



Farzie Shelton, chE; REM

Manager of Environmental Affairs

April 19, 2001

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BUREAU OF AIR REGULATION

Mr. C.H. Fancy, P.E.
Chief Bureau of Air Regulation
Department of Environmental Protection
Twin Towers Office Building
2600 Blair Stone Road, Mail Station #5505
Tallahassee, Florida 32399-2400

**Re: Larsen Memorial Power Plant Facility Identification Number 1050003-009-AV
Draft Title V Permit Revision – Public Notice Of Intent To Issue Title V Air Operation Permit**

Dear Mr. Fancy:

We are in receipt of the draft Title V Permit Revision for Larsen Power Plant addressing the inclusion of the inlet fogging system for Unit No. 8. Accordingly, on April 16, 2001 we published the Public Notice Of Intent in the Lakeland Ledger. Therefore, enclosed you will find the affidavit of publication as required under provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Chapter 62-4.

If you should have any questions, please do not hesitate to contact me.

Sincerely,

Farzie Shelton

Enclosure

4/24/01 cc: ed Irec

City of Lakeland ● Department of Electric Utilities

AFFIDAVIT OF PUBLICATION

THE LEDGER

Lakeland, Polk County, Florida

Case No

STATE OF FLORIDA)
COUNTY OF POLK)

Before the undersigned authority personally appeared Ken Holtzinger, who on oath says that he is the Classified Manager of The Ledger, a daily newspaper published at Lakeland in Polk County, Florida; that the attached copy of advertisement, being a

Notice of Intent

in the matter of Revision No. 1050003-009-AV

in the

Court, was published in said newspaper in the issues of

4-16; 2001

Affiant further says that said The Ledger is a newspaper published at Lakeland, in said Polk County, Florida, and that the said newspaper has heretofore been continuously published in said Polk County, Florida, daily, and has been entered as second class matter at the post office in Lakeland, in said Polk 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.

Signed

Ken Holtzinger
Classified Manager
Who is personally known to me.

Sworn to and subscribed before me this 18TH

day of April, A.D. 2001

Patricia Ann Rouse
Notary Public

PATRICIA ANN ROUSE

(Seal)



Attach Notice Here

PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF AIR REGULATION
Charles Hansen Memorial Power Plant
Polk County

The Department of Environmental Protection (permitting authority) gives notice of its intent to issue a Title V air operation permit revision to Lakeland Electric for the Charles Hansen Memorial Power Plant located at 2002 East U.S. Highway 92, Lakeland, Polk County. The applicant's name and address are Lakeland Electric, 501 East Lemon Street, Lakeland, Florida 33801-5070.

The subject of this permit revision is to incorporate the ability to operate an inter-fogger system on the gas turbine designated as Unit 8, Emissions Unit I.D. No. 008.

The permitting authority will issue the PROPOSED Title V Permit Revision, and subsequent FINAL Title V Permit Revision, in accordance with the conditions of the DRAFT Title V Permit Revision 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 proposed DRAFT Title V Permit Revision 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 New Stone Road, Mail Station 45506, Tallahassee, Florida 32399-2400. Any written comments filed must be made available for public inspection. If written comments received result in a significant change in the DRAFT Title V Permit Revision, the permitting authority will issue a revised DRAFT Title V Permit Revision and require, if applicable, another Public Notice.

A person whose substantial interest is affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.565 and 120.57, of the Florida Statutes (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, 3433 Commonwealth Boulevard, Mail Station 433, Tallahassee, Florida 32399-3000 (Telephone: 850/486-9730; Fax: 850/487-4938). Petitions filed by any person other than those entitled to written notice under Section 120.003, F.S., must be filed within fourteen days of the publication of the public notice or within fourteen days of receipt of the notice of intent, whichever occurs first. Under Section 120.003, F.S., however, any person who caused the notice of intent of agency action may file a petition within fourteen days of the date of publication of the notice of intent. 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 prescribed time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.565 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 28-106.255 of the Florida Administrative Code (F.A.C.).

A petition that disputes the material facts upon 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 petitioner 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 interest 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 7601(x)(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 7601(x)(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 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 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 for legal holidays, at:

Permitting Authority: Department of Environmental Protection, Bureau of Air Regulation, 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301-1114, Telephone: 850/486-0114, Fax: 850/722-6979.

Affected District: Department of Environmental Protection, Southwest District Office, 4807 Laurel Fox Circle, Tampa, Florida 33619, Telephone: 813/744-6100, Fax: 813/744-6084.

The complete project file includes the DRAFT Title V Permit Revision, 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. Shepley, P.E., at the above address, or call 850/921-9532, for additional information.

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