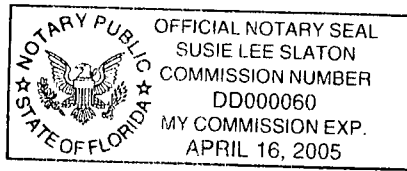
Affiant further says that the said The Tampa Tribune is a newspaper published at Tampa in said Hillsborough County, Florida, and that the said newspaper has heretofore been continuously published in said Hillsborough County, Florida, each day and has been entered as second class mail matter at the post 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.

C. Offner

Sworn to and subscribed by me, this 11 day
of OCTOBER, A.D. 20 04

Personally Known or Produced Identification _____
Type of Identification Produced _____

Susie Lee Slaton



PUBLIC NOTICE OF INTENT
TO ISSUE REVISED AIR
CONSTRUCTION PERMIT/
TITLE V AIR OPERATION
PERMIT

Florida Department of
Environmental Protection
Revised Draft Air
Construction Permit No.
0570040-021-AC
(PSD-FL-301B)
DRAFT Title V Air Operation
Permit No. 0570040-023-AV
H. L. Culbreath Bayside
Power Station
Hillsborough County,
Florida

Applicant: The applicant
for this project is the
Tampa Electric Company.
The applicant's mailing
address is P.O. Box 111,
Tampa, Florida 33601-0111.
The applicant's
responsible official is Mr.
Wade A. Maye, General
Manager.

Facility Location: The H. L.
Culbreath Bayside Power
Station is located at 3802
Port Sutton Road in Tampa,
Florida.

**Revised Air Construction
permit project:** In
accordance with original
air construction permit No.
PSD-FL-301, the applicant
constructed the new H.L.
Culbreath Bayside Power
Station to re-power the
existing coal-fired Gannon
Station with combined
cycle gas turbines firing
natural gas. The project
required the shutdown of
all coal-fired units, which
resulted in large
reductions in annual
pollutant emissions. The
current permit allows
limited amounts of
continuous monitoring
data to be excluded from
the compliance average for
specific operating periods
including startup,
shutdown, malfunction,
cold steam turbine
startups, and tuning. The
applicant proposes the
following changes: allow
operation of the gas
turbines below 50% base
load without restriction,
but in compliance with the
standards; clarify that only
equipment malfunctions
resulting in emissions
beyond the permitted rates
must be reported within
one day; retain the current
restriction on data
exclusion for cold steam
turbine startups; add a
provision for maximum
data exclusion due to

startup, shutdown, and malfunction for days with a startup following an unplanned forced outage; and allow the exclusion of all data collected during maintenance periods to tune the dry low-NOx combustion system, dry the compressor blades following a water wash, and conduct over speed trip tests. These scenarios identify specific periods during which the gas turbines are not yet able to operate in full dry low-NOx combustion mode with the resulting low emission levels. As conditioned and restricted by the draft permit, these cases are limited in scope and impact.

Title V Air Operation Permit Project:

The Tampa Electric Company operates the H. L. Culbreath Bayside Power Station, which is the re-powered F. J. Gannon Station. The coal-fired boilers have been permanently shut down. The new Bayside Station consists primarily of two "units": Bayside Unit 1 is comprised of three 169 MW gas turbines and three heat recovery steam generators that re-power a 239 MW existing steam turbine electrical generator; and Bayside Unit 2 is comprised of four 169 MW gas turbines and four heat recovery steam generators that re-power a 424 MW existing steam turbine electrical generator. The gas turbines fire natural gas as the exclusive fuel. Emissions of nitrogen oxides are reduced with dry low-NOx combustion and selective catalytic reduction. Emissions of carbon monoxide and nitrogen oxides are

continuously monitored. Each gas turbine is subject to the New Source Performance Standards for stationary gas turbines, the Department's Best Available Control Technology determination (for emissions of carbon monoxide, particulate matter, and volatile organic compounds), and the Phase II acid rain program. The DRAFT Title V Air Operation permit incorporates new Bayside Units 1 and 2 and is a renewal of the initial Title V Air Operation Permit for this facility.

Permitting Authority:

Applications for these permitting actions are subject to review in accordance with the provisions of Chapter 403 of the Florida Statutes (F.S.) and Chapters 62-4, 62-210, 62-212, 62-213 and 62-214 of the Florida Administrative Code (F.A.C.). The proposed projects are not exempt from air permitting requirements and air permits are required for the revised air construction permit and to operate the facility. The Florida Department of Environmental Protection's Bureau of Air Regulation is the Permitting Authority responsible for making permit determinations regarding these projects. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, in Tallahassee, Florida. The Permitting Authority's mailing address is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/488-0114.

Project Files: Complete project files are 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 the address indicated above for the Permitting Authority. For the Revised Air Construction Permit Project, the complete project file includes the Draft Permit, the Technical Evaluation and Preliminary Determination, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. For the Title V Air Operation Permit Project, the complete project file includes the DRAFT Permit, the Statement of Basis, 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 Permit documents and file electronic comments by visiting the following website: <http://www.dep.state.fl.us/air/products/ards/>. Copies of the complete project files are also available at the Air Resources Section of the Department's Southwest District Office at 3804 Coconut Palm Drive, Tampa, Florida 33619-8218 (Telephone: 813/744-6100). In addition, copies of the project files are available from the Air Management Division of the Hillsborough County Environmental Protection Commission at 1900 9th Avenue, Tampa, FL 33605 (Phone: 813/272-5530.)

Notice of Intent to Issue Air Permits:

The Permitting Authority gives notice of its intent to issue the Revised Draft Air Construction Permit and the DRAFT Title V Air Operation Permit to the applicant for the projects described above. The applicant has provided reasonable assurance that operation of the facility will not adversely impact air quality and that the projects 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. For the Draft Air Construction Permit, the Permitting Authority will issue a Final 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. For the DRAFT Title V Air Operation Permit, the Permitting Authority will issue a PROPOSED Permit and subsequent FINAL 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 on the Revised Air Construction Permit Project:

The Permitting Authority will accept written comments concerning the Revised Draft Air Construction Permit for a period of fourteen (14) days from the date of publication of the Public Notice. Written comments must be post-marked, and all e-mail or facsimile comments must be received by the close of business (5:00 p.m.), on or before the end of this 14-day period by the Permitting Authority at the above address, email or

facsimile. If written comments result in a significant change to the Draft Permit, the Permitting Authority will issue a revised Draft Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

Comments on the DRAFT Title V Air Operation Permit Project:

The Permitting Authority will accept written comments concerning the DRAFT Permit for a period of thirty (30) days from the date of publication of the Public Notice. Written comments must be post-marked, and all e-mail or facsimile comments must be received by the close of business (5:00 p.m.), on or before the end of this 30-day period by the Permitting Authority at the above address, email or facsimile. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location on the Department's official web site for notices at <http://thorax6.dep.state.fl.us/onw>

and in a newspaper of general circulation in the area affected by the permitting action. For additional information, contact the Permitting Authority at the above address or phone number. If written comments or comments received at a public meeting result in a significant change to the DRAFT Permit, the Permitting Authority will issue a Revised DRAFT Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

Petitions:

A person whose substantial interests are affected by the proposed permitting decisions may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.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, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by the applicant or any of the parties listed below must be filed within fourteen (14) days of receipt of this "Written Notice of Intent". 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 the attached "Public Notice" or within fourteen (14) days of receipt of this "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 interests will be affected by the agency's determination; (c) A statement of how and when each 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, 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 "Written Notice". Persons whose substantial interests will be affected by any such final decision of the Permitting Authority on these applications 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 in this proceeding.

Objections to the DRAFT Title V Permit:

Finally, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within sixty (60) 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 the issuance of any Title V air operation permit. Any petition shall be based only on objections to the Permit that were raised with reasonable specificity during the thirty (30) day public comment period provided in the Public 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, S.W., Washington, D.C. 20460. For more information regarding EPA review and objections, visit EPA's Region 4 web site at <http://www.epa.gov/region4/air/permits/Florida.htm>.