

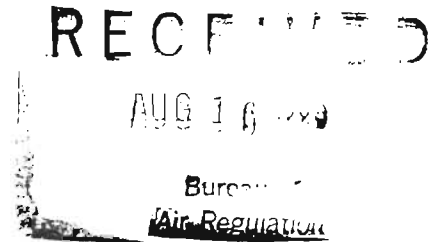


Al's Copy

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

August 7, 1995

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



Dear Mr. Fancy:

**Re: Amendment of PSD-FL-008
City of Lakeland, C.D. McIntosh Unit No. 3**

We are in receipt of your letter dated July 11, 1995 and attached Proposed Permit Amendment, Intent to Issue, Public Notice of Intent to Issue Permit Amendment for the above referenced facility.

Pursuant to Section 403.815, Florida Statutes and DEP Rule 62-103.150, F.A.C., on August 1, 1995 we published the "Notice of Intent to Issue Permit Amendment". 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 at (941) 499-6603.

Sincerely

Farzie Shelton
Environmental Division

Enclosure

CC: BUCK OVEN, DEP

*CC EPA
SWD*

*D. Beason OGC
M. Castello*

*R. Harwood, P&K
A. Wingo, BAR*

AFFIDAVIT OF PUBLICATION

THE LEDGER Lakeland, Polk County, Florida

Case No.....

STATE OF FLORIDA)
COUNTY OF POLK)

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

.....Notice of Intent.....

.....in the matter of.....

.....PSD-FL-008A.....

.....in the.....

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

.....August 2;.....

.....1995.....

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

.....Classified Advertising Manager

.....by Robert E. Lee who is personally known to me

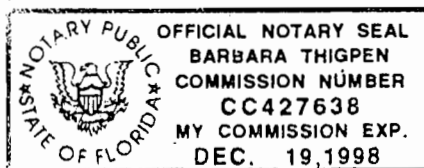
.....Sworn to and subscribed before me this..... 2nd

.....day of August A.D. 19 95

(Seal)

.....Notary Public

My Commission Expires BARBARA THIGPEN
City of
Lakeland



STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION NOTICE OF INTENT TO ISSUE PERMIT AMENDMENT PSD-FL-008A

The Department of Environmental Protection (Department) gives notice of its intent to issue or amend to Permit-PSD-FL-008 to the City of Lakeland Department of Electric and Water Utilities (501 E. Lemon Street, Lakeland, Florida 33801) (City) to change certain Conditions of Approval related to sulfur dioxide (SO₂) and nitrogen oxides (NO_x) emission limits contained in the Final Determination dated December 27, 1978 applicable to the C.D. McIntosh Power Plant, Unit No. 3.

The minimum sulfur dioxide (SO₂) removal efficiency requirement when burning coal will be changed from 85 percent to:
0.2 lb/million Btu and 10 percent of the potential combustion concentration (90 percent reduction), or

0.35 percent of the potential combustion concentration (65 percent reduction), when emissions are less than 0.75 lb/million Btu.

The method for calculating SO₂ removal efficiency will be changed from continuous monitors before and after the scrubber to analysis of fuel together with continuous SO₂ monitoring after the scrubber.

The NO_x emission limit when firing coal or oil/refuse will be reduced from 0.7 lb/million Btu to 0.60 lb/million Btu.

Compliance with applicable NO_x and SO₂ limits will be demonstrated on a 30 day rolling average basis as well as by annual performance tests.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, 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 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within 14 days of publication of this notice. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, Florida Statutes.

The Petition shall contain the following information: (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department 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 Department's action or proposed action; (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action; (d) A statement of the material facts disputed by petitioner, if any; (e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action; (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, 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 decision of the Department with regard to the application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of publication of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, F.A.C.

The application 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:

Department of Environmental Protection
Bureau of Air Regulation
111 S. Magnolia Drive, Suite 4
Tallahassee, Florida 32301

Department of Environmental Protection
Southwest District
8407 Laurel Fair Circle
Tampa, Florida 33619

Polk County ESD
330 W. Church Street
Barrow, Florida 33830

Any person may send written comments on the proposed action to Administrator, New Source Review at the Department of Environmental Protection, Division of Air Resources Management, 2600 Blair Stone Road - Mail Station 5505, Tallahassee, Florida 32399-2400. All comments received within 30 days of the publication of this notice will be considered in the Department's final determination.

Further, a public hearing can be requested by any person(s). Such requests must be submitted within 30 days of this notice.

F118 - 8-2, 1995