



Florida Power & Light Company, P. O. Box 430, Fort Myers, FL 33902

April 8, 2003

RECEIVED

APR 10 2003

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7000 0520 0012 3152 7470

BUREAU OF AIR REGULATION

Ms Trina L. Vielhauer
Bureau of Air Regulation
2600 Blair Stone Road
Mail Station 5505
Tallahassee, FL 32399-2400

Re: Air Construction Permit Modification
340 MW Simple Cycle Combustion Turbine Project
DEP File No. 0710002-013-AC and PSD-FL-298

Dear Ms Vielhauer;

Enclosed please find the affidavit of Publication for the Air Construction Permit modification for the FPL Fort Myers Plant Simple Cycle Combustion Turbine project as required under Section 403.815, F.S. and Rule 62-110.106(7)(a)1., F.A.C. The notice was published in the Fort Myers News-Press on Friday, April 4, 2003.

If you have any questions please contact me at (239) 693-4390.

Sincerely,

B.P. Tibble
B. P. Tibble

Fort Myers Plant Environmental Specialist

CC: Kevin Washington

NEWS-PRESS

Published every morning - Daily and Sunday
Fort Myers, Florida

Affidavit of Publication

STATE OF FLORIDA
COUNTY OF LEE

Before the undersigned authority, personally appeared

Kieanna Henry

who on oath says that he/she is the

Asst. Legal Clerk of the News-Press, a daily newspaper,
published at Fort Myers, in Lee County, Florida; that the
attached copy of advertisement, being a

Public Notice of Intent

In the matter of DEP Air Construction Permit to Fla.

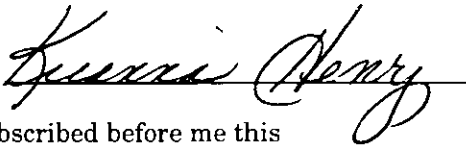
Power & Light

in the _____ Court

was published in said newspaper in the issues of

April 4, 2003

Affiant further says that the said News-Press is a paper of general circulation daily in Lee, Charlotte, Collier, Glades and Hendry Counties and published at Fort Myers, in said Lee County, Florida and that said newspaper has heretofore been continuously published in said Lee County, Florida, each day, and has been entered as a second class mail matter at the post office in Fort Myers in said Lee County, Florida, for a period of one year next preceding the first publication of the attached copy of the advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.



Sworn to and subscribed before me this

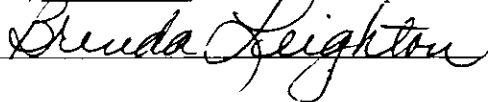
2nd day of April 2003 by

Kieanna Henry

personally known to me or who has produced

_____ as identification, and who did or did not take an oath.

Notary Public



Print Name _____

My commission Expires:

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BUREAU OF AIR REGULATION



Brenda Leighton
MY COMMISSION # DD169005 EXPIRES
February 14, 2007
BONDED THRU TROY FAIR INSURANCE, INC

INTENT TO ISSUE AIR
CONSTRUCTION
PERMIT
MODIFICATION
STATE OF FLORIDA
DEPARTMENT OF
ENVIRONMENTAL
PROTECTION
DEP File No.
0710002-013-AC
(PSD-FL-298)
Florida Power & Light
Fort Myers Plant
Revision of Testing
Requirement for New
Combustion Turbines
and Gas Heaters
Lee County
The Department of
Environmental Protec-
tion (Department)
gives notice of its in-
tent to issue an air
construction permit
modification to Florida
Power & Light Compa-
ny (FPL). A Best Avail-
able Control Technol-
ogy (BACT) determina-
tion was not required,
pursuant to Rule 62-
212.400, F.A.C. The ap-
plicant's name and ad-
dress are Florida Pow-
er & Light, Fort Myers
Plant, Post Office Box
430, Fort Myers, Flori-
da 33905.
FPL is in the process
of testing for compli-
ance with the permit
emission limits for
Units 3A and 3B along
with two direct-fired
gas heaters. This per-
mit modification is to
allow particulate tests
conducted on one of
two new and identical
combustion turbines to
suffice as a compliance
demonstration for
both. The units use in-
herently clean natural
gas and very low sulfur
fuel oil with only min-
ute amounts of ash.
Very long tests are re-
quired to collect suffi-
cient samples to weigh.
The emission limits are
not based on a BACT
determination and the
company will still con-
duct separate tests for
all other pollutants
(CO, NOx, VOC, opaci-
ty) as required by the
permit.
The gas heaters are
rated at less than 100
million Btu and are not
governed by any spe-
cific New Source Per-
formance Standard.
FPL proposes to use
the results of carbon
monoxide and nitrogen
oxides tests on one as
representative of both.
The Department will
issue the FINAL permit
modification with the
attached conditions un-
less a response re-
ceived in accordance
with the following pro-
cedures results in a dif-
ferent decision or sig-
nificant change of
terms or conditions.
The Department will
accept written com-
ments concerning the
proposed modification
issuance action for a
period of fourteen
days from the date of
publication of Public
Notice of Intent to Issue
Air Construction Per-
mit Modification.
Written comments
should be provided to
the Department's Bu-
reau of Air Regulation
at 2600 Blair Stone
Road, Mail Station
#5305, Tallahassee, FL
32399-2400. Any written
comments filed shall be
made available for
public inspection. If
written comments re-
ceived result in a sig-
nificant change in the
proposed agency ac-
tion, the Department
shall revise the pro-
posed permit modifica-
tion and require, if ap-
plicable, another Pub-
lic Notice.

The Department will issue the permit modification 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, Mall 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 to lit. Any subsequent intervention will be on 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 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:

Florida Department of Environmental Protection, Bureau of Air Reputation, 111 S. Magnolia Drive, Suite 4, Tallahassee, Florida, 32301 Telephone: (850) 488-0114 Fax: (850) 922-6979

Florida Department of Environmental Protection, South District Office, 2295 Victoria Avenue, Suite 364, Fort Myers, Florida 33902-2549 Telephone: (239) 332-6969 Fax: (239) 332-6975

The complete project file includes the request, draft permit modification, and any information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Administrator, New Resource Review Section at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/488-0114, for additional information.

Apr 4 No. 16859



April 8, 2003

Ms. Trina Vielhauer
State of Florida
Department of Environmental Protection
Division of Air Resource Management
2600 Blair Stone Road
Tallahassee, FL 32399-2400

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APR 11 2003

BUREAU OF AIR REGULATION

**Re: Initial Startup of Fort Myers Peaker Project
Combustion Turbine # PFM 3A & 3B**

Dear Trina:

This correspondence is to serve as notification to the Department, in accordance with 40 CFR 60.7(a)(2), Florida Power & Light Company's (FPL) actual/estimated first fire dates for Fort Myers Peaker Project Units 3A and 3B. The current schedule for first fire on the permitted fuels are as follows:

Unit 3B (Gas) – March 15, 2003
Unit 3B (Distillate) – April 4, 2003
Unit 3A (Gas) – April 14, 2003
Unit 3A (Distillate) – April 29, 2003

In addition, FPL will make final notification of actual first fire dates to your Office within 15 days after such event, per the requirements of 40 CFR 60.7(a)(3). Performance/Emission testing and commercial operation notifications will also be transmitted to the Department and EPA Region 4 under separate cover.

Please feel free to contact me at (561) 691-2930 or Michael Szybinski at (561) 691-2898 if you have any questions.

Very truly yours,

Nancy Kierspe
Designated Representative
Florida Power & Light Company

cc:

Errin Pichard	FDEP Division of Air Resource Management
Richard Cantrell	FDEP South District Office
Ron Blackburn	FDEP South District Office
Lynn Haynes	EPA Region 4
Brent Burger	OCI/Project Manager
Tom DePlonty	Project Manager
Bernie Tibble	Environmental Specialist - PFM
Bill Reichel	Plant General Manager – PFM
Augie de la Vega	FPL Emission Test Group
Barbara Linkiewicz	JES/FPL
File	



Florida Power & Light Company, P. O. Box 14000, Juno Beach, FL 33408-0420

ADDRESS SERVICE
IMPROVED



Ms. Trina Vielhauer
Florida Department of Environmental Protection
Division of Air Resources Management
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

0*INTMS 32399

