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**AFFIDAVIT OF PUBLICATION**

**STATE OF Florida**

**COUNTY OF Manatee**

I, Hallie Boyd, being duly sworn on oath says he/she is and during all times herein stated has been the publisher's designated agent in charge of the publication known as The Bradenton Herald.

The advertisement for FPL (quarter-page legal ad), was distributed to Publisher's full circulation on the 3rd day of June, 2011.

By: Hallie Boyd

Subscribed and sworn to before me

This 3<sup>rd</sup> day of June, 2011.

Notary Seal:

[Signature]  
Notary Public





**FPL.**

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

June 13, 2011

Mr. Jeff Koerner  
Florida Department of Environmental Protection  
Bureau of Air Regulation  
2600 Blair Stone Road  
MS #5505  
Tallahassee, Florida 32399-2400

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Dear Mr. Koerner,

Subject: FPL Manatee Plant  
Draft Air Construction Permit No. 0810010-016-AC  
Installation of Electrostatic Precipitators on Units 1 and 2  
Proof of Publication of Public Notice

Pursuant to Rule 62-110.106(5) and (9), F.A.C., please find enclosed proof of publication of the public notice for Draft Air Construction permit No. 0810010-016-AC. Please contact me at 561-676-7238 or [Rachel.godino@fpl.com](mailto:Rachel.godino@fpl.com) with any questions. Thank you.

Sincerely,

*Jessica Peck on behalf of*  
Rachel Godino  
Environmental Project Manager

# PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT

**Florida Department of Environmental Protection  
Division of Air Resource Management, Bureau of Air Regulation  
Draft Permit No. 0810010-016-AC  
Florida Power & Light Company Manatee Power Plant  
Installation of ESP on Units 1 and 2  
Manatee County**

**Applicant:** The applicant for this project is the Florida Power & Light Company (FPL). The applicant's authorized representative and mailing address is: Mr. Paul Plotkin, Manatee Plant General Manager, FPL, 19050 State Road 62, Parrish, Florida 34219-9220.

**Facility Location:** The Manatee Power Plant is located in Manatee County at 19050 State Road 62, in Parrish, Florida.

**Project:** The project involves the installation of two Electrostatic Precipitators (ESP) on fossil fuel steam generator Units 1 and 2 at the FPL Manatee Power Plant to replace the current cyclones used to control particulate matter (PM) emissions from the units. In addition, to handle the additional fly ash collected by the ESP, a fly ash handling, storage and shipment system including two storage silos will be installed. Finally, as part of the ESP installation, foundations for ancillary pollution control equipment will be installed. This additional equipment may be required to meet future federally mandated emission limits. According to the applicant, potential emissions of PM will be reduced by approximately 295 tons per year as a result of this project. No other regulated emissions from the plant will be affected.

**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 air permitting requirements and an air permit is required to perform the proposed work. The Permitting Authority responsible for making a permit determination for this project is the Bureau of Air Regulation in the Department of Environmental Protection's Division of Air Resource Management. The Bureau of Air Regulation's physical address is: 111 South Magnolia Drive, Suite #4, Tallahassee, Florida. The Bureau of Air Regulation's mailing address is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Bureau of Air Regulation'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 the physical address indicated above for the Permitting Authority. The complete project file includes the Draft Permit, the Technical Evaluation and Preliminary Determination, the application and information submitted by the applicant (exclusive of confidential records under Section 403.111, F.S.). Interested persons may contact the Permitting Authority's project engineer for additional information at the address and phone number listed above.

**Notice of Intent to Issue Air Permit:** The Permitting Authority gives notice of its intent to issue an air construction permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of 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 proposed 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 proposed Draft Permit for a period of 14 days from the date of publication of this 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. 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 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 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 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 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.

## PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT

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.

# BRADENTON HERALD

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*Manatee County's Newspaper since 1922*

## **Darlene Hannan**

Major Accounts Administrative Coordinator

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