

THE TAMPA TRIBUNE
Published Daily
Tampa, Hillsborough County, Florida

State of Florida }
County of Hillsborough } ss.

Before the undersigned authority personally appeared J. Rosenthal, who on oath says that she is Classified Billing Manager of The Tampa Tribune, a daily newspaper published at Tampa in Hillsborough County, Florida; that the attached copy of advertisement being a

LEGAL NOTICE PINELLAS

in the matter of

PUBLIC NOTICE OF INTENT

was published in said newspaper in the issues of

SEPTEMBER 24, 1997

Affiant further says that the said The Tampa Tribune is a newspaper published at Tampa in said Hillsborough County, Florida, and that the said newspaper has heretofore been continuously published in said Hillsborough County, Florida, each day and has been entered as second class mail matter at the post office in Tampa, in said Hillsborough 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, this advertisement for publication in the said newspaper.

[Handwritten signature: J. Rosenthal]

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Sworn to and subscribed before me, this NOVEMBER 19, A.D. 1997

Personally Known or Product Identification
Type of Identification Produced

(SEAL)

[Handwritten signature: Susie Lee Slaton]

RECEIVED

DEC 18 1997

BUREAU OF AIR REGULATION

PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION Title V DRAFT Permit No.: 1030012-001-AV, Higgins Power Plant Pinellas 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 Higgins Power Plant located at 998 East Shore Drive, Oldsmar, Pinellas 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 DRAFT Permit unless a response received in accordance with the following procedures result in a different decision or significant change of terms or conditions. The permitting authority will accept written comment concerning the proposed Title V 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 DRAFT Permit, the permitting authority shall issue a Revised DRAFT Permit and require, if applicable, another Public Notice. The permitting authority 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. Mediation under Section 120.573, F.S., will not be available for this proposed action. A person whose substantive interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the 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 must be filed within 14 (fourteen) days of publication of the public notice or within 14 (fourteen) days of receipt of the notice of intent, whichever occurs first. A petitioner must 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 of the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-5.207 of the Florida Administrative Code. A petition must contain the following information: (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Permit File Number, and the county in which the project is proposed; (b) A statement of how and when each petitioner received notice of the permitting authority's action or proposed action; (c) A statement of how each petitioner's substantial interests are affected by the permitting authority's action or proposed action; (d) A statement of the material facts disputed by the petitioner, if any; (e) A statement of the facts that the petitioner contends warrant reversal or modification of the permitting authority's action or proposed action; (f) A statement identifying the rules, or statutes that the petitioner contends require reversal or modification of the permitting authority's action or proposed action; and, (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the permitting authority to take with respect to the action or proposed action addressed in this notice of intent. 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. Petitions will be affected by interests whose substantial interests such final decision of the permitting authority on the petition have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

OFFICIAL NOTARY SEAL SUSIE LEE SLATON COMMISSION NUMBER CC638424 MY COMMISSION EXP. APRIL 16, 2001



In addition to the above, pursuant to 42 United States Code (U.S.C.) Section 761(d)(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 stated in 42 U.S.C. Section 7601(d)(1), to object to issuance of any permit. Any person shall be deemed only an objector to the permit if no written objection is filed with the Administrator during the 30 (thirty) day public comment period of the permit. Petitions must be filed in this office, unless the petitioner demonstrates to the Administrator 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 this provision of Chapter 62-215, 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 410 M Street, SW, Washington, D.C. 20460. A complete project file is available for public inspection 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, or: Permitting Authority: Department of Environmental Protection Bureau of Air Regulation Suite 4 111 South Magnolia Drive, Tallahassee, Florida 32301 Telephone: 850/488-1344 Fax: 850/422-6979 Attached District: Pinellas County Department of Environmental Management Air Quality Division 300 South Garden Avenue Clearwater, Florida 33756 Telephone: 813/464-4422 Fax: 813/464-4420 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 Scott M. Sheplek, P.E., at the above address, or call 850/488-1344, for additional information. 9/24/97 8503