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OCT 21 2002

BUREAU OF AIR REGULATION

October 17, 2002

Mr. Al Linero, P.E.
Florida Department of Environmental Protection
Bureau of Air Regulation
Mail Station #5505
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Re: Bartow Power Plant
Title V Permit – Draft Renewal Permit
DEP File No.: 1030011-007-AC
Public Notice – Proof of Publication

Dear Mr. Linero:

Please find enclosed the “proof of publication” for the public notice of the above referenced draft permit. The notice was published on October 12, 2002.

Please contact me at (727) 826-4363 if you have any questions or need additional information.

Sincerely,

Jamie Hunter
Lead Environmental Specialist

c: Scott Sheplak, FDEP – Tallahassee

enclosure

jjh/JJH046

ST. PETERSBURG TIMES

Published Daily
St. Petersburg, Pinellas County, Florida

STATE OF FLORIDA } S.S.
COUNTY OF PINELLAS }

Before the undersigned authority personally appeared N. Olsen
who on oath says that he is Legal Clerk
of the St. Petersburg Times
a daily newspaper published at St. Petersburg, in Pinellas County, Florida; that the
attached copy of advertisement, being a Legal Notice
in the matter RE: Notice of Intent
was published in said newspaper in the issues of October 12, 2002

Affiant further says the said St. Petersburg Times
is a newspaper published at St. Petersburg, in said Pinellas County, Florida, and that the said
newspaper has heretofore been continuously published in said Pinellas County, Florida, each
day and has been entered as second class mail matter at the post office in St. Petersburg, in
said Pinellas County, Florida, for a period of one year next preceding the first publication of
the attached copy of advertisement, and affiant further says that 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.

N. Olsen
Signature of Affiant

Sworn to and subscribed before
me this 14th day of
October A.D. 2002

OFFICIAL NOTARY SEAL
KATHLEEN J KLASE
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CC947304
MY COMMISSION EXP. JUNE 20, 2004

Kathleen J. Klase
Notary Public

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OCT 21 2002

BUREAU OF AIR REGULATION

BEST AVAILABLE COPY

LEGAL NOTICE

PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT
STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DEP File No. 1030011-007-AC
Florida Power Corporation Bartow Plant Unit
Redesign and Rebuild of Electrostatic Precipitator Fields
Pinellas County

The Department of Environmental Protection (Department) gives notice of its intent to issue an Air Construction Permit to Florida Power Corporation (FPC). The permit will authorize the redesign and rebuild of two mechanical fields within the existing electrostatic precipitator (ESP) on Unit 1 at the Bartow Plant in Pinellas County. A Best Available Control Technology (BACT) determination was not required. The applicant's name and address are Florida Power Corporation, Post Office Box 14042, St. Petersburg, Florida 33733. FPC Unit 1 is a nominal 120 megawatt residual fuel oil-fired unit. According to the company, the ESP was originally designed to control particulate emissions and opacity from a discontinued fuel that was a mixture of 50 percent coal and 50 percent oil. FPC proposes to redesign the ESP and rebuild two mechanical sections with more durable rigid discharge electrodes instead of wires. Following the redesign and rebuild, particulate emissions and opacity from Unit 1 are expected to be less than or equal to emissions prior to the project. According to FPC, the revised design is also more durable and less maintenance intensive. The project will be conducted during a planned outage between October and December of 2002.

The Department has reasonable assurance that the project will not result in significant net emission increases from the unit that would otherwise require a review under the rules for the Prevention of Significant Deterioration at Section 62.212.403 F.A.C. or 40 CFR 52.21.

The Department will issue the 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 Department will accept written comments concerning the proposed permit issuance action for a period of 14 (fourteen) 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 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 will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to sections 120.569 and 120.57 F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below. Mediation is not available in this proceeding.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #55, Tallahassee, Florida 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to the public notice of intent under section 120.60(3) of the Florida Statutes must be filed within fourteen days of publication of the public notice of intent. A petitioner shall file a petition within fourteen days of receipt of this notice of intent, whichever occurs first. Under section 120.60(3), however, any person who asked the Department 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 appropriate 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.

A petition that disputes the material facts upon 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, 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 interests will be affected by the agency determination; (c) A statement of how and when 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 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; 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.

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. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

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:

Dept. of Environmental Protection Bureau of Air Regulation 111 S. Magnolia Drive, Suite 4 Tallahassee, Florida 32301 Telephone: 850/488-0114 Fax: 850/922-6979	Dept. of Environmental Protection Southwest District Office 3804 Coconut Palm Drive Tampa, Florida 33619-8218 Telephone: 813/744-6100 Fax: 813/744-6084
Pinellas County Department of Environmental Management 300 South Garden Avenue Clearwater, Florida 33756 Telephone: 727/464-4422 Fax: 727/464-4420	

The complete project file includes the technical evaluation and the Draft Permit and the information submitted by the Florida Power Corporation, exclusive of confidential records under Section 403.111 F.S. Interested persons may contact the Program Administrator, New Resource Review Section at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/488-0114 for additional information. The draft permit and technical evaluation can be accessed at www.dep.state.fl.us/air/permitting/construct.htm

(1000434187) 10/12/02 73276