



Farzie Shelton, chE; REM

Associate GM Technical Support

November 6, 2007

Bureau of Air Regulation
Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, FL 32399

RECEIVED

NOV 09 2007

BUREAU OF AIR REGULATION

Attention: Mr. Bruce Mitchell, North Permitting Section

**RE: Charles Larsen Memorial Power Plant
Draft Title V 1050003-014-AV**

Dear Bruce:

Please find attached the official document for publishing the public notice regarding the Draft Title v permit for the Charles Larsen Memorial Power Plant. The public notice was published on November 3, 2007 in the Lakeland Ledger. Lakeland Electric published the notice following discussion regarding several conditions in which comments were provided. Based the Department's complete draft permit, it appears that Lakeland Electric's comments were addressed. Regarding Condition C.33, based on the change made by the Department to identify this condition as "Excess NOx Emissions – Notification", it is our understanding that this condition only requires notification and that such a notification does not indicate that an excursion is a violation of any applicable requirement. The current compliance method for NOx is based on a 3-hour stack test and the CEMs are not a current compliance method in the Title V permit. In the final permit, it is requested that the Department add a permitting note to indicate this intent.

Lakeland Electric appreciates the Department's efforts in issuing the draft Title V permit for the Charles Larsen Power Plant.

If there are any further questions concerning these comments please contact me at 863-834-6603.

Sincerely,

Farzie Shelton

Enc.

Cc: Tim Bachand P.E.
Ken Kosky P.E.

City of Lakeland • Department of Electric Utilities

501 East Lemon Street • Lakeland, FL 33801-5050 • 863. 834.6603 • Fax 863. 834.8187 • Cell 863.860.5998

farzie.shelton@lakelandelectric.com

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AFFIDAVIT OF PUBLICATION

THE LEDGER

Lakeland, Polk County, Florida

Case No's:

STATE OF FLORIDA)
COUNTY OF POLK)

Before the undersigned authority personally appeared Paula Freeman, who on oath says that she is Inside Classified Sales Manager The Ledger, a daily newspaper published at Lakeland in Polk County, Florida; that the attached copy of advertisement, being A

Notice of Public Intent

in the matter of Title V Air Operation Permit

Concerning permit NO 1050003-014-AV / City of Lakeland

was published in said newspaper in the issues of 11-3; 2007

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

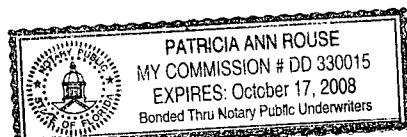
Paula Freeman
Paula Freeman
Inside Classified Sales Manager
Who is personally known to me.

Sworn to and subscribed before me this 6TH

day of November A.D. 20 07

Patricia Ann Rouse
Notary Public

(Seal)



My Commission Expires

A350 LK03117132

PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT

**Department of Environmental Protection
DRAFT/PROPOSED Title V Air Operation Permit No. 1050003-014-AV
City of Lakeland - Charles Larsen Memorial Power Plant
Polk County**

Applicant: The applicant for this project is the City of Lakeland, 501 East Lemon Street, MS-AS2, Lakeland, Florida 33801-5079. The applicant's responsible official is Mr. Timothy Bachand, Manager of Engineering, City of Lakeland.

Facility Location: The City of Lakeland operates the existing Charles Larsen Memorial Power Plant, which is an electric utility located at 2202 East Highway 92 in Lakeland, Polk County, Florida.

Project: On June 26, 2007, the City of Lakeland applied to the permitting authority to renew the Title V Air Operation permit for the Charles Larsen Memorial Power Plant. This facility consists of one fossil fuel-fired steam generator, two simple cycle combustion turbine peaking units, one simple and combined cycle CT, fuel oil storage tanks and associated equipment.

Permitting Authority: The application for a Title V Permit is subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.), and Chapters 62-4, 62-210, 62-212, 62-213 and 62-214 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 Florida Department of Environmental Protection's Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination for this project. The Bureau of Air Regulation's physical address is 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301 and the mailing address is 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Bureau of Air Regulation's phone number is 850/488-0114; and, the facsimile number is 850/922-6979.

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 address indicated above for the Permitting Authority. The complete project file includes the DRAFT/PROPOSED Title V Air Operation Permit (DRAFT/PROPOSED Permit), 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/PROPOSED Permit by visiting the following website: <http://www.dep.state.fl.us/air/eproducts/apds/default.asp>.

Notice of Intent to Issue Air Permit: The Permitting Authority gives notice of its intent to issue a DRAFT/PROPOSED Permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of the facility 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, F.A.C. The Permitting Authority will issue a FINAL Permit in accordance with the conditions of the DRAFT/PROPOSED Permit unless a response received in accordance with the following procedures results in a different decision or a significant change of terms or conditions.

EPA has agreed to treat the DRAFT Permit as a PROPOSED Permit and to perform its 45-day review provided by the law and regulations concurrently with the public comment period. Although EPA's 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 EPA's 45-day review period is performed after the public comment period has ended. The FINAL Permit will be issued after the conclusion of the 45-day EPA review period so long as no adverse comments are received that results in a different decision or significant change of terms or conditions.

Comments: The Permitting Authority will accept written comments concerning the DRAFT/PROPOSED Permit for a period of 30 days from the date of publication of the Public Notice of Intent to Issue a Title V Air Operation Permit Renewal. Written comments must be post-marked and all facsimile comments must be received by the close of business (5:00 pm), on or before the end of this 30-day period, by the Permitting Authority at the above address or facsimile. 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 (<http://law.dep.state.fl.us/>) and in a newspaper of general circulation in the area affected by the permitting action. Subsequent action on the Title V and Title IV parts of the Permit Renewal may be split if comments are received on the Title V portion of the DRAFT/PROPOSED Permit. For additional information, contact the Permitting Authority at the above address or phone number. If written comments or comments received at a public meeting result in a significant change to the DRAFT/PROPOSED Permit, the Permitting Authority shall issue a Revised DRAFT Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

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, F.S. 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 Counsel of the Department of Environmental Protection, 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), F.S., must be filed within 14 days of publication of this Public Notice or receipt of a written notice; 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 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 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 interventions (in a proceeding initiated by another party) 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; 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 when and how each 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, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed decision; (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 Written Notice of Intent to Issue a Title V Air Operation Permit Renewal. 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.

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 (forty-five) day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to issuance of any Title V Permit. Any petition shall be based only on objections to the Title V Permit that were raised with reasonable specificity during the 30 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 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. For more information regarding objections, visit EPA's Region 4 web site at: <http://epa.gov/region4/air/permits/Florida.htm>.

Mediation: Mediation is not available in this proceeding.

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