



Farzie Shelton, chE; REM

Manager of Environmental Affairs

RECEIVED

NOV 08 2001

BUREAU OF AIR REGULATION

Via Federal Express

November 7, 2001

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

Dear Mr. Fancy:

**Re: Draft Air Construction Permit No. 1050004-013-AC (PSD-FL-245)
McIntosh Power Plant Unit No. 5 – Affidavit of publication**

We are in receipt of your letter dated October 31, 2001 and attached Drafts Air Construction Permit, Intent to Issue Air Construction Permit Modification, and Public Notice of Intent to Issue Air Construction Permit Modification.

Pursuant to Section 403.815, Florida Statutes and DEP Rule 62-103.150, F.A.C., on November 2, 2001 we published the "Notice of Intent to Issue Air Construction Permit Modification " in the Lakeland Ledger. Therefore, enclosed please find Affidavit of Publication confirming publication of the Department's notice.

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

Sincerely

Farzie Shelton

Enclosure

cc: J. Kellon
B. Thomas, SW11

City of Lakeland ● Department of Electric Utilities

501 East Lemon Street ● Lakeland, FL 33801-5050 ● (863) 834-6603 ● Fax (863) 603-5670 ● Message System 834-6592

farzie.shelton@lakelandgov.net

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 Public Notice of Intent


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Air Construction Permit Modification
in the matter of.....

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in the.....

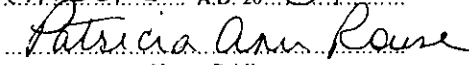
.....
Court, was published in said newspaper in the issues of.....

11-2, 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 2nd
day of November A.D. 20 01.....


Notary Public

PATRICIA ANN ROUSE

(Seal)

My Commission Expires.....



454511

F996 City of Lakeland Sue Trout

Attach Notice Here

PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT MODIFICATION

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DEP File No. 1050004-013-AC (PSD-FL-245)
City of Lakeland Electric and Water Utilities Department
C.D. McIntosh, Jr. Power Plant - Unit No. 5
Polk County

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit modification to the City of Lakeland Electric & Water Utilities Department. The modification is to temporarily allow excess nitrogen oxides emissions period during the conversion of the simple cycle combustion turbine (Unit 5) to combined cycle mode at the C.D. McIntosh, Jr. Power Plant located at 3030 East Lake Parker Drive, Lakeland, Polk County. A Best Available Control Technology (BACT) determination was not required pursuant to Rules 62-212-400 and 410, F.A.C. and 40 CFR 52.21. The applicant's name and address are the City of Lakeland Electric and Water Utilities Department, 501 East Lemon Street, Lakeland, Florida 33801-5079.

The nominal 250 megawatt (MW) simple cycle combustion turbine-electrical generator was commissioned in 1999. It was tested for initial compliance while firing natural gas and then operated in simple cycle mode. The unit achieves a nitrogen oxides (NO_x) limit of 25 parts per million by volume, dry, at 15 percent oxygen (ppmv).

The previously noticed and approved conversion to combined cycle is heating completion. Under this phase, the hot exhaust gases will be recovered in a waste heat boiler that will raise sufficient steam to produce another 100 MW, thus increasing the capacity of the unit to 350 MW (grossing). The previously permitted NO_x emissions will be 7.5 ppmvd, to be achieved by selective catalytic reduction (SCR).

During the integration phase of the steam cycle, there will be times when it will be necessary to steam clean ("steam blow") the piping system for the waste heat boiler of dirt and debris accumulated during construction. This steam will be vented rather than used to make electricity. Emissions during steam blows will be higher than presently allowed by the simple cycle or combined cycle permits because the burners will not operate in full lean pre-mixed mode at low load.

Although greater nitrogen oxides emissions are expected during the steam blows, concentrations will not exceed the NO_x limit of 40 CFR, Subpart GG of approximately 110 ppmvd at 15% O₂ for efficient large frame units. Steam blows will occur intermittently during a period of 60 days (tentatively during November - January 2002). It is estimated that the total duration of low load operation will not exceed several hundred hours. An upper limit of 1440 hours of excess emissions will be permitted by this action. Excess emissions due to "steam blows" will be allowed until February 29, 2002.

The Department will issue the FINAL permit modification with the attached conditions unless a response received in accordance with the following procedures results in a different decision or significant changes of terms or conditions.

The Department will accept written comments concerning the proposed permit issuance action for a period of fourteen (14) days of publication of Public Notice of Intent to Issue Air Construction Permit Modification. Written comments and requests for a public meeting should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station #5606, Tallahassee, FL 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the proposed permit modification and require, if applicable, another Public Notice.

The Department will issue the permit modification 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 # 33, Tallahassee, Florida, 32394-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of the notice of intent. Petitions filed by any persons other than those entitled to written notice under section 120.60(3) of the Florida Statutes 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), 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 on 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 concise 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, as well as the rules and statutes which entitle the 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 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:

Florida Department of Environmental Protection Bureau of Air Regulation 111 S. Magnolia Drive, Suite 4 Tallahassee, Florida, 32301 Telephone: (850)488-0114 Fax: (850)922-9979	Florida Department of Environmental Protection Southwest District Office 3804 Coconut Drive Tampa, Florida 33619-8218 Telephone: (813)744-6100 Fax: (813)744-6034	City of Lakeland Electric and Water Utilities Attention: Ms. Farnie Shelton 501 East Lemon Street Lakeland, Florida 33801-5079 Telephone: (941)999-6603 Fax: (941)603-6335
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The complete project file includes the application, technical evaluations, Draft Permit Modification, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Administrator, New Resource Review Section at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/488-0114 for additional information.

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