



300 South Adams Street, Tallahassee, Florida 32301, (850) 891-4YOU (4968), talgov.com

November 8, 2004

Via Facsimile and
Certified Mail No.: 70010360000207628660

Trina Vielhauer
Division of Air Resources Management
Florida Department of Environmental Protection
2600 Blair Stone Road, M.S. 5505
Tallahassee, Florida 32399-2400

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NOV 09 2004

BUREAU OF AIR REGULATION

Re: Proof of Publication
Intent to Issue an Air Construction Permit and a Title V Air Operation Permit
Arvah B. Hopkins Generating Station
Draft Air Construction Permit No. 0730003-006-AC
Draft Title V Air Operation Permit No. 0730003-007-AV

Dear Ms. Vielhauer:

Please find enclosed proof of publication of the *Public Notice of Intent to Issue an Air Construction Permit and a Title V Air Operation Permit* (Notice) for the Arvah B. Hopkins Generating Station. The Notice was published in the Legal Notices section of the November 4, 2004, edition of the Tallahassee Democrat.

Please do not hesitate to contact me at (850) 891-8851, or Jennette Curtis, Environmental Services Administrator at (850) 891-8850, if you have any questions or require additional information.

Sincerely,

John K. Powell, P.E.

Enclosure

cc: Jim Pennington, FDEP
Jonathan Holtom, FDEP
Robert McGarrah, COT
Triveni Singh, COT
Jennette Curtis, COT
Phil Bucci, COT

Facsimile Cover Sheet

Environmental Resources

City of Tallahassee
Your Own Utilities™



To:	Trina Vielhauer, Jim Pennington, Jonathan Holtom
Organization:	Florida Department of Environmental Protection
Fax:	921-9533 and 922-6979

From:	John K. Powell, P.E.
Organization:	City of Tallahassee
Phone:	(850) 891-8851 <i>If you have a disability requiring accommodations call: FRS TDD, 1-800-955-8771</i>
Fax:	(850) 891-8277
E-mail	powellj@talgov.com

Date:	November 8, 2004
Re:	Proof of Publication <i>Public Notice of Intent to Issue an Air Construction Permit and a Title V Air Operation Permit</i> Draft Air Construction Permit No. 0730003-006-AC <u>Draft Title V Air Operation Permit No. 0730003-007-AV</u>
Pages including cover:	3

Comments:

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Utility Business &
Customer Service

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TALLAHASSEE DEMOCRAT
PUBLISHED DAILY
TALLAHASSEE-LEON-FLORIDA

STATE OF FLORIDA COUNTY OF LEON:
Before the undersigned authority personally
appeared Daniel Serrano, who on oath says that
he is a Legal Advertising Representative of the
Tallahassee Democrat, a daily newspaper
published at Tallahassee in Leon County,
Florida; that the attached copy of advertising
being a Legal Ad in the matter of

PUBLIC NOTICE

in the Second Judicial Circuit Court was
published in said newspaper in the issues of:

NOVEMBER 4, 2004

Affiant further says that the said Tallahassee
Democrat is a newspaper published at
Tallahassee, in the said Leon County, Florida,
and that the said newspaper has heretofore been
continuously published in said Leon County,
Florida each day and has been entered as second
class mail matter at the post office in
Tallahassee, in said Leon 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 never paid nor promised any person, firm or
corporation any discount, rebate, commission or
refund for the purpose of securing this
publication in the said newspaper.

DANIEL FONSECA

LEGAL ADVERTISING REPRESENTATIVE
Sworn To or Affirmed and Subscribed Before
Me.

This 4 Day of Nov, 2004, by

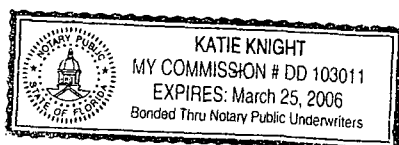
Daniel Serrano, [Signature]
Personally Known X

OR Produced Identification

Type of Identification Produced

(SEAL)

Notary Public
State of Florida



Legal Notices Legal Notices Legal Notices

PUBLIC NOTICE OF INTENT TO ISSUE AN AIR
CONSTRUCTION PERMIT AND A TITLE V AIR OPERATION
PERMIT

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Draft Air Construction Permit No.: 0730003-006-AC
DRAFT Title V Air Operation Permit No.: 0730003-007-AV

City of Tallahassee - Arvah B. Hopkins Generating Station
Leon County

Applicant: The applicant for this project is City of Tallahassee,
2602 Jackson Bluff Road, Tallahassee, Florida 32304. The
applicant's responsible official is Mr. Robert McGarragh,
Manager of Power Production.

Facility Location: The applicant operates a steam power
generation facility, which is located at 1125 Geddie Road,
Tallahassee, Leon County, Florida.

Project: The applicant submitted an application for an Air
Construction Permit in order to establish an allowable limit for
excess visible emissions resulting from fuel switching, startup or
shutdown of an individual burner, or minor load change. The
current permit allows emissions in excess of the permitted limit
for up to 2 hours in any 24 hour period for occurrences of a unit
start up, shut down or malfunction. However, due to the
operational nature of this specific dual fuel-fired boiler, fuel
switching and minor load changes can sometimes result in
visible emissions slightly above the current permitted levels with
no significant increase in particulate matter emissions. In
accordance with rule 62-210.700(5), Florida Administrative Code
(F.A.C.), considering operational variations in types of industrial
equipment operations affected by this rule, the Department may
adjust maximum and minimum factors to provide reasonable
and practical regulatory controls consistent with the public
interest.

The applicant also submitted an application for a Title V Air
Operation Permit revision. This facility consists of two fossil
fuel-fired steam generators and two fossil fuel-fired combustion
turbines. The two steam generators are Phase II Acid Rain
Units. Boiler Number 2 is regulated under the Florida Electrical
Power Plant Siting Act. The total (nominal) combined electrical
generating capacity from the facility is 356.27 megawatts electric
(MW), of which, 313 MW are provided by the steam generators
and 43.27 MW are provided by the combustion turbines. The
fuels used at this facility are natural gas, fuel oil and
on-specification used oil. This permit will be a revision to the
Title V air operation permit for this facility.

Permitting Authority: Applications for Air Construction Permits
and for Title V Air Operation Permits are subject to review in
accordance with the provisions of Chapter 403, Florida Statutes
(F.S.) and Chapters 62-4, 62-210, and 62-213 of the Florida
Administrative Code (F.A.C.). The proposed project is not
exempt from air permitting requirements and an air permit is
required to operate the facility. The Department of
Environmental Protection is the Permitting Authority
responsible for making a permit determination regarding this
project. The Permitting Authority's physical address is: 111
South Magnolia Drive, Suite 4, Tallahassee, Florida 32301. The
Permitting Authority's mailing address is: Department of
Environmental Protection, 2600 Blair Stone Road, Mail Station
#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 Construction Permit, the
Statement of Basis, the Draft Title V permit, 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 and phone
number listed, above, or may view the DRAFT Permit and file
electronic comments by visiting the following website:
<http://www.dep.state.fl.us/air/products/ards/>. A copy of the
complete project file is also available at the Department of
Environmental Protection's Northwest District Office at 160
Governmental Center, Pensacola, Florida 32501-5794
(Telephone: 850/595-8300).

Notice of Intent to Issue Air Permit: The Permitting Authority
gives notice of its intent to issue an Air Construction Permit and
a Title V Air Operation Permit to the applicant for the project
described above. The applicant has provided reasonable
assurance that operation of the facility 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, 62-256, 62-257, 62-281, 62-296, and 62-297, F.A.C. The
Permitting Authority will issue a Final Air Construction Permit,
a Proposed Title V Air Operation Permit and subsequent Final
Title V Air Operation Permit in accordance with the conditions
of the Draft Permits unless a response received in accordance
with the following procedures results in a different decision or a
significant change of terms or conditions.

Comments: The Permitting Authority will accept written
comments concerning the Draft Air Construction Permit for a
period of fourteen (14) days from the date of publication of this
Public Notice. The Permitting Authority will accept written
comments concerning the Draft Title V Air Operation Permit for
a period of thirty (30) days from the date of publication of this
Public Notice. Written comments must be post-marked and all
e-mail or facsimile comments must be received by the close of
business (5 pm) 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



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a Proposed Title V Air Operation Permit and subsequent Final Title V Air Operation Permit in accordance with the conditions of the Draft Permits unless a response received in accordance with the following procedures results in a different decision or a significant change of terms or conditions.

Comments: The Permitting Authority will accept written comments concerning the Draft Air Construction Permit for a period of fourteen (14) days from the date of publication of this Public Notice. The Permitting Authority will accept written comments concerning the Draft Title V Air Operation Permit for a period of thirty (30) days from the date of publication of this Public Notice. Written comments must be post-marked and all e-mail or facsimile comments must be received by the close of business (5 pm) 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 (<http://tlhora6.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 shall 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 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 fourteen (14) days of publication of this 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 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 rights will be affected by the agency determination; (c) A statement of how and when the 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 Public Notice of intent. 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.

Objections: In addition to the above right to petition, 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 objections, visit the EPA Region 4 web site at: www.epa.gov/region4/air/permits.

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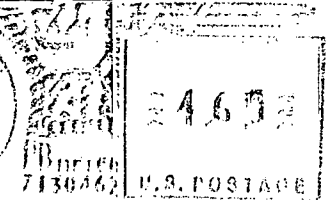


300 South Adams Street
Tallahassee, FL 32301

OF THE RETURN ADDRESS FOLD AT DOTTED LINE
CERTIFIED MAIL



7001 0360 0002 0762 8660



RETURN RECEIPT
REQUESTED

Trina Vielhauer
Division of Air Resources Management
Department of Environmental Protection
2600 Blair Stone Road, M.S. 5505
Tallahassee, Florida 32399-2400

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