

RECEIVED

FEB 15 2012

DIVISION OF AIR RESOURCE MANAGEMENT

February 14, 2012

Ms. Barbara Friday Bureau of Air Regulation Division of Air Resource Management (DARM) Florida Department of Environmental Protection 2600 Blair Stone Road, Mail Stop #5500 Tallahassee, FL 32399-2400

Re:

West County Energy Center

Title V Air Operation Permit Revision No. 0990646-007-AV

Air Construction Permit Revision No. 0990646-006-AC/PSD-FL-396A

Public Notice of Intent to Issue Air Permit, Proof of Publication

Dear Ms. Friday:

Florida Power & Light Company (FPL) is pleased to submit the Affidavit of Publication for the Notice of Intent to Issue Permit for the West County Energy Center located at 20505 State Road 80, Loxahatchee FL, 33470 (Facility ID No. 0990646).

Pursuant to the Intent Draft Notice issued on February 2, 2012, enclosed is the Affidavit of Publication. The Notice of Intent to Issue Permit was published in the Palm Beach Post, on Thursday, February 9, 2012.

A duplicate notification of the affidavit will be electronically submitted to Ms. Ana Oquendo at EPA Region 4.

If you should have any questions regarding this notification, please do not hesitate to call me at 561-904-4904 or David Fawcett, West County Environmental Leader, at 561-904-4907.

Sincerely,

Peter G. Holzapfel

Plant General Manager

West County Energy Center

cc:

Mr. Mike Halpin, FDEP

Mr. Jeff Koemer. FDEP

Mr. Tom Casio, FDEP

Mr. John Hampp, FPL

Mr. Christian Kiernan, FPL

Mr. David Fawcett, FPL

Florida Power & Light Company

THE PALM BEACH POST

Published Daily and Sunday
West Palm Beach, Palm Beach County, Honda

FEB 15 2012

PROOF OF PUBLICATION

DIVISION OF AIR
RESOURCE MANAGEMENT

STATE OF FLORIDA COUNTY OF PALM BEACH

Before the undersigned authority personally appeared Ellen Sanita, who on oath says that she is Call Center Revenue Manager 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 Order #127-1 was published in said newspaper in the issues of February 9, 2012. 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. Also published in Martin and St. Lucie Counties.

(E)

Sworn to and subscribed before 9th day of February, A.D. 2012. Who is personally known to me.

Mhinton

NOTARY PUBLIC-STATE OF FLORIDA
Karen M. McLinton
Commission # DD832672
Expires: NOV. 15, 2012
RONDED THRU ATLANTIC BONDING CO., INC.

PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMITS

Florida Department of Environmental Protection
Division of Air Resource Management, Bureau of Air Regulation
Draft/Proposed Permit No. 0920546-004-AV, Initial Title V Air Operation Permit
Draft Permit No. 0920546-005-AC/PSD-FL-354B, Air Construction Permit Revision
Florida Power and Light Company, West County Energy Center, Palm Beach County, Florida

Applicant: The applicant for this project is the Florida Power & Light Company. The applicant's responsible official and mailing address are: Mr. Peter G. Hotzapfel, Plant General Manager, Florida Power & Light Company, West County Energy Center, 700 Universe Boulevard, Juno Beach, Florida 33408.

Facility Location: The applicant operates the existing West County Energy Center, which is located in Palm Beach County at 20505 State

Road 80, Loxahatchee, Florida.

Project: The main purpose of this project is to issue a Title V air operation permit revision to add all appropriate specific conditions for the recently constructed combined cycle Unit 3 at the facility. The construction of Unit 3 was authorized by air construction permit No. 0990646-002-ACPSD-RL-396. An air construction permit revision is included in this permitting package to change several conditions of 0990646-002-ACPSD-RL-396 related to excess emissions provisions for the gas turbines of the unit. The Title V air operation permit revision also incorporates these changes Permitting Authority: Applications for air construction permits are subject to review in accordance with the provisions of Chapter 403, Rorida 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 Office of Permitting and Compliance is the Permitting Authority responsible for making a permit determination for this project. Applications for Title V air operation permits for facilities that contain Acid . Rain units are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, 62-213 and 62-214 of the Florida Administrative Code (FA.C.). The proposed project is not exempt from air permitting requirements and a Title V air operation permit is required to operate the facility. The Office of Permitting and Compliance is the Permitting Authority responsible for making a permit determination for this project. The Permitting Authority's physical address is: 111 South Magnolla Drive, Suite #4, Tallahassee, Florida. The Permitting Authority's mailing address is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400, The Permitting Authority's telephone number is 850/717-9001.

Project Files: 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 address indicated above for the Permitting Authority. The complete project file includes the draft air construction permit modification, the chaft/proposed air operation permit revision, the Statement of Basis, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, FS. Interested persons may view the draft air construction permit modification and draft/proposed air operation permit revision by visiting the following website: http://www.dep.state.fl.us/air/emission/apds/default.asp and entering the permit numbers shown above. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address or phone number listed

Notice of Intert to Issue Permits: The Permitting Authority gives notice of its intert to Issue an air construction permit modification 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, 62-216, 62-296 and 62-297, FA.C. The Permitting Authority will issue a final permit in accordance with the conditions of the draft air construction permit modification unless a timely petition for an administrative hearing is filled under Sections 120.569 and 120.57, FS. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

The Permitting Authority gives notice of its intent to issue a revised Title V air operation permit to the applicant for the project described above. The applicant has provided reasonable assurance that continued operation of the existing 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, 62-213, 62-214, 62-296 and 62-297, FA.C. The Permitting Authority will issue a final permit in accordance with the conditions of the draft/proposed permit revision unless a response received in accordance with the following procedures results in a different

decision or a significant change of terms or conditions.

Comments: The Permitting Authority will accept written comments concerning the draft air construction permit modification for a period of 14 days from the date of publication of the 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 this 14-day period. If written comments received result in a significant change to the draft air construction permit modification, the Permitting Authority shall revise the draft air construction permit modification and require, if applicable, another Public Notice. All comments filled will be made available for public inspection.

The Permitting Authority will accept written comments concerning the draft/proposed Title V air operation permit renewal for a period of 30 days from the date of publication of the Public Notice. Written comments must be received by the close of business (5:00 p.m.), on or before the end of this 30-day period by the Permitting Authority at the above address. As part of this 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, if will publish notice of the time, date, and location in the Florida Administrative Weeldy (FAW), if a public meeting is requested within the 30-day comment period and conducted by the Permitting Authority, any oral and written comments received during the public meeting will also be considered by the Permitting Authority. If timely received written comments

or comments received at a public meeting result in a significant change to the draft/proposed permit renewal, the Permitting Authority shall issue a revised draft/proposed permit renewal and require, if applicable, another Public Notice. All comments filed will be made available for public inspection. For additional information, contact the Permitting Authority at the above address or phone number.

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, FS. The petition must contain the information set forth below and must be filled with (received by) the Department's Agency Clerk in the Office of General Coursel 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), FS. must be filled within 14 days of publication of the Public Notice or receipt of a written notice, whichever occurs first. Under Section 120,60(3), FS., 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 filling. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that persons right to request an administrative determination (hearing) under Sections 120,569 and 120,57,FS., 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 filling of a motion in compliance with Rule 28-106,205,

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 a disputed issues of material fact. If there are none, the petition must so Indicate, (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.

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. Neadiation: Mediation is not available for this proceeding.

EPA Review: EPA has agreed to treat the draft/proposed Title V air operation permit as a proposed Title V air operation permit and to perform its 45-day review provided by the law and regulations concurrently with the public comment period, provided that the applicant also transmits an electronic copy of the required proof of publication directly to EPA at the following email address: oupendo ana@epamail.epa.gov. Although EPAs 45-day review period will be performed concurrently with the public comment period, the deadline for submitting a citizen petition to object to the EPA Administrator will be determined as if EPAs 45-day review period is performed after the public comment period has ended. The final Title V air operation permit will be issued after the conclusion of the 45-day EPA review period so long as no adverse comments are received that result in a different decision or significant charge of terms or conditions. The status regarding EPAs 45-day review of this project and the deadline for submitting a citizen petition can be found at the following website address: http://www.epa.gov/regjoru4/air/permits/Florida.htm.

Objections: Finally, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 days of the expiration of the Administrator's 45-day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to the issuance of any Title V air operation permit. Any petition shall be based only on objections to the permit that were raised with reasonable specificity during the 30-day public comment period provided in the Public 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 arcse after the comment period. Piling 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, FAC. Petitions filled with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filled with the Administrator of the EPA at U.S.C. Bethington, D.C. 20460. For more information regarding EPA review and objections, visit EPA's Region 4 web site at http://www.epa.gov/region4/air/nermits/Florida.htm.

THE PALM BEACH POST

Published Daily and Sunday West Palm Beach, Palm Beach County, Florida

PROOF OF PUBLICATION

STATE OF FLORIDA COUNTY OF PALM BEACH

Before the undersigned authority personally appeared Ellen Sanita, who on oath says that she is Call Center Revenue Manager 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 **DEP** Permit #s 0990646-004-AV & 0990646-005-AC/PSD-FL-354B was published in said newspaper in the issues of February 9, 2012. 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. Also published in Martin and St. Lucie Counties.



Sworn to and subscribed before 9th day of February, A.D. 2012. Who is personally known to me.

(In) h mton

NOTARY PUBLIC-STATE OF FLORIDA
Karen M. McLinton
Commission # DD832672
Expires: NOV. 15, 2012
BONDED THRU ATLANTIC BONDING CO., INC.

PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMITS

Florida Department of Environmental Protection
Division of Air Resource Management, Bureau of Air Regulation
Draft/Proposed Permit No. 0920846-004-AV, Initial Title V Air Operation Permit
Draft Permit No. 0920846-005-AC/PSD-FL-354B, Air Construction Permit Revision
Florida Power and Light Company, West County Energy Center, Palm Beach County, Florida

Applicant: The applicant for this project is the Florida Power & Light Company. The applicant's responsible official and mailing address are: Mr. Peter G. Holzapfel, Plant General Manager, Florida Power & Light Company, West County, Energy Center, 700 Universe Boulevard, Juno Reach Florida 3340/8.

Facility Location: The applicant operates the existing West County Energy Center, which is located in Palm Beach County at 20505 State

Road 80, Loxahatchee, Florida.

permit revision to add all appropriate specific conditions for the recently constructed combined cycle Unit 3 at the facility. The construction of Unit was authorized by air construction permit No. 0990646-002-AC/PSD FI -396 An air construction permit revision is included in this permitting package to change several conditions of 0990646-002-AC elated to excess emissions provisions for the gas turbines of the unit. The Title V air operation permit revision also incorporates these changes 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 Office of Permitting and Compliance is the Permitting Authority responsible for making a permit determination for this project. Applications for Title V air operation permits for facilities that contain Acid Rain units are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62and 62-214 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and a Title V air operation permit is required to operate the facility. The Office of Permitting operation permit is required to operate the rating. The other or hermital and Compliance is the Permitting Authority responsible for making a permit determination for this project. The Permitting Authority's physical address is: 111 South Magnotia Drive, Suitte #4, Tallahassee, Horida. The Permitting Authority's mailing address is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's Mailing address is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's Mailing address is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's Mailing Authority Mailing Authority's Mailing Authority telephone number is 850/717-9001

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 holdays), at the address indicated above for the Permitting Authority. The complete project file includes the draft air construction permit modification, the draft/proposed air operation permit revision, the Statement of Basis, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, FS, Interested persons may view the draft air construction permit modification and draft/proposed air operation permit revision by visiting the following website: http://www.dep.state.fl.us/air/emission/apds/default.asp and entering the permit numbers shown above. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address or phone number listed

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Comments: The Permitting Authority will accept written comments

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modification, the Permitting Authority shall revise the draft air construction permit modification and require, if applicable, another Public Notice. All comments filled will be made available for public inspection. The Permitting Authority will accept written comments concerning the draft/proposed Title V air operation permit renewal for a period of 30 days from the date of publication of the Public Notice. Written comments must be received by the close of business (6:00 p.m.), on or before the end of this 30-day period by the Permitting Authority at the above address. 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 in the Florida Administrative Weekly (FAW). If a public meeting is requested within the 30-day comment period and conducted by the Permitting Authority, any oral and written comments received during the public meeting will also be considered by the Permitting Authority, any oral and written comments.

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Petitions: A person whose substantial interests are affected by the

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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; the name address and telephone number of the petitioner; 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 asterner for 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 indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts 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, FAC.

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Objections: Finally, pursuant to 42 United States Code (U.S.C.) Section

Objections: Finally, pursuant to 42 United States Code (U.S.C.) Section 7661 (dp)(2), any person may petition the Administrator of the EPA within 60 days of the expiration of the Administrator's 45-day review period as established at 42 U.S.C. Section 7661 (dp)(1), to object to the issuance of any Title Vair operation permit. Any petition shall be based only on objections to the permit that were raised with reasonable specificity during the 30-day public comment period provided in the Public 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, FA.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661 (dp)(2) and must be filed with the Administrator of the EPA at U.S. EPA, 401 M Street, S.W. Washington, D.C. 20460. For more information regarding EPA review and objections, visit EPAs Region 4 web site at http://www.epa.gov/region4/

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Sworn to and subscribed before 9th day of February, A.D. 2012. Who is personally known to me.

anh inton

NOTARY PUBLIC-STATE OF FLORIDA
Karen M. McLinton
Commission # DD832672
Expires: NOV. 15, 2012
BONDED THRU ATLANTIC BONDING CO., INC.

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**Project Files A complete project file is available for nu libin inspection.

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 address indicated above for the Permitting Authority. The complete project file includes the draft air construction permit modification, the chaft/proposed air operation permit revision, the Statement of Basis, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may view the draft air construction permit modification and draft/proposed air operation permit revision by visiting the following website: http://www.dep.state.fl.us/air/emission/apds/default.asp and entering the permit numbers shown above. Interested persons may comtact the Permitting Authority's project review engineer for additional information at the address or phone number listed

"Refuse of Intent to Issue Permits: The Permitting Authority gives notice of its intent to issue an air construction permit modification 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, 62-298 and 62-297, FA.C. The Permitting Authority will issue a final permit in accordance with the conditions of the draft air construction permit modification unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, FS. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or

The Permitting Authority gives notice of its intent to issue a revised Title V air operation permit to the applicant for the project described above. The applicant has provided reasonable assurance that continued operation of the existing 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, 62-214, 62-214, 62-296 and 62-297, FA.C. The Permitting Authority will issue a final permit in accordance with the conditions of the draft/proposed permit revision unless a response received in accordance with the following procedures results in a different

decision or a significant change of terms or conditions.

Comments: The Permitting Authority will accept written comments concerning the draft air construction permit modification for a period of 14 days from the date of publication of the Public Notice. Written comments must be received by the Permitting Authority by close of business (6:00 p.m.) on or before the end of this 14-day period. If written comments received result in a significant change to the draft air construction permit modification, the Permitting Authority shall revies the draft air construction permit modification and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

The Permitting Authority will accept written comments concerning the draft/proposed Title V air operation permit renewal for a period of 30 days from the date of publication of the Public Notice. Written comments must be received by the close of business (5:00 p.m.), on or before the end of this 30-day period by the Permitting Authority at the above address. 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 in the Florida Administrative Weekly (FAW), if a public meeting is requested within the 30-day comment period and conducted by the Permitting Authority, ary oral and written comments received during the public meeting will also be considered by the Permitting Authority, ary

or comments received at a public meeting result in a significant change to the draft/proposed permit renewal, the Permitting Authority shall issue a revised draft/proposed permit renewal and require, if applicable, another Public Notice. All comments filed will be made available for public inspection. For additional information, contact the Permitting Authority at the above address or phone number:

Petitions: A person whose substantial interests are affected by the proposed pemilting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, Fs. 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 Coursel of the Department's Agency Clerk in the Office of General Coursel of the Department of Environmental Protection at 3900 Commonwealth Boulevard, Mail Station #353, Tallahasses, Florida 32399-3000. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), Fs. must be filed within 14 days of publication of the Public Notice or receipt of a written notice, whichever occurs first. Under Section 120.60(3), Fs., 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 walver of that persons in gift to request an administrative determination (hearing) under Sections 120.569 and 120.57, Fs., or to intervene in this proceeding initiated by another partly will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205,

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 purposs 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 indicate; (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; and, (g) A statement of the eleged 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 fraction of the agency so the petitioner 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 fract 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 the 28-106.301. FA.C.

Because the administrative hearing process is designed to formulate final agency action, the filling 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. EPA Review: EPA has agreed to treat the drait/proposed Title V air operation permit as a prosesol Title V air operation permit as operation permit and to perform its 45-day review provided by the law and regulations concurrently with the public comment beriod, provided that the applicant also transmits an electronic copy of the required proof of publication directly to EPA at the following email address: oquendo.ana@epamail.epa.gov. Although EPAs 45-day review period will be performed concurrently with the public comment period, the deadline for submitting a citizen petition to object to the EPA Administrator will be determined as if EPAs 45-day review period is performed after the public comment period has ended. The final Title V air operation permit will be issued after the conclusion of the 45-day EPA review period so long as no adverse comments are received that result in a different decision or significant change of terms or conditions. The status regarding EPAs 45-day review of this project and the deadline for submitting a citizen petition can be found at the following website address: http://www.epa.gov/regiora/air/permits/Florida.htm.

Objections: Finally, pursuant to 42 United States Code (U.S.C.) Section 150.00 Sections of the Comment of the Comment

Objections: Finally, pursuant to 42 United States Code (U.S.C.) Section 7661 d(b)(2), any person may petition the Administrator of the EPA within 60 days of the expiration of the Administrator's 45-day review period as established at 42 U.S.C. Section 7661 d(b)(1), to object to the issuance of any Title V air operation permit. Any petition shall be based only on objections to the permit that were raised with reasonable specificity during the 30-day public comment period provided in the Public 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 objections within the comment period of unless the grounds for such objection arose after the comment period of liling 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, FAC. Petitions filed with the Administrator of the BPA at U.S.C. Section 7661 d(b)(2) and must be filed with the Administrator of the EPA at U.S.C. Section 7661 d(b)(2) and must be filed with the Administrator of the EPA at U.S.C. Section 7661 d(b)(2) and Street, S.W., Washington, D.C. 20460. For more information regarding EPA review and objections, visit EPAs Region 4 web site at http://www.epa.gov/region4/air/permis/Florida.htm.