

THE 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 **Shari Terrell** who on oath says that he/she is the **Legal Assistant** of the News-Press, a daily newspaper, published at Fort Myers, in Lee County, Florida; that the attached copy of advertisement, being a

Notice Of Action

In the matter of:
DEP File No. 0710002-020-AC

In the court was published in said newspaper in the issues of
Feb. 26, 2014

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.

Shari Terrell

Sworn to and subscribed before me this 26th day of February, 2014

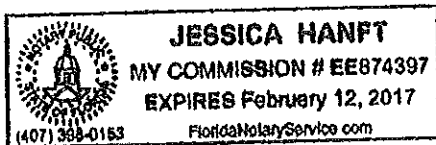
by **Shari Terrell**
 personally known to me or who has produced

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

Notary Public

Jessica Hanft

Print Name: **Jessica Hanft**
 My commission Expires: **February 12, 2017**



FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
 Division of Air Resource Management, Office of Permitting and Compliance.

WRITTEN NOTICE OF INTENT TO ISSUE AIR PERMIT
 Florida Power and Light Company, DEP File No. 0710002-020-AC
 Ft. Myers Power Plant Installation of Turbine Components GE 7FA.04 - Unit 2
 in the Matter of an Application for Permit by: Florida Power & Light Company 700 Universe Boulevard Juno Beach, Florida 33408

Permit No. 0710002-020-AC
 Facility ID No. 0710002
 Fort Myers Plant Air Construction Permit
 Lee County, Florida
 Facility Location: Florida Power & Light Company operates the existing Fort Myers Plant which is located in Lee County at 10650 State Road 80, Fort Myers, Florida.

Project: The purpose of this project is to issue an air construction permit for Unit 2. Details of the project are provided in the application and the enclosed Technical Evaluation and Preliminary Determination. This permitting action allows the improvement of the six combustion turbine-electric generators (CT) associated with Unit 2 (2A through 2F) by installing GE upgraded components during an otherwise routine maintenance outage. The changes include replacing certain hot gas path components in the General Electric (GE) Model 7FA.03 CT with those of the newer GE Model 7FA.04 CT. Specifically, the improvements include the installation of new hot gas path components such as combustion liners and flow sleeves to increase firing temperature.

Permitting Authority: Applications for air construction permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210 and 62-212 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from permitting requirements and an air permit is required to perform the proposed work. The Division of Air Resource Management's (DARM) Office of Permitting and Compliance is the Permitting Authority responsible for making a permit determination for this project. The Permitting Authority's physical address is: 2600 Blair Stone Road, 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 850/717-9000.

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 address indicated above for the Permitting Authority. 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. 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 Permit: The Permitting Authority gives notice of its intent to issue an air permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of the proposed 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, 62-296 and 62-297, F.A.C. The Permitting Authority will issue a final permit in accordance with the conditions of the draft permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

Comments: The Permitting Authority will accept written comments concerning the draft permit for a period of 14 days from the date of publication of the public notice. Written comments must be received by the Permitting Authority by close of business (5:00 p.m.) on or before the end of the 14-day period. If written comments received result in a significant change to the Draft Permit, the Permitting Authority shall revise the 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 decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. Petitions filed by the applicant or any of the parties listed below must be filed within 14 days of receipt of the written notice of intent to issue Air Permit. 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 attached Public Notice or within 14 days of receipt of this written notice of intent to issue Air Permit, 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 a petition for administrative hearing. Information set forth below and must be filed (received) with the Agency Clerk in the Office of General Counsel, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399-3000, Agency.Clerk@dep.state.fl.us, before the deadline. 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 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 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, any email address, telephone number and any facsimile number of the petitioner; the name, address, telephone number, and any facsimile 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 when and how each 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 petitioner 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 rule or statute; 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 other 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 of intent to issue Air Permit. Persons whose substantial interests will be affected by any such final decision of the Permitting Authority 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. No. 1484548 February 26, 2014