



TAMPA ELECTRIC

October 8, 2009

Ms. Trina L. Vielhauer  
Florida Department of Environmental Protection  
111 South Magnolia Drive, Suite 4  
Tallahassee, Florida 32301

RECEIVED

OCT 09 2009

BUREAU OF AIR REGULATION

Via FedEx  
Airbill No. 7960 1480 3860

**Re: Tampa Electric Company  
Air Operation Permit  
Proof of Publication of the Intent to Issue  
DEP File No. 0570040-027-AV**

Dear Ms. Vielhauer:

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 H.L. Culbreath Bayside Power Station Air Operation Permit. This notice was published in the legal section of the Tampa Tribune on October 3, 2009.

Thank you for your attention to this matter. If you have any concerns or questions feel free to contact me or Laurie Pence at (813) 228-4457.

Sincerely,

*for*

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

EHS\vk\LP460

Enclosures

c/enc: Ms. Mara Nasca-FDEP SW District

TAMPA ELECTRIC COMPANY  
P. O. BOX 111 TAMPA, FL 33601-0111

(813) 228-4111

AN EQUAL OPPORTUNITY COMPANY  
TAMPAELECTRIC.COM

CUSTOMER SERVICE:  
HILLSBOROUGH COUNTY (813) 223-0800  
POLK COUNTY (863) 299-0800  
ALL OTHER COUNTIES 1 (888) 223-0800

**PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT**

Florida Department of Environmental Protection Division of Air Resource Management, Bureau of Air Regulation Draft/Proposed Permit No. 0570040-027-AV Tampa Electric Company, H.L. Culbreath Bayside Power Station Hillsborough County, Florida

**Applicant:** The applicant for this project is the Tampa Electric Company. The applicant's responsible official and mailing address are: Karen Sheffield, Director, Bayside Power Station, Tampa Electric Company, P.O. Box 111, Tampa, Florida 33601-0111.

**Facility Location:** The applicant operates the existing H.L. Culbreath Bayside Power Station, which is located in Hillsborough County at 3602 Port Sutton Road in Tampa, Florida.

**Project:** On May 20, 2009, the applicant applied to the Department for a renewal of Title V air operation Permit No. 0570040-023-AV for the H. L. Culbreath Bayside Power Station. This facility is an electric power plant consisting of combined cycle combustion turbine Units 1 and 2. Unit 1 is a "3-on-1" combined cycle combustion turbine system with a nominal generating capacity of 746 MW, which consists of three combustion turbines (169 megawatt (MW) each) and one steam-electrical generator (239 MW). Unit 2 is a "4-on-1" combined cycle combustion turbine system with a nominal generating capacity of 1090 MW, which consists of four combustion turbines (169 MW each) and one steam-electrical generator (414 MW). These units fire natural gas as the exclusive fuel and employ selective catalytic reduction to reduce emissions of nitrogen oxides. Emissions of carbon monoxide and nitrogen oxides are continuously monitored. Each gas turbine is subject to the federal New Source Performance Standards for stationary gas turbines, the Department's Best Available Control Technology determinations (for emissions of carbon monoxide, particulate matter, and volatile organic compounds) and the Phase II Acid Rain Program.

**Permitting Authority:** Applications for Title V air operation permits for facilities that contain Acid Rain units are subject to review in accordance with the provisions of Chapter 403,

Florida Statutes (F.S.) and Chapters 62-4, 62-210, 62-213 and 62-214 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and a Title V air operation permit is required to operate the facility. The Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination for this project. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, 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 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 the address indicated above for the Permitting Authority. The complete project file includes the draft/proposed 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/proposed permit by visiting the following website: <http://www.dep.state.fl.us/air/emission/apds/default.asp> and entering the permit number shown above. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address or phone number listed above.

**Notice of Intent to Issue Air Permit:** The Permitting Authority gives notice of its intent to issue a renewed Title V air operation permit to the applicant for the project described above. The applicant has provided reasonable assurance that continued operation of the existing equipment 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, 62-296 and 62-297, F.A.C. The Permitting Authority will issue a final permit in accordance with the conditions of the draft/proposed permit unless a response received in accordance with the following procedures results in a different decision or a significant change of terms or conditions.

# 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 Advertiser Accounting Supervisor of The Tampa Tribune, a daily newspaper published at Tampa in Hillsborough County, Florida; that the attached copy of the

Legal Ads IN THE Tampa Tribune

In the matter of Legal Notices

was published in said newspaper in the issues of

10/03/2009

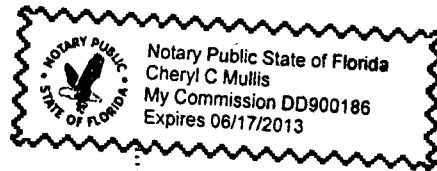
Affiant further says that the said The Tampa Tribune is a newspaper published at Tampa in said Hillsborough County, Florida, and that the said newspaper has heretofore been continuously published in said Hillsborough County, Florida, each day and has been entered as second class mail matter at the post 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 8 day  
of Oct, A.D. 2009

Personally Known  or Produced Identification   
Type of Identification Produced \_\_\_\_\_

*Cheryl C. Mullis*



RECEIVED

OCT 09 2009

BUREAU OF AIR REGULATION

**Comments:** The Permitting Authority will accept written comments concerning the draft/proposed permit for a period of 30 days from the date of publication of the Public Notice. Written 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. 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 in the Florida Administrative Weekly. If a public meeting is requested within the 30-day comment period and conducted by the Permitting Authority, any oral and written comments received during the public meeting will also be considered by the Permitting Authority. If timely received written comments or comments received at a public meeting result in a significant change to the draft/proposed permit, the Permitting Authority shall issue a revised draft/proposed permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection. For additional information, contact the Permitting Authority at the above address or phone number.

**Petitions:** 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, 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 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 14 days of publication of the 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 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 (in a proceeding initiated by another party) 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 when and how the petitioner received notice of the agency action or proposed decision; (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 including an explanation of how the alleged facts relate to the specific rules or statutes; 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 Public Notice of Intent to Issue Air Permit. 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. EPA Review: EPA has agreed to treat the Draft Title V Air Operation Permit as a Proposed Title V Air Operation Permit and to perform its 45-day review provided by the law and regulations concurrently with the public comment period. Although EPA's 45-day review period will be performed concurrently with the public comment period, the deadline for submitting a citizen petition to object to the EPA Administrator will be determined as if EPA's 45-day review period is performed after the public comment period has ended. The final Title V air operation permit will be issued after the conclusion of the 45-day EPA review period so long as no PUBLIC adverse comments are received that result in a different decision or significant change of terms or conditions. The status regarding EPA's 45-day review of this project and the deadline for submitting a citizen petition can be found at the following website address: <http://www.epa.gov/region4/air/permits/Florida.htm>.

**Objections:** Finally, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 days of the expiration of the Administrator's 45-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 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>.