



**Florida Gas Transmission Company**

A Southern Union/El Paso Affiliate

5444 Westheimer Road  
Houston, TX 77056-5306

P.O. Box 4967  
Houston, TX 77210-4967  
713.989.7000

*Via Certified Mail*

April 3, 2009

Ms. Susan DeVore  
Project Engineer  
Florida DEP  
Bob Martinez Center  
2600 Blair Stone Road  
Tallahassee, FL, 32399-2400

RE: Florida Gas Transmission Company, LLC  
Proof of Publication  
Phase VIII Project  
Munson Station, CS 12  
Permit 1130037-011-AC

Dear Ms DeVore,

Enclosed, please find the proof of publication of the public notice for the referenced permitting action.

Should you have any questions or comments, please feel free to contact me.

Sincerely,

Charles Wait  
Principal Engineer

RECEIVED

APR 06 2009

BUREAU OF AIR REGULATION

Published Daily-Pensacola, Escambia County, FL

**PROOF OF PUBLICATION**

State of Florida RECEIVED MAR 30 2009

County of Escambia:

Before the undersigned authority personally appeared **LESLEY WHALEY** who on oath, says that she is a personal representative of the Pensacola News Journal, a daily newspaper published in Escambia County, Florida; that the attached copy of advertisement, being a Legal in the matter of:

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

Was published in said newspaper in the issue(s) of:

March 25, 2009

Affiant further says that the said Pensacola News Journal is a newspaper published in said Escambia County, Florida, and that the said newspaper has heretofore been published in said Escambia County, Florida, and has been entered as second class matter at the Post Office in said Escambia County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she 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.

Sworn to and subscribed before me this 25<sup>TH</sup> Day of March, 2009, by **LESLEY L. WHALEY** who is personally known to me.

*Lesley L. Whaley* Affiant

*Nikki E. Nichols* Notary Public

APR 06 2009  
**NIKKI E. NICHOLS**  
 Notary Public-State of FL  
 Comm. Exp. Aug. 01, 2012  
 Comm. No. DD 789478  
 BUREAU OF AIR REGULATION

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

Florida Department of Environmental Protection  
 Division of Air Resource Management, Bureau of Air Regulation  
 Draft Air Permit No. 1130037-011-AC  
 Florida Gas Transmission Company, Compressor Station No. 12  
 Santa Rosa County, Florida

**Applicant:** The applicant for this project is the Florida Gas Transmission Company. The applicant's authorized representative and mailing address is: Da Shellhouse, Vice President, Southeastern Operations, Florida Gas Transmission Company, 2405 Lucien Way, Suite 200, Maitland, FL 32751.

**Facility Location:** Florida Gas Transmission Company operates the existing Compressor Station No. 12, which is located in Santa Rosa County at 13100 Muns Highway in Milton, Florida.

**Project:** The proposed project is part of Florida Gas Transmission Company's overall Phase VIII expansion project intended to increase the availability and reliability of natural gas supplied by the existing pipeline. The expansion at this station will consist of installing a new 20,500 brake horsepower (bhp) combustion turbine compressor engine, two new 454 bhp emergency generators and a 500 gallon oily water tank. All units exclusively fire natural gas.

The new combustion turbine is subject to the federal New Source Performance Standards (NSPS) for nitrogen oxides and sulfur dioxide in NSPS Subpart KKK. The applicant requested standards more stringent than the federal standards within the capabilities of the combustion turbine to avoid preconstruction review in accordance with the Prevention of Significant Deterioration (PSD) of Air Quality pursuant to Rule 62-212.400, F.A.C. The new emergency generators are subject to the federal standards for carbon monoxide, nitrogen oxides and volatile organic compounds in NSPS Subpart JJJJ and the federal National Emissions Standard for Hazardous Air Pollutants (NESHAP) in NESHAP Subpart ZZZZ. However, NESHAP Subpart ZZZZ specifies that compliance with standards in NSPS Subpart JJJJ demonstrates compliance with NESHAP Subpart ZZZZ. Although the facility is an existing PSD major stationary source, potential emissions from the project are less than the significant emissions rates.

**Permitting Authority:** Applications for air construction permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210 and 62-212 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 perform the proposed work. The Permitting Authority responsible for making a permit determination for this project is the Bureau of Air Regulation in the Department of Environmental Protection's Division of Air Resource Management. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite 1, Tallahassee, Florida. The Permitting Authority's mailing address is: 2600 B Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/488-0114.

**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 the physical address indicated above for the Permitting Authority. The complete project file includes the Draft Permit, the Technical Evaluation, a Preliminary Determination, the application and information submitted by the applicant (exclusive of confidential records under Section 403.111, F.S.). Interested persons may contact the Permitting Authority's project engineer for additional information at the address and phone number listed above. In addition, electronic copies of these documents are available on the following web site: <http://www.dep.state.fl.us/air/eproducts/apds/default.asp>.

**Notice of Intent to Issue Air Permit:** The Permitting Authority gives notice of its intent to issue an air construction permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of proposed equipment 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, 62-296 and 62-297, F.A.C. The Permitting Authority will issue a Final Permit in accordance with the conditions of the proposed Draft Permit unless a timely petition for an administrative hearing is filed 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 the proposed Draft Permit for a period of 14 days from the date of publication of this Public Notice. Written comments must be received by the Permitting Authority, close of business (5:00 p.m.) on or before the end of this 14-day period. If written comments received result in a significant change to the Draft Permit, the Permitting Authority shall revise the 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 39 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/245-2241). Petitions filed by any persons other than those entitled to 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 120.60(3), F.S., however, any person who asked the Permitting Authority for notice of agency action 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 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 decision 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 and 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 when and how the petitioner received notice of the agency action or proposed decision; (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 the 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 to Issue a Permit. 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 for this proceeding.

Legal No. 1392517 1T March 25, 2009