



**Florida Power**

A Progress Energy Company

July 30, 2003

Mr. Greg DeAngelo, P.E.  
New Source Review Section  
Division of Air Resources Management  
Florida Department of Environmental Protection  
2600 Blair Stone Road, MS 5505  
Tallahassee, Florida 32399-2400

RECEIVED

JUL 31 2003

BUREAU OF AIR REGULATION

Dear Mr. DeAngelo:

Re: Hines Energy Complex – Power Block 2  
Project No. 1050234-007-AC  
Draft Permit No. PSD-FL-296A  
Siting Certification PA92-33SA  
Public Notice – Proof of Publication

Please find enclosed the “proof of publication” for the public notice of the above referenced draft permit. The notice was published in the Lakeland Ledger on July 23, 2003.

Please contact me if you have any questions or need additional information.

Sincerely,

Jamie Hunter  
Lead Environmental Specialist  
Environmental Services

jjh/JJH066

Enclosure

c: Al Linero, FDEP New Source Review – Tallahassee  
Hamilton Oven, FDEP Siting Office - Tallahassee

# AFFIDAVIT OF PUBLICATION

## THE LEDGER

### Lakeland, Polk County, Florida

Case No .....

STATE OF FLORIDA)  
COUNTY OF POLK)

Before the undersigned authority personally appeared Morgan Miller, who on oath says that he is Classified Advertising 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 to Issue PSD Permit

in the matter of Hines Energy Complex

in the .....  
Court, was published in said newspaper in the issues of .....  
7-23; 2003

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.

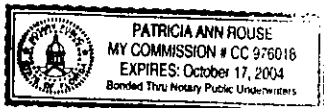
RECEIVED

JUL 31 2003

BUREAU OF AIR REGULATION

Signed Morgan Miller  
Morgan Miller  
Classified Advertising Manager  
Who is personally known to me.

Sworn to and subscribed before me this 23rd  
day of July A.D. 2003  
Patricia Ann Laase  
Notary Public



(Seal)  
My Commission Expires October 17, 2004

LC123293

J124 Progress Energy

#### Attach Notice Here

PUBLIC NOTICE OF INTENT TO ISSUE PSD PERMIT MODIFICATION  
STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Draft Permit No. PSD-FL-296A

Progress Energy Florida - Hines Energy Complex,  
Combined Cycle Power Block 2  
Polk County

The Department of Environmental Protection (Department) gives notice of its intent to issue a modification to a permit issued to Progress Energy Florida under the requirements for the Prevention of Significant Deterioration (PSD) of Air Quality. The existing permit is one of several authorizations needed to construct a new 330 megawatt (MW) combined cycle gas project at the Progress Energy Florida - Hines Energy Complex, which is located approximately 7 miles south-southwest of Barlow and 5 miles west-northwest of Fort Meade, Polk County, Florida. In accordance with Rule 62-212.400 Florida Administrative Code (F.A.C.), Best Available Control Technology (BACT) determinations were required for emissions of carbon monoxide (CO), nitrogen oxides (NOx), particulate matter (PM/PM10), sulfur dioxide (SO<sub>2</sub>), sulfatic acid mist (SAM), and volatile organic compounds (VOC). The modifications to the permit change neither the BACT determinations nor the anticipated or potential emissions from the project. The applicant's authorized representative is Mr. Roger Zinke, Plant Manager, Progress Energy Florida - Hines Energy Complex. The applicant's address is Progress Energy Florida - Hines Energy Complex, P.O. Box 140442 - MAC 881A, St. Petersburg, FL 33733-4042.

The applicant proposes to update the permit for Power Block 2 to make it consistent with the format and language of the recently issued draft Power Block 3 permit. The requested modifications to the permit do not alter the original permit's underlying BACT requirements nor the expected levels of air pollutant emissions from Power Block 2. With the exception of two major changes, revising the permit's format and language does not alter its intent or stringency.

The first major change is the removal of the requirement to conduct initial and annual PM stack tests. The permit maintains the BACT determination of PM control - combustion of clean fuels (natural gas and distillate fuel oil) and limits on use of fuel oil. The visible emissions standard and the CO continuous emissions monitor (CEM) system continue to provide indication of proper operation and complete combustion. Confirmation of the low levels of PM emissions through annual testing is therefore redundant to the continuous monitoring.

The other significant change is the removal of the prohibition against permit issuance action for a period of 30 (thirty) days from the start of publication of the Public Notice of Intent to Issue PSD Permit Modification. The intent of this prohibition is to minimize emissions of NOx and CO from the combustion turbine, however, are continuously measured through the CEM systems. The NOx and CO emissions limits are equally applicable whether the turbines are operating above or below 80 percent of their maximum heat input capacity. Because the actual emission levels are being measured, it is unnecessary to require monitoring heat input rates to assure that the CEM systems can adequately measure the emissions that occur during startup and shutdown (and other low load periods). Dual-range monitoring systems will be specified with upper spans that are sufficiently high.

Based on the required analyses, the Department has reasonable assurance that the proposed project will not cause or significantly contribute to a violation of any ambient or quality standard or PSD increment. The Department will issue the FINAL Permit Modification, in accordance with the conditions of the DRAFT Permit Modification, unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed permit issuance action for a period of 30 (thirty) days from the date of publication of the Public Notice of Intent to Issue PSD Permit Modification. Written comments or requests for public meetings should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, FL 32399-2400. Any written comments filed shall be made available for public inspection. If 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 Section 289.549 and 120.57 of the Florida Statutes (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) in under Sections 120.569 and 120.57, 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 at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under Section 120.603, F.S. must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under Section 120.603, F.S., 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, F.A.C.

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 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, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (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, F.A.C. Because the administrative hearing process is designed to terminate 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:

Department of Environmental Protection  
Bureau of Air Regulation  
111 S. Magnolia Drive, Suite 4  
(Mailing Address: 2600 Blair Stone Road, MS #5505)  
Tallahassee, Florida 32399-2400  
Telephone: (850) 488-0114  
Fax: (850) 922-6979

Department of Environmental Protection  
Southwest District Office  
3804 Coconut Palm Drive  
Tampa, Florida 33619-8318  
Telephone: (813) 744-6100  
Fax: (813) 744-6084

The complete project file includes the application, technical evaluations, Draft Permit Modification, and the information submitted by the authorized representative, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Administrator of the New Resource Review Section at 111 South Magnolia Drive, Suite 4 Tallahassee, Florida 32301, or call (850) 488-0114 for additional information. The draft permit modification, technical evaluation, and preliminary determination can be accessed at: [www.dep.state.fl.us/air/permitting/construct.htm](http://www.dep.state.fl.us/air/permitting/construct.htm).