

# BRADENTON HERALD

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BUREAU OF AIR REGULATION

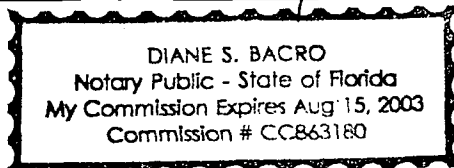
STATE OF FLORIDA  
COUNTY OF MANATEE;

Before the undersigned authority personally appeared Sheila Dalesio, who on oath says that she is a Legal Advertising Representative of the Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida; that the attached copy of the advertisement, being a Legal Advertisement in the matter PUBLIC NOTICE in the Court, was published in said newspaper in the issues of JULY 15, 2002.

Affiant further says that the said publication is a newspaper published at Bradenton, in said Manatee County, Florida, and that the said newspaper has heretofore been continuously published in said Manatee County, Florida, each day and has been entered as second-class mail matter at the post office in Bradenton, in said Manatee County, Florida for a period of 1 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, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

  
(Signature of Affiant)

Sworn to and subscribed before me this  
15th Day of July, 2002



  
SEAL & Notary Public

Personally Known ☒ OR Produced Identification \_\_\_\_\_  
Type of Identification Produced \_\_\_\_\_

cc: G. Kessel, SWD  
M. Wootley, EPA  
G. Bonyak, NPS  
B. Owen, DEP

### PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PER- MIT AND TITLE V AIR OPERATION PERMIT REVISION

Florida Department of  
Environmental  
Protection  
Florida Power and  
Light - Manatee Power  
Plant, Manatee County  
Florida  
Draft Air Construction  
Permit No. 0810010-  
007-AC Construction  
of Natural Gas  
Infrastructure  
Draft Title V Air  
Operation Permit  
Revision No. 0810010-  
008-AV Concurrent  
Revision to Add  
Natural Gas as an  
Authorized Fuel

The Florida  
Department of  
Environmental protec-  
tion (permitting author-  
ity) gives notice of its  
intent to issue an Air  
construction Permit  
and a Title V Air  
Operation Permit  
Revision to Florida  
Power and Light (applic-  
ant) for the Manatee  
Power Plant located at  
19050 State Road 62  
in Parrish, Manatee  
County, Florida. The  
applicant's authorized  
representative and  
responsible official is  
Mr. Paul Plotkin, Plant  
General Manager. The  
applicant's address is  
Florida Power and  
Light, Manatee Power  
Plant, 19050 State  
Road 62, Parrish, FL  
34219.

The new Gulfstream  
Natural Gas Pipeline  
began commercial  
operation in June of  
2002. The project  
brings natural gas that  
is compressed near  
Mobile Alabama and  
conveyed through an  
underwater pipeline on  
the continental shelf to  
markets in Florida. The  
new pipeline instantly  
increases the total nat-  
ural gas transportation  
capacity into Florida  
from approximately 1.5  
to 2.5 billion standard  
cubic feet, excluding  
other proposed  
pipeline projects. The  
pipeline enters Florida  
in Manatee County at  
a location that is par-  
ticularly convenient to  
the FPL Manatee Plant.  
Florida Power and  
Light (FPL) proposed  
to take advantage of  
the new pipeline by  
constructing the nec-  
essary infrastructure to  
supply natural gas to  
existing electric utility  
steam generating Units  
1 and 2. These existing  
units include low NOx  
burners, which incor-  
porate air and fuel  
staging to reduce  
emissions of nitrogen  
oxides when firing  
either fuel oil or natu-  
ral gas. FPL predicts  
that the project will not  
result in net actual  
annual emissions  
increases above the  
past actual annual  
emissions from the  
units (averaged for  
2000 to 2001).  
Therefore, FPL main-  
tains that the project  
does not require review  
under the Prevention of  
Significant  
Deterioration (PSD) of  
Air Quality program.  
This procedure is avail-  
able to operators of  
electric utility steam  
generating units in  
accordance with federal  
regulations and the  
Department's rules.

The Department determines that the addition of natural gas is not likely to cause an increase in actual annual emissions from the plant. Natural gas is a clean burning fuel that contains little ash or sulfur. Emissions of carbon monoxide, nitrogen oxides, particulate matter, sulfur dioxide, and volatile organic compounds are expected to decrease when firing natural gas as compared to firing fuel oil. The draft permits authorize the construction of the infrastructure to supply natural gas to existing Units 1 and 2 and establishes emissions standards for opacity, particulate matter, and nitrogen oxides that are consistent with Rule 62-296-405, F.A.C., which applies to large boilers. The draft permits also establish monitoring and reporting requirements to verify that the gas project was not subject to PSD. The Department notes that FPL is among the highest users of natural gas in the country and strongly encourages FPL to actually fire the newly available natural gas in Manatee Units 1 and 2.

The permitting authority will issue the Air Construction Permit and the PROPOSED Title V Air Operation Permit Revision and subsequent FINAL Title V Air Operation Permit Revision, in accordance with the conditions of the Draft Air Construction Permit and the Draft Title V Air Operation Permit Revision unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The permitting authority will accept written comments concerning the proposed Draft Air Construction Permit issuance action for a period of 14 (fourteen) days from the publication of this Public Notice. The permitting authority will accept written comments concerning the proposed Draft Title V Air Operation Permit Revision issuance action for a period of 30 (thirty) days from the date of publication of this Notice. Written comments should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, FL 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in significant changes, the permitting authority shall issue revised draft permits and require, if applicable, another "Public Notice".

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 of the Florida Statutes (F.S.). The petition must contain the information set forth below and must be filed (received) in the Department's Office of General Counsel 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 (fourteen) days of publication of the public notice or within 14 (fourteen) days of receipt of the notice of intent, 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 (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 applicable 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 of the Florida Administrative Code (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; 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 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, as well as the rules and statutes which entitle petitioner to relief; (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 wished 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 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 is not available for this proceeding.

In addition to the above, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 (sixty) 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 issuance of any permit revision. Any petition shall be based only on objections to the permit revision that were raised with reasonable specificity during the 30 (thirty) day public comment period provided in this notice, unless the petitioner demonstrated 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.

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: Permitting Authority: Bureau of Air Regulation, Florida Department of Environmental Protection, 111 S. Magnolia Drive, Suite 4, Tallahassee, FL 32301. Phone: 1-850-488-0114. Affected District Office: Southwest District Office, Florida Department of Environmental Protection, 3804 Coconut Palm Drive, Tampa, FL 33619-8218. Phone: 813-744-6100. The complete project file includes the Technical Evaluation and Preliminary Determination, the Draft Air Construction Permit, the Draft Title V Air Operation Permit Revision, the application, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S.. Interested persons may contact permit engineer at the above address, or call 850-488-0114, for additional information. 7/15/2002