



FPL

February 25, 2003

State of Florida
Department of Environmental Protection
Bureau of Air Regulation
Mail Station 3551
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

**RE: MARTIN POWER PLANT
PROJECT NUMBER. 0850001-012-AC**

Ladies and Gentlemen:

Enclosed please find the **Proof of publication** as required for Draft Air Permit No. **PSD-FL-286A**.

Please contact John Hampp (561) 691-2894 should any questions arise.

Sincerely,

A handwritten signature in black ink that reads "Keith Hardy". The signature is written in a cursive style and is positioned above the typed name and title.

Keith Hardy
Plant General Manager

wjw

cc: John Hampp

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FEB 26 2003

BUREAU OF AIR REGULATION



SCRIPPS TREASURE COAST PUBLISHING COMPANY

The Stuart News
The Port St. Lucie News

1939 S. Federal Highway, Stuart, FL 34994

AFFIDAVIT OF PUBLICATION

STATE OF FLORIDA

COUNTY OF MARTIN; COUNTY OF ST. LUCIE

Before the undersigned authority personally appeared, S. Darlene Mailing, who on oath says that she is Classified Inside Sales Manager of the Stuart News and the Port St. Lucie News, a daily newspaper published at Stuart in Martin County, Florida: that the attached copy of advertisement was published in the Stuart/Port St. Lucie News in the following issues below. Affiant further says that the said Stuart/Port St. Lucie News is a newspaper published in Stuart in said Martin County, Florida, with offices and paid circulation in Martin County and St. Lucie County, Florida, and that said newspapers have heretofore been continuously published in said Martin County, Florida, daily and distributed in Martin and St. Lucie 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 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. The Stuart News has been entered as second class matter at the Post Offices in Stuart, Martin County, Florida and Ft. Pierce, St. Lucie County, Florida and has been for a period of one year next preceding the first publication of the attached copy of advertisement.

<u>Ad #</u>	<u>Customer Name</u>	<u>Pub Date</u>	<u>Copyline</u>	<u>PO #</u>
2635956	FPL MARTIN PLANT	02/20/2003	PSD-FL-286	0850001011Ac

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Subscribed and sworn to me before this date:

02/20/2003

S. Darlene Mailing

Linda Rufo

Notary Public



Linda Rufo
Commission # CC 967202
Expires Oct. 22, 2004
Bonded Thru
Atlantic Bonding Co., Ins.

PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT
and
INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Project No. 0850001-011-AC
Draft Air Permit No. PSD-FL-286A
Revised Condition, Excess Emissions

Title V Draft Permit Revision No. 0850001-012-AV
Martin Plant Martin County

The Department of Environmental Protection (Department) gives notice of its intent to issue a modification of Permit No. PSD-FL-286 to the Florida Power and Light Company (applicant) that revises Condition No. 18 related to excess emissions from existing simple cycle Units 8A/8B. The existing units are installed at the FPL Martin Plant, which is located in the western part of unincorporated Martin County approximately seven miles north of Indiantown on State Road 710. The applicant's authorized representative is Ms. Carine Bullock, Production Manager of the Martin Plant. The applicant's mailing address is Florida Power and Light, P.O. Box 176, Indiantown, FL 34956-0176.

The applicant requests revision of Specific Condition No. 18 in the existing permit to be more consistent with Rule 62-210.700, F.A.C., which regulates periods of excess emissions and is the basis for the requirements. The applicant also requests that the condition recognize a 1-hour period for excess emissions due to a switch from distillate oil to natural gas. Such a fuel switch is typically complete in less than 25 minutes and results in reduced emissions once the unit is firing natural gas. The proposed Draft Permit incorporates these changes.

The Department will issue the Final Permit with the attached conditions 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 permit issuance action for a period of fourteen (14) days from the date of publication of this Public Notice of Intent to Issue Air Construction Permit. 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 a significant change in the proposed agency action, the Department shall revise the proposed permit and require, if applicable, another Public Notice.

The Department of Environmental Protection (permitting authority) also gives notice of its intent to issue a Title V air operation permit revision to the Florida Power & Light Company for the Martin Plant. The revision adds two simple-cycle combustion turbine emissions units to the facility's operating permit.

The permitting authority will issue the Title V Proposed Permit Revision, and subsequent Title V FINAL Permit Revision, in accordance with the conditions of the Title V DRAFT Permit Revisions 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 Title V DRAFT 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, 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 Permit Revision, the permitting authority shall issue another DRAFT Permit Revision 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 120.56 and 120.57 of the Florida Statutes (F.S.). The petition must contain the information set forth below and must be filed (received) in 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 fourteen days of publication of the public notice or within 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 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 residing 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; 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; and
- (f) A demand for relief.

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 actions, 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 Codes (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 (forty-five) day review period as established a 42 U.S.C. Section 7661d(b)(1), to object to issuance of any permit. Any petition shall be based only on objections to the permit 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

Permitting Authority:
Department of Environmental
Protection
Bureau of Air Regulation
111 South Magnolia Drive, Suite 4
Tallahassee, Florida 32301
Telephone: 850-488-0114
Fax: 850-922-6979

Affected District Program:
Department of Environmental Protection
Southeast District Office
400 North Congress Avenue
West Palm Beach, Florida 33416-5425
Telephone: 561-681-6600
Fax: 561-681-6755

The complete project file for the Construction Permit includes the application, Technical Evaluation and Preliminary Determination, Draft Permit, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Department's reviewing engineer for this project for additional information at the address and phone numbers listed above.

The complete project file for the Title V Permit Revision includes the DRAFT 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 Scott M. Sheplak, P.E., at the above address, or call 850-921-9532, for additional information.

Published: February 20, 2003

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