

**Sheplak, Scott**

-file-

**From:** Bradley, Chris [Chris.Bradley@pgnmail.com]  
**Sent:** Wednesday, January 28, 2009 9:24 AM  
**To:** Sheplak, Scott  
**Subject:** Tiger Bay Cogen - Affidavit of publication of the Public Notice of Intent to Issue the CAIR proposed/Draft Permit

**Attachments:** Document.pdf



Document.pdf  
f (674 KB)

Good morning Scott -

Scanned affidavit of publication of the Public Notice of Intent to Issue the CAIR proposed/Draft Permit for Tiger Bay Cogen is attached. This was published in the Lakeland Ledger on Saturday, January 24, 2009. The original will follow shortly in the US mail.

Bayboro, Higgins and Bartow to publish today. Anclote published on Monday, January 26th and Suwannee to publish Friday, January 30th.

If you have any questions, please contact me.

Best regards,

Chris Bradley  
Sr. Environmental Specialist  
Technical Services/EHSS Section-POG  
Progress Energy Florida, Inc.  
Telephone: 727.820.5962  
Fax: 727.820.5229  
E-mail: Chris.Bradley@pgnmail.com

**Permit File Scanning Request from Elizabeth**

**Priority:**    -ASAP (Public Records Request, etc.)                      -Place in Normal Scanning Queue

Facility ID	Project#	Type	PSD #	Submittal Date	Batch #
1050023	G14	AS-AV		SEP 30 2010	

- File Approved For Disposal                       Correspondence     Intent     Permit     Draft  
 Return File to BAR                                       Amendment     Application     OGC     Proposed

Document Date 1-28-09

# AFFIDAVIT OF PUBLICATION

## THE LEDGER

Lakeland, Polk County, Florida

Case No's:

STATE OF FLORIDA  
COUNTY OF POLK

Before the undersigned authority personally appeared Dawn Trulson, who on oath says that she is Multimedia Account Executive 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

In the matter of Progress Energy, Tiger Bay

concerning Permit # 1050223-014-AV

was published in said newspaper in the issues of 1-24; 2009

Affiant further says that said The Ledger is a newspaper published at Lakeland, Is 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: 

Dawn Trulson  
Multimedia Account Executive  
Who is personally known to me.

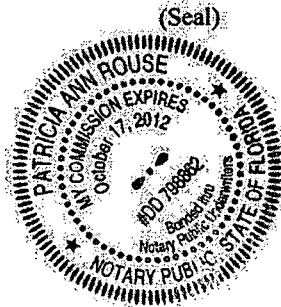
Sworn to and subscribed before me this 26<sup>th</sup>

day of January, A.D. 20 09

  
Notary Public

My Commission Expires October 17, 2012

L060G09BGV C454



PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT  
Florida Department of Environmental Protection  
Division of Air Resource Management, Bureau of Air Regulation  
DRAFT/PROPOSED Air Permit No. 1050223-014-AV  
Progress Energy, Tiger Bay Cogeneration Facility  
Polk County, Florida

**Applicant:** The applicant for this project is Florida Power Corporation (fpc). The applicant's authorized representative and mailing address is: Ms. Brenda Director, Environmental Services Section, Progress Energy, Tiger Bay Cogeneration P.O. Box 14042, IC-44, St. Petersburg, Florida 33733-4042.

**Facility Location:** Progress Energy operates the existing Progress Energy, Tiger Bay Cogeneration Facility, which is located at 3219 State Road 630 East, Ft. Meade, FL

**Project:** The applicant has submitted a complete and certified Clean Air Act (CAA) Part Form and has requested its incorporation into the existing Title V permit.

This existing facility consists of a single combustion turbine (CT) that exhausts heat recovery steam generator (HRSG) and a package steam generation unit (bc

**Permitting Authority:** Applications for Title V air operation permits are subject to the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-210, 62-213 and 62-296.470 of the Florida Administrative Code (F.A.C.). This project is not exempt from air permitting requirements and a Title V air operation permit is required to operate the facility. The Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination for this project. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, Tallahassee, Florida. The Permitting Authority's mailing address is: 2600 Blair Stone Road, MS #5505, Tallahassee 32399-2400. The Permitting Authority's telephone number is 904/498-0114.

**Project File:** A complete project file is available for public inspection during the business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays) at the address indicated above for the Permitting Authority. The complete project file includes DRAFT/PROPOSED Permit, the Statement of Basis, the application, and the permit submitted by the applicant, exclusive of confidential records under Section 403.11. Interested persons may view the DRAFT/PROPOSED Permit by visiting the following website: <http://www.dep.state.fl.us/air/products/apds/default.asp> and entering the permit number shown above. Interested persons may contact the Permitting Authority's project engineer for additional information at the address or phone number listed above.

**Notice of Intent to Issue Air Permit:** The Permitting Authority gives notice of its intent to issue an air permit to the applicant for the project described above. The applicant is advised that the permit is subject to the provisions of proposed equipment will not adversely affect air quality and that the project will comply with all applicable provisions of Chapters 62-204, 62-210, 62-212, 62-213, 62-296, and 62-297, F.A.C. The Permitting Authority is issuing a FINAL Permit in accordance with the conditions of the DRAFT/PROPOSED Permit unless a timely petition for an administrative hearing is received under Sections 120.569 and 120.57, F.S. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

**Comments:** The Permitting Authority will accept written comments concerning DRAFT/PROPOSED Title V air operation Permit for a period of thirty (30) days from the date of publication of this Public Notice. Written comments must be received by the Permitting Authority by 5:00 p.m. on or before the end of this 30-day period by the Permitting Authority at the above address. 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 date, time, and location on the official web site for notices at Florida Administrative Website (<http://www.floridastate.gov>) and in a newspaper of general circulation in the area of the permitting action. 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 Permit and require, if applicable, another Public Notice. Comments filed will be made available for public inspection.

**Petitions:** A person whose substantial interests are affected by the proposed permit 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 received by the Department's Agency Clerk in the Office of General Counsel, Department of Environmental Protection at 3900 Commonwealth Boulevard, Mail Stop 3000, Tallahassee, Florida 32399-3000. Petitions filed by any persons other than those who submitted 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 120.569, F.S., however, any person who asked the Permitting Authority for notice of a public hearing 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 above, at the time of filing. The failure of any person to file a petition within this time period shall constitute a waiver of that person's right to request an administrative hearing (hearing) under Sections 120.569 and 120.57, F.S. or to intervene in the proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the approval of the presiding officer upon the 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 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 proceeding; and an explanation of how the petitioner's substantial rights will be affected by the agency's action or proposed decision; (c) A statement of all disputed issues of fact, if there are none, the petition must so state; (d) A concise statement of the facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (e) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action and an explanation of how the alleged facts relate to the specific rules or statutes; (f) 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 petitioner who does not dispute the material facts upon which the Permitting Authority's action is based must state that no such facts are in dispute and otherwise shall contain the same information set forth above, as required by Rule 28-106.201, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, filing of a petition means that the Permitting Authority's final action may be different from that taken by it in this Public Notice of Intent to Issue Air Permit. Persons whose substantial interests will be affected by any such final decision of the Permitting Authority have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

**Mediation:** Mediation is not available for this proceeding.  
**EPA Review:** EPA has agreed to treat the DRAFT/PROPOSED Title V air operation permit as if it were a final decision for purposes of the Clean Air Act.



July 21, 2008

Ms. Trina Vielhauer, Bureau Chief  
Bureau of Air Regulation  
Division of Air Resource Management  
Florida Department of Environmental Protection,  
26 Blair Stone Road, MS 5500  
Tallahassee, Florida 32399-2400

RE: Comments of Draft/Proposed Air Permit Projects  
Florida Power Corporation dba Progress Energy Florida, Inc.

Dear Ms. Vielhauer:

Please find below the comment on the Draft/Proposed Air Permit Projects regarding the inclusion of the provisions and requirements of the Clean Air Interstate Rule (CAIR) into the following Air Permit Projects and the associated facilities.

Project Permit No.	Site Facility Name	Project Permit No.	Site Facility Name
0010001-008-AV	U OF FL COGEN PLANT	1030013-005-AV	BAYBORO POWER PLANT
0170004-020-AV	CRYSTAL RIVER POWER PLANT	1050223-014-AV	TIGER BAY COGEN PLANT
0550003-006-AV	AVON PARK	1050234-017-AV	HINES ENERGY COMPLEX
0970014-015-AV	INTERCESSION CITY PLANT	1210003-006-AV	SUWANNEE RIVER PLANT
1010017-011-AV	ANCLOTE POWER PLANT	1270020-003-AV	TURNER PLANT
1030011-013-AV	BARTOW PLANT	1270028-008-AV	DEBARY FACILITY
1030012-006-AV	HIGGINS PLANT		

**Comment:** On July 11, 2008, the D.C. Circuit issued an opinion vacating CAIR. Accordingly, Florida Power Corporation dba Progress Energy Florida, Inc. (PEF) requests that the CAIR Part for each of the facilities listed above with their respective project permit numbers not be submitted by the Florida Department of Environmental Protection (FDEP) to the EPA in proposed form, and not finalized at this time. Once the D.C. Circuit Court's ruling is final, PEF requests that this permit revision process be terminated, either by withdrawing the draft permit, returning our application or treating it as withdrawn. In the event the D.C. Circuit Court's ruling

Progress Energy Florida, Inc.  
P.O. Box 14042  
St. Petersburg, FL 33733

Ms. Trina Vielhauer, Bureau Chief

July 21, 2008

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is reheard or overturned on appeal, PEF and the FDEP can discuss how best to continue the permit-revision process, and whether the Statement of Basis or Permit requires additional language.

Thank you for your assistance in this matter. In addition, if you have any questions or would like the comment on the Draft/Proposed Air Permits submitted in an alternative format, please contact me at (727) 820-5962 or at [Chris.Bradley@pqnmail.com](mailto:Chris.Bradley@pqnmail.com).

Sincerely,



Chris Bradley

Senior Environmental Specialist

Ms. Trina Vielhauer, Bureau Chief

July 21, 2008

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bcc: Wilson Hicks, Plant Manager – UF Co-Gen  
Reggie Anderson, Plant Manager – Debary & Turner Power Plants  
Mark Tylec, EHSS – UF Co-Gen, Debary & Turner Power Plants  
Larry Hatcher, Plant Manager – Crystal River Power Plant  
Cindy Wilkinson, EHSS – Crystal River Power Plant  
Julie Turner, Plant Manager – Intercession City & Avon Park Power Plants  
Gus Schafer, EHSS – Intercession City, Avon Park, Higgins & Bayboro Power Plants  
Rufus Jackson, Plant Manager – Anclote Power Plant  
Suzanne Hamilton, EHSS – Anclote Power Plant  
Thomas Lawery, Plant Manager – P.L. Bartow, Higgins & Bayboro Power Plants  
Terese Sanchez, EHSS – P.L. Bartow Power Plant  
Martin Drango, P.E., Plant Manager – Hines Energy Complex & Tiger Bay Co-Gen  
Tommy Oneal, EHSS – Hines Energy Complex  
Tony Flavors, EHSS – Tiger Bay Co-Gen  
Cary Hamilton, Plant Manager – Suwannee River Plant  
Ralph Ross, EHSS – Suwannee Power Plant

**Sheplak, Scott**


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**From:** Holtom, Jonathan  
**Sent:** Tuesday, July 22, 2008 8:25 AM  
**To:** Cascio, Tom; Sheplak, Scott; Tart, Cecily  
**Subject:** FW: Comments of Draft/Proposed Air Permit Projects, Florida Power Corporation dba Progress Energy Florida, Inc.  
**Attachments:** Document.pdf

Please keep a copy of these comments for each of the Progress Energy projects you have worked on. This is the comment that will allow us to take more than the rule required 30 days to send the Proposed CAIR permit to EPA.

-Jon

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**From:** Vielhauer, Trina  
**Sent:** Tuesday, July 22, 2008 7:54 AM  
**To:** Holtom, Jonathan  
**Subject:** FW: Comments of Draft/Proposed Air Permit Projects, Florida Power Corporation dba Progress Energy Florida, Inc.

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**From:** Bradley, Chris [mailto:Chris.Bradley@pgnmail.com]  
**Sent:** Monday, July 21, 2008 5:19 PM  
**To:** Vielhauer, Trina  
**Cc:** Walker, Elizabeth (AIR); McDaniel, Kim; Meyer, Dave  
**Subject:** Comments of Draft/Proposed Air Permit Projects, Florida Power Corporation dba Progress Energy Florida, Inc.

Good afternoon Ms. Vielhauer.

Please find attached correspondence pertaining to DARM Air Permitting Projects specific to power generating plants owned/operated by Florida Power Corporation dba Progress Energy Florida, Inc. (PEF). These DARM permitting projects address the inclusion of the CAIR provisions and requirements into the Title V permits.

If you have any questions regarding the attached correspondence, please feel free to contact me. The original of this document has been forwarded to DARM via the U.S. Postal Service.

Best regards,

Chris Bradley  
 Sr. Environmental Specialist  
 Technical Services/EHSS Section-POG  
 Progress Energy Florida, Inc.  
 Telephone: 727.820.5962  
 Vnet No: 230.5962  
 Cell: 727.409.2477  
 Fax: 727.820.5229  
 E-mail: [Chris.Bradley@pgnmail.com](mailto:Chris.Bradley@pgnmail.com)