

**AFFIDAVIT OF PUBLICATION**  
**THE LEDGER**  
**Lakeland, Polk County, Florida**

FEB 01 2005

BUREAU OF AIR REGULATION

Case No .....

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 of The Ledger, a daily newspaper published at Lakeland in Polk County, Florida; that the attached copy of advertisement, being a

**Notice of Intent**

in the matter of Air Operation Permit .....

Concerning DEP file No. PSD-FL-287.....

was published in said newspaper in the issues of 12-18; 2004.....

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.

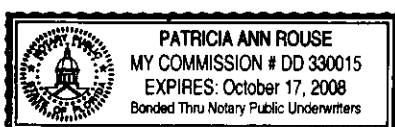
Signed.....

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

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

day of..... A.D. 20.....

Notary Public



(Seal)

My Commission Expires.....

LC169216 L977

**Attach Ad Here**

**PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT**

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
DEP FILE No. PSD-FL-287  
Calpine Corporation  
Osprey Energy Center  
Polk County

The Department of Environmental Protection (Department) grants a Construction Permit for Osprey Energy Center, located near Auburn for low load testing on Units 1 and 2 for a period of one month. The test output (approximately 50 megawatts gross) in order to evaluate emission limits while operating at loads below 60% output, which is the end of Best Available Control Technology (BACT) was not required. The address is Rocky Point, Suite 1200, Tampa, FL 33607.

Based upon applicant submittals, the Department estimates that from the subject testing will be as follows:

| Pollutant | PSD Threshold (TPY) | CT Emission Rate (ppmv) |               | Maximum Change in Potential CT Emissions (lb/hour) |
|-----------|---------------------|-------------------------|---------------|----------------------------------------------------|
|           |                     | PERMIT LIMIT            | TESTING LIMIT |                                                    |
| NOx       | 40                  | 3.50                    | 5.0           | 11.8                                               |
| CO        | 100                 | 17.0                    | 37.0          | 81.8                                               |

An air quality impact analysis was not required nor conducted. The Department will issue the Final Permit with the attached conditions in accordance with the following procedures results in a different decision or conditions:

The Department will accept written comments concerning this Construction Permit for a period of 14 (fourteen) days from the date of publication of this notice. Written comments should be provided to the Department at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, FL 32399-24. Comments will be made available for public inspection. If written comments receive the proposed agency action, the Department shall revise the permit. Another Public Notice.

The Department will issue the permit with the attached conditions. A public hearing is held pursuant to sections 120.569 and 120.57, petition. The procedures for petitioning for a hearing are set forth below. A person whose substantial interests are affected by the proposed action for an administrative proceeding (hearing) under sections 120.569 and 120.57 must contain the information set forth below and must file a petition with the Department at 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000. Petitions filed by the permit applicant or any of its affiliates within fourteen days of receipt of this notice of intent. Petitions filed by others must be filed within fourteen days of receipt of this notice of intent. Petitions filed after the publication of the public notice or within fourteen days of receipt of this notice of intent will be only at the approval of the presiding officer upon with Rule 28-106.205 of the Florida Administrative Code.

A petition that disputes the material facts on which the Department is basing its decision must include the following information: (a) The name and address of each agency or identification number, if known; (b) The name, address and telephone number, address, and telephone number of the petitioner's representative for service purposes during the course of the proceeding; and (c) The petitioner's substantial interests will be affected by the agency's proposed action. If there are none, the petitioner must so indicate. The petitioner must also include the specific facts the petitioner contests of the agency's proposed action; (d) A statement of the specific rule, regulation, or modification of the agency's proposed action; and (e) by the petitioner, stating precisely the action petitioner wishes the agency's proposed action.

A petition that does not dispute the material facts upon which the Department is basing its decision shall state that no such facts are in dispute and otherwise shall contain the information required by Rule 28-106.301.

Because the administrative hearing process is designed to form a basis for a final decision, the Department's final action may be different from the action proposed in this notice. Persons whose substantial interests will be affected by or who wish to participate in the hearing process must file a petition to become a party to the hearing process.

A complete project file is available for public inspection during 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) 488-1344  
Fax: (850) 922-6979

Florida Department of Environmental Protection  
Southwest District  
3804 Coconut Forest Drive  
Tampa, Florida 33611  
Telephone: (813) 278-1111

The complete project file includes the application, Draft permit, the Responsible Official, exclusive of confidential records under Section 119, Florida Statutes, may review specific details of this project by contacting the Administrator at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850-488-1344.

L977 12-18; 2004

ION PERMIT

ION

notice of its intent to issue an Air  
Polk County. The permit allows  
g will be done at loads near 30%  
it's ability to meet current emis-  
g low load limit. A Determination  
ant's mailing address is: 2701 N.

ne regulated air emission impact

| Monthly<br>ons for 2<br>Cts | TPV<br>Total | PSD<br>Applies<br>? |
|-----------------------------|--------------|---------------------|
| 8.8                         | 8.8          | No                  |
| 60.9                        | 60.9         | No                  |

tions unless a response received  
n or significant change of terms

proposed permit issuance action  
ublic Notice of Intent to Issue Air  
ment's Bureau of Air Regulation  
Any written comments filed shall  
result in a significant change in  
t permit and require, if applica-

unless a timely petition for an ad-  
before the deadline for filing a

d permitting decision may peti-  
d 120.57 of the Florida Statutes.  
filed (received) in the Office of  
d, Mail Station #35, Tallahassee.  
articles listed below must be filed  
ny persons other than those en-  
be filed within fourteen days of  
notice of intent; whichever oc-  
partment for notice of agency  
regardless of the date of publi-  
he address indicated above, at  
appropriate time period shall con-  
nation (hearing) under Sections  
as a party to it. Any subsequent  
filing of a motion in compliance

t's action is based must contain  
fected and each agency's file  
a number of the petitioner, the  
. If any, which shall be the ad-  
xplanation of how the petition:  
A statement of how and when  
A statement of all disputed is-  
A concise statement of the uti-  
variant reversal or modification  
tatutes the petitioner contends  
A statement of the relief sought  
icy to take with respect to the

Department's action is based  
a same information as set forth

e final agency action, the filing  
from the position taken by it in  
ch final decision of the Depart-  
he proceeding, in accordance.

not business hours, 8:00 a.m. to

of Environmental Protection:

Drive

6100

d the information submitted by  
403.1113 F.S. Interested persons  
or North Permitting Section, at  
8-0114, for additional informa-

# AFFIDAVIT OF PUBLICATION

## THE LEDGER

### Lakeland, Polk County, Florida

BUREAU OF AIR REGULATION

(Reduced Copy)

To .....

OF FLORIDA)  
OF POLK)

before the undersigned authority personally appeared Paula Freeman, who on oath says that she is Inside Classified Sales Manager of The Ledger, a daily newspaper published at Lakeland in Polk County, Florida; that the attached copy of advertisement, being

#### Notice of Intent

for Air Operation Permit .....

DEP file No. PSD-FL-287 .....

published in said newspaper in the issues of 12-18; 2004 .....

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 his advertisement for publication in the said newspaper.

Signed .....

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

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

day of January, A.D. 2005 .....

Notary Public



Seal)

My Commission Expires Oct 17, 2008 .....

LC169216 1977

#### Attach Ad Here

**PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT**

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
DEP FILE NO. PSD-FL-287

Chryse Corporation  
Chryse Energy Center  
Polk County

The Department of Environmental Protection (Department) gives notice of its intent to issue an Air Construction Permit for Chryse Energy Center, located near Auburndale, Polk County. The permit is for low load testing on units 1 and 2 for a period of one month. The testing will be done at least once a month (approximately 30 minutes) in order to evaluate each unit's ability to meet current emission limits while operating at loads below 25% output, which is the existing low load limit. A Determination of Best Available Control Technology (BACT) was not required. The applicant's mailing address is: 271 Rocky Point, Suite 1200, Tampa, FL 33607.

Based upon applicant's submission, the Department estimates that the requested air emission rate from the subject testing will be as follows:

| Pollutant        | PSD Threshold (lb/day) | CT Emission Rate (lb/hr) | Maximum Change (lb/hr) | Monthly Total (lb) | PSD Applies |
|------------------|------------------------|--------------------------|------------------------|--------------------|-------------|
| PM <sub>10</sub> | 100                    | 17.0                     | 17.0                   | 510                | No          |
| CO               | 100                    | 17.0                     | 17.0                   | 510                | No          |

An air quality impact analysis was not required nor conducted.

The Department will issue the final permit with the attached conditions unless a response is received in accordance with the following procedures within a different decision or significant change of conditions.

The Department will accept written comments concerning the proposed permit issuance on or for a period of 14 (fourteen) days from the date of publication of the Public Notice of Intent to Issue Construction Permit. Written comments should be provided to the Department's Bureau of Air Regulation or 2400 Lake Shore Drive, Suite 400, Lakeland, FL 33801. Any written comments received must be made available for public inspection. If written comments received result in a significant change to the proposed agency action, the Department will revise the proposed permit and require a public hearing.

The Department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to sections 120.56 and 120.57, F.S. before the deadline for public hearing. The procedures for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under sections 120.56 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Clerk's Office of the Department of Environmental Protection, 3300 Commonwealth Boulevard, Mail Station 433, Lakeland, Florida 33801-3300. 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 listed must be filed within fourteen days of receipt of the notice of intent. Petitions must be filed within fourteen days of publication of the public notice of intent or receipt of the notice of intent, whichever is earlier. Under section 120.60(3), however, any person who caused the Department for notice of action may file a petition within fourteen days of receipt of that notice, regardless of the date of action. A petitioner shall mail a copy of the petition to the applicant at the address indicated above 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 120.56 and 120.57, F.S., or to intervene in the proceeding and participate as a party to it. Any such intervention will be only at the discretion of the presiding official upon the filing of a motion in compliance with Rule 26-106.205 of the Florida Administrative Code.

A petition that disputes the material facts upon 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 identification number, if known; (b) the name, address and telephone number of the petitioner; (c) the name, address, and telephone number of the petitioner's representative, if any, which shall be the person 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's determination; (d) a statement of how and when the petitioner received notice of the agency action or proposed action; (e) a statement of all disputed material facts; (f) if there are none, the petition must so indicate; (g) a concise statement of the material facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (h) a statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and (i) 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 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 or required by Rule 26-106.301 of the Florida Administrative Code.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition results in the Department's final action may be different from the action taken on the non-disputed facts whose substantial interests will be affected by any such final decision of the Department. The non-disputed facts are those facts upon which the petitioner's substantial interests are affected.

A complete transcript 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: (1) 3300 Commonwealth Boulevard, Lakeland, Florida 33801; or (2) 2400 Lake Shore Drive, Suite 400, Lakeland, Florida 33801. Telephone: (813) 744-6100.

The complete project file, including the application, draft permit, and the information submitted to the Responsible Official, exclusive of confidential records under Section 403.111, F.S., interested parties may review specific details of the project by contacting the Administrative Hearing Permitting Section, 111 South Magnolia Drive, Suite 4, Lakeland, Florida 33801, or call 850-486-0114 for additional information.