



- file this extra note -

RECEIVED

DEC 18 1998

BUREAU OF
AIR REGULATION

December 15, 1998

Title V Section
received
1/7/99

Mr. Scott Sheplak, P.E.
Division of Air Resource Management
Florida Department of Environmental Protection
2600 Blair Stone Rd.
Tallahassee, Florida 32399-2400

Dear Mr. Sheplak:

Re: FPC Anclote Facility, Notice of Intent to Issue Title V Air Operation Permit
REVISED Draft Title V Permit No. 1010017-003-AV

Enclosed please find the notarized proof of publication received from the Pasco Times for the Florida Department of Environmental Protection *Notice of Intent to Issue Title V Air Operation Permit* referenced to the above request. The notice was published on December 7, 1998.

If you should have any questions concerning this correspondence, please do not hesitate to contact me at (727) 826-4258.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott H. Osbourn".

Scott H. Osbourn
Senior Environmental Engineer

cc: William Thomas, DEP SW District (w/attach)

Attachment

cc: Mike Helpin

FLORIDA } S.S.
PASCO }

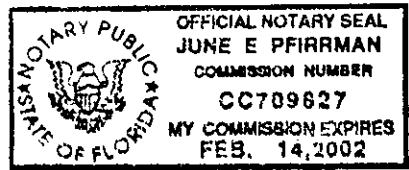
pasco times
Published Daily
Port Richey, Pasco County, Florida

Resigned authority personally appeared C. Egan
that he is Legal Clerk
names _____

published at Port Richey, in Pasco County, Florida: that the
advertisement, being a Legal Notice
Notice of Intent to Issue Title V
Air Operation Permit
in the _____ Court
said newspaper in the issues of December 7, 1998

says the said Pasco Times is a newspaper
published in said Pasco County, Florida, and that the said newspa-
per has been continuously published in said Pasco County, Florida,
and that the said newspaper has been entered as second class mail matter at the post office in
said Pasco County, Florida, for a period of one year next
publication of the attached copy of advertisement; and affiant
has neither paid nor promised any person, firm, or corpora-
tion a rebate, commission or refund for the purpose of securing
publication in the said newspaper.

Subscribed before _____ day of _____
A.D. 19 98
Egan
Notary Public



Notary expires _____ 19 _____

LEGAL NOTICE

LEGAL NOTICE

**PUBLIC NOTICE OF INTENT TO ISSUE TITLE V
AIR OPERATION PERMIT**
STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Title V Revised DRAFT Permit No.: 1010017-003-AV
Anclote Power Plant
Pasco County

The Department of Environmental Protection (permitting authority) gives notice of its intent to issue a Title V air operation permit to Florida Power Corporation for the Anclote Power Plant located at 1729 Baileys Bluff Road, Holiday, Pasco County. The applicant's name and address are: Florida Power Corporation, 3201-34th Street South, St. Petersburg, Florida 33711. The permitting authority will issue the Title V PROPOSED Permit, and subsequent Title V FINAL Permit, in accordance with the conditions of the Title V Revised DRAFT Permit unless a response received in accordance with the following procedures results in a different decision of significant change of terms or conditions.

The permitting authority will accept written comments concerning the proposed Title V Revised DRAFT Permit 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 Revised DRAFT Permit, the permitting authority shall issue another Revised DRAFT Permit 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 Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/488-9730; Fax: 850/487-4938). 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 applicants 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, 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 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. 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 objections 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: 850/488-1344
Fax: 850/922-6979

Department of Environmental Protection
Southwest District
8407 Laurel Fair Circle
Tampa, Florida 33619
Telephone: 813/744-6100
Fax: 813/744-6458

The complete project file includes the Revised DRAFT Permit, the application, and the information submitted by the responsible official, exclusive of confidential records under Section 403.11. Interested persons may contact Scott M. Sheplak, P.E., at the above address, or call 850/921-9111 for additional information.

(983382920) 12/7/98