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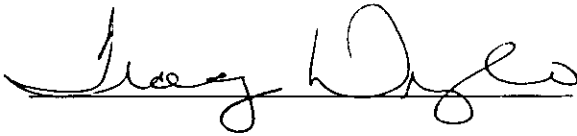
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West Palm Beach, Palm Beach County, Florida

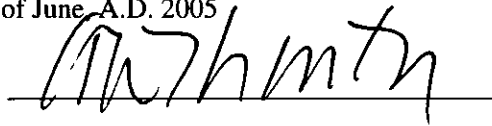
BUREAU OF AIR REGULATION PROOF OF PUBLICATION

STATE OF FLORIDA
COUNTY OF PALM BEACH

Before the undersigned authority personally appeared Tracey Diglio, who on oath says that she is Telephone Sales Supervisor of The Palm Beach Post, a daily and Sunday newspaper, published at West Palm Beach in Palm Beach County, Florida; that the attached copy of advertising for a Notice in the matter of DRAFT Permit #0990045-004-AV was published in said newspaper in the issues of June 22, 2005. Affiant further says that the said The Post is a newspaper published at West Palm Beach, in said Palm Beach County, Florida, and that the said newspaper has heretofore been continuously published in said Palm Beach County, Florida, daily and Sunday and has been entered as second class mail matter at the post office in West Palm Beach, in said Palm Beach 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/he 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.



Sworn to and subscribed before 22nd day of June A.D. 2005



Personally known XX or Produced Identification
Type of Identification Produced _____



Karen M. McLinton
Commission # DD359566
Expires: NOV. 15, 2008
Bonded Thru
Atlantic Bonding Co., Inc.

NO. 3588465
PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATIONS PERMIT REVISION.
Florida Department of Environmental Protection, Bureau of Air Regulation DRAFT Permit Project No. 0990045-004-AV
Tom G. Smith Power Plant Palm Beach County
The Department's Bureau of Air Regulation (permitting authority) gives notice of its intent to issue a Title V Air Operation Permit Revision to the City of Lake Worth for their Tom G. Smith Power Plant located at 117 South College Street, Lake Worth, Palm Beach County. The applicant's name and address are: City of Lake Worth, George Adair, 1900 2nd Avenue North, Lake Worth, FL 33461.
The purpose of this permit revision is to reflect the shutdown of the SO2 CEMS on EU 009, Fossil Fuel Steam Generating Unit (S-3), the SO2 CEMS originally served to demonstrate compliance with the Acid Rain requirements of 30 CFR Part 75. The facility has now chose to use the Optional Emissions Data Protocol For Gas-Fired Units of Appendix D in lieu of the SO2 CEMS to comply with the Acid Rain requirements. This protocol utilizes fuel sampling and analysis, along with fuel flow metering as a method of calculating hourly SO2 emissions rates. All references to the SO2 CEMS shall be removed from the Title V permit.
The permitting authority will issue the PROPOSED Permit, and subsequent FINAL Permit, in accordance with the conditions of the DRAFT Permit 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 DRAFT Permit for a period of thirty (30) days from the date of publication of the "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION". 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 Permitting Authority at 2800 Blair Stone Road, MS #5505, Tallahassee, FL 32399-2400 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 at <http://thor06.dep.state.fl.us/ona> 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.
A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Section 120.569 and 120.57 of the Florida Statutes (F.S.). The petition must contain the information set forth below and must be filed with the

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 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 Section 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 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 notice of intent. Persons whose substantial interests will be affected by such final decision of the

permitting authority on the application have the right 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 State Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administration 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 the 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:
Florida Department of
Environmental Protection
Bureau of Air Regulation
2600 Blair Stone Road
MS #5505

Tallahassee, FL 32399-2400
Telephone: 850/488-0114
Fax: 850/921-9533

Affected District/Local
Program:
Palm Beach County
Health Department
Air Program
PO Box 29
West Palm Beach, FL 33401
Telephone: 561/355-3070
Fax: 561/355-2442

The complete project file includes the DRAFT Permit, the application, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Program Administrator, Permitting South Section, at the above address, or call 850/921-8968, for additional information.

PUB: The Palm Beach Post
June 22, 2005