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MAY 05 2008

BUREAU OF AIR REGULATION

May 02, 2008

Mr. Thomas Cascio, Permitting Engineer
Division of Air Resource Management - Permitting Section
Florida Department of Environmental Protection
2600 Blair Stone Road MS 5505
Tallahassee, Florida 32399-2400

Re: Affidavit of Publication of Public Notice
Draft Permit No. 1050234-016-AV
Hines Energy Complex

Dear Mr. Cascio:

In accordance with public noticing requirements Florida Power Corporation d/b/a Progress Energy Florida, Inc. has published the required public notice for the Title V permit for the Hines Energy Complex in Bartow, Florida. The public notice was published in the Lakeland Ledger on April 26, 2008.

Please find enclosed the Affidavit of Publication provided by the Lakeland Ledger.

If you have any questions, please contact me at (727) 820-5962. Again, thank you for processing the Title V application.

Best Regards,

A handwritten signature in black ink that reads "Chris Bradley".

Chris Bradley
Senior Environmental Specialist

XC: Martin Drango, P.E., Plant Manager, Hines Energy Complex

Enclosure

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

Public Notice of Intent

In the matter of Permit NO. 1050234-016-AV

Concerning Hines Energy Complex Polk County

was published in said newspaper in the issues of 4-26; 2008

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

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

Sworn to and subscribed before me this 26th

day of April A.D. 2008

Patricia Ann Rouse
Notary Public

(Seal)

My Commission Expires.....



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BUREAU OF AIR REGULATION

Public Notice of Intent to Issue Title V Air operation Permit REVISION
Department of Environmental Protection
DRAFT Title V Air Operation Permit No. 1050234-016-AV
Hines Energy Complex
Polk County

Applicant: The applicant for this project is Progress Energy, P.O. Box 14042, HE-44, St. Petersburg, Florida 33733-5150. The applicant's responsible official is Mr. Martin J. Drango, Plant Manager.

Facility Location: The applicant operates the Hines Energy Complex, which is located at 7700 County Road 555, 2.5 miles South of County Road 640, Bartow, Polk County, Florida.

Project: The applicant submitted an application for a Title V Air Operation Permit Revision. This facility consists of the following emissions units: Power Block 1 consists of two combined cycle combustion turbines (CT) with unfired heat recovery steam generators (HRSG), for a nominal total of 500 megawatts (MW), a 99 million British thermal unit per hour (mmBtu/hr) auxiliary boiler, and a 97,570 barrel fuel oil storage tank. Power Blocks 2, 3 and 4 each consists of two combined cycle combustion turbines with an unfired HRSG, and an associated single steam-turbine electrical generator, for a nominal total of 530 MW. Emissions from each CT and HRSG combination are vented through a single stack. The entire facility (inclusive of Power Blocks 1, 2, 3, and 4) has a total generating capacity of approximately 2090 MW. The draft permit incorporates the specific conditions of air construction permit 1050234-010-AC, that authorized the installation of Power Block 4 at the facility.

Permitting Authority: Applications for Title V air operation permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, 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 operate the facility. The Department of Environmental Protection, Bureau of Air Regulation, is the Permitting Authority responsible for making a permit determination regarding this project. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301. The Permitting Authority's mailing address is: 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/488-0114 and facsimile 850/921-9533.

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 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 Permit by visiting the following website: <http://www.dep.state.fl.us/air/eproducts/apds/default.asp>. Enter the permit number given above. A copy of the complete project file is also available at the Department's Southwest District Office, 13051 N. Telecom Parkway, Temple Terrace, Florida 33637-0926 (Telephone: 813/362-7600).

Notice of Intent to Issue A Permit: The Permitting Authority gives notice of its intent to issue a 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 PROPOSED Permit and subsequent FINAL Permit in accordance with the conditions of the DRAFT Permit unless a response received in accordance with the following procedures results in a different decision or a significant change of terms or conditions.

Comments: The Permitting Authority will accept written comments concerning the DRAFT Permit for a period of thirty (30) days from the date of publication of this Public Notice. Written comments and all e-mail or facsimile comments must be received by the close of business (5 pm) on or before the end of this 30-day period by the Permitting Authority at the above address, email 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 on the official web site for notices at Florida Administrative Weekly (FAW) at <http://law.dos.state.fl.us/> and in a newspaper of general circulation in the area affected by 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 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 at 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 fourteen (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 fourteen (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 intervention (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 rights will be affected by the agency determination; (c) A statement of how and when the 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 action; (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 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 Public Notice of Intent. 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.

Mediation: Mediation is not available in this proceeding.
Objections: In addition to the above right to petition, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2); any person may petition the Administrator of the EPA within sixty (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 the issuance of any Title V air operation permit. Any petition shall be based only on objections to the Permit that were raised with reasonable specificity during the thirty (30) day public comment period provided in the Public 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 EPA review and objections, visit EPA's Region 4 web site at <http://www.epa.gov/region4/air/permits/Florida.htm>.
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