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BUREAU OF AIR REGULATION

The Herald
Published Daily
Bradenton, Manatee, Florida

STATE OF FLORIDA
COUNTY OF MANATEE;

Before the undersigned authority personally appeared Sandy Riley, who on oath says that she is a Legal Advertising Representative of The 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 of **PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMITS** in the Court, was published in said newspaper in the issues of, 7/11/06

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.

SEE
ATTACHED

Sandy Riley
(Signature of Affiant)

Sworn to and subscribed before me this
11th Day of July, 2006

DIANE S. BACRO
Notary Public
State of Florida
My comm. exp. 08-15-2007
Comm. No. DD 206531

Diane S. Bacro

SEAL & Notary Public

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**PUBLIC NOTICE OF
INTENT TO ISSUE AIR
PERMITS**

**STATE OF FLORIDA
DEPARTMENT OF
ENVIRONMENTAL
PROTECTION**

**DRAFT Title V Permit
Revision
No. 0810010-011-AV
Draft Air Construction
Permit Modification
No. 0810010-012-AC
(PSD-FL-328A)
FPL Manatee Power
Plant - Manatee
County**

The Department of Environmental Protection (Department) gives notice of its intent to issue an Air Construction (PSD) Permit Modification and a Title V Air Operation Permit Revision to Florida Power & Light Company (FPL) for the Manatee Power Plant, located at 19050 State Road 62 in Parrish, Manatee County, Florida. The applicant's name and mailing address are: Mr. Paul Plotkin, General Plant Manager, Florida Power & Light Company, 700 Universe Boulevard, Juno Beach, FL 33408.

The existing FPL Manatee Plant consists of two 800 megawatts (MW) residual fuel oil and natural gas-fired steam electric generators and the recently constructed nominal 1,150 MW natural gas-fired Combined Cycle Unit 3. Public Notice was previously provided on February 21, 2006 to issue a DRAFT Title V Air Operation Permit Revision to incorporate Unit 3. As a result of comments received from FPL regarding the time needed to start individual combustion turbine/heat recovery steam generator (CT/HRSG) sets, the Department has revised the previously noticed draft and is issuing a modification of the underlying PSD Permit for Unit 3.

The PSD Permit will be modified to allow excess emissions from the CT/HRSG sets for a period of eight rather than six hours during the cold startup of the 470 MW steam turbine electric generator (STEG) that receives steam from the four associated CT/HRSG sets. Such cold startups of a STEG are infrequent and typically years apart for base-loaded combined cycle units. The previously noticed DRAFT Title V Air Operation Permit will be further revised to incorporate Unit 3 in a manner that reflects the longer startup period for the STEG.

After startup, Unit 3 exhibits very low emissions as a result of using inherently clean natural gas, dry low NO_x/CO combustors, and a selective catalytic reduction (SCR) system.

The Department will issue the Air Construction Permit Modification 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 REVISED 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 Department will accept written comments concerning the proposed Draft PSD Permit Modification issuance action for a period of 14 (fourteen) days from the date of publication of this Notice. Written comments should be provided to the Department's Bureau of Air Regulation, 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this Draft Air Construction Permit, the Department shall issue a Revised Draft PSD Permit Modification and require, if applicable, another Public Notice.

The Department will accept written comments concerning the DRAFT Title V Air Operation Permit Revision for a period of thirty (30) days from the date of publication of this Public Notice. Written comments must be post-marked and all facsimile comments must be received by the close of business (5:00 pm), on or before the end of this 30-day period, by the Department at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400 or facsimile (850/922-6979). As part of his or her comments, any person may also request that the Department hold a public meeting on this permitting action. If the Department 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 at <http://tlh-ra6.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 Department 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 Title V Air Operation Permit Revision, the Department shall issue a further revision of the DRAFT Title V Air Operation Permit Revision and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

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 Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/245-2242; Fax: 850/245-2303). 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 Department 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 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; 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 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, F.A.C. 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 of intent. Persons whose substantial interests will be affected by any such final decision of the Department on the application(s) 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 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.

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: Department of Environmental Protection Bureau of Air Regulation 111 S. Magnolia Dr. Suite 4 Tallahassee, Florida 32399-2400 Ph. 850-488-0114 Fax: 850-922-6979

Department of Environmental Protection Southwest District Office 13051 N. Telecom Pkwy Temple Terrace, Florida 33637-0926 Ph. 813-632-7600 Fax: 813-632-7668

The complete project file includes the Statement of Basis, Draft Permits, the application(s), and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Administrator, South Permitting Section, at the above address, or call 850-488-0114, for additional information. 7/11/06