

Sheplak, Scott

-file-

From: Sheplak, Scott
Sent: Wednesday, February 18, 2009 9:34 AM
To: 'Kathleen Forney'
Subject: Public Notice notification for Draft/Proposed CAIR projects

We have received proof of publication for the following projects:

0110037-007-AV
FP&L, Lauderdale
They published on 1/29/2009 therefore Day 45 = 3/15/2009 (end of the USEPA Region 4 review period).

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 #
0110037	007	ACAV		SEP 30 2010	

File Approved For Disposal
 Return File to BAR

Correspondence Intent Permit Draft
 Amendment Application OGC Proposed

Document Date 2-18-09

Sheplak, Scott

From: Washington, Kevin [Kevin.Washington@fpl.com]
Sent: Wednesday, February 18, 2009 7:54 AM
To: Sheplak, Scott
Cc: Stokes, Idayna
Subject: RE: FLORIDA POWER & LIGHT COMPANY - FT. LAUDERDALE POWER PLANT;
 0110037-007-AV
Attachments: 20090217180532998.pdf

Scott,
 The Public Notice was published in the Ft. Lauderdale Sun-Sentinel on January 29, 2009. Due to a breakdown in the Sun-Sentinel's mailing process, the plant did not receive the affidavit. Here is a fax copy for the moment. When we receive the original affidavit from the Sun-Sentinel we will mail it to your attention. If you need additional info, please let me know.

Thanks,
 Kevin Washington
 Environmental Services Project Manager
 Florida Power & Light Company
 (561) 691-2877

From: Sheplak, Scott [mailto:Scott.Sheplak@dep.state.fl.us]
Sent: Tuesday, February 17, 2009 9:42 AM
To: Washington, Kevin
Subject: FW: FLORIDA POWER & LIGHT COMPANY - FT. LAUDERDALE POWER PLANT; 0110037-007-AV

Are you the right person to ask about this? I need to know if the public notice has been published.

The Department of Environmental Protection values your feedback as a customer. DEP Secretary Michael W. Sole is committed to continuously assessing and improving the level and quality of services provided to you. Please take a few minutes to comment on the quality of service you received. Simply click on [this link](#) to the DEP Customer Survey. Thank you in advance for completing the survey.

From: Friday, Barbara
Sent: Thursday, January 15, 2009 1:59 PM
To: Sheila_Wilkinson@fpl.com
Cc: Dwayne.Harper@fpl.com; 'KKosky@Golder.com'; 'dbanu@co.broward.fl.us';
 Forney.Kathleen@epamail.epa.gov; Oquendo.Ana@epamail.epa.gov; Gibson, Victoria; Sheplak, Scott;
 Holtom, Jonathan
Subject: FLORIDA POWER & LIGHT COMPANY - FT. LAUDERDALE POWER PLANT; 0110037-007-AV

Dear Sir/ Madam:

Attached is the official **Written Notice of Intent to Issue Air Permit** for the project referenced below. Click on the link displayed below to access the permit project documents and send a "reply" message verifying receipt of the document(s) provided in the link; this may be done by selecting "Reply" on the menu bar of your e-mail software, noting that you can view the documents, and then selecting "Send". **We must receive verification that you are able to**

2/18/2009

SUN-SENTINEL

PLACE COPY OF LEGAL NOTICE HERE

Published Daily

Fort Lauderdale, Broward County, Florida

Boca Raton, Palm Beach County, Florida

Miami, Miami-Dade County, Florida

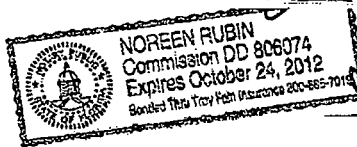
STATE OF FLORIDA

COUNTY OF BROWARD/PALM BEACH/MIAMI-DADE

Before the undersigned authority personally appeared James H. Croteau who on oath says that he/she is a duly authorized representative of the Classified Department of the Sun-Sentinel, daily newspaper published in Broward/Palm Beach/Miami-Dade County, Florida, that the attached copy of advertisement, being, a Public Notice of Intent in the matter of To Issue Title V Air Operation Permit Revision in the paper January 29, 2009 Affiant further says that the said Sun-Sentinel is a newspaper published in said Broward/Palm Beach/ Miami-Dade County, Florida, and that the said newspaper has heretofore been continuously published in said Broward/Palm Beach/Miami-Dade County, Florida, each day, and has entered as second class matter at the post office in Fort Lauderdale, in said Broward County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant says that he/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 said newspaper.

James H. Croteau

(Signature of Affiant) February 17, 2009



N. Rubin

(Signature of Notary Public)

(Name of Notary typed, printed or stamped) _____ Personally

Known _____ or Produced Identification _____

002

CLASSIFIED LEGALS

02/17/2009 17:13 FAX 9544251701

ISSUE TITLE V AIR OPERATION PERMIT REVISION
Florida Department of Environmental Protection
Division of Air Resource Management, Bureau of Air Regulation
Draft/Proposed Air Permit No. 0110037-007-AV
Florida Power and Light Company

Lauderdale Plant
Broward County, Florida

Applicant: The applicant for this project is Florida Power and Light Company. The applicant's designated representative and mailing address are: Ms. Sheila M. Wilkinson, P.O. Box 10000, Environmental Manager, Florida Power and Light Company, Lauderdale Plant, 4300 SW 42nd Street, Fort Lauderdale, Florida 33414.

Facility Location: Florida Power and Light Company operates the Lauderdale Plant, which is located 2 miles West of Ravenswood Road Fort Lauderdale in Broward County, Florida.

Project Title: The applicant has submitted a complete and certified Clean Air Interstate Rule (CAIR) Part Form and has requested its incorporation into the existing Title V air operation permit.

Facility Description: This existing facility consists primarily of two combined-cycle generating units (Unit 4 and Unit 5), two banks of twelve simple-cycle gas turbine units, and eight fuel storage tanks.

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 32-4, 62-210, 62-213 and 62-296.470 of the Florida Administrative Code (F.A.C.). The proposed 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 permit determinations for this project. The Permitting Authority's physical address is: 11 South Magnolia Drive, Suite 44, Tallahassee, Florida. The Permitting Authority's mailing address is: 2600 Blair Stone Road, MS 15305, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/485-0114.

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 address indicated above for the Permitting Authority. The complete project file includes the Draft/Proposed Permit, the Statement of Basis, the application, and the information submitted by the applicant. Exclusion of confidential records under Section 403.111, F.S., interested persons may view the draft/proposed permit by visiting the following website: <http://www.dep.state.fl.us/air/proc/track/apps/default.asp> and entering the permit number shown above. Interested persons may contact the Permitting Authority a project review 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 has provided reasonable assurance that operation of proposed equipment will not adversely impact air quality and that the project will comply with all appropriate revisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-214, 62-296 and 6-297, F.A.C. The Permitting Authority will issue a Final Permit in accordance with the conditions of the proposed Draft/Proposed Permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S., unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

Comment: The Permitting Authority will accept written comments concerning the Draft/Proposed Title V air operation permit for a period of 30 days from the date of publication of this public notice. Written comments must be received by the close of business (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 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/Proposed Permit, the Permitting Authority shall issue a Revised 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 Section 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 390 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by any persons other than those entitled to written notice under Section 120.68(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 120.50(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 a person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearings) 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 28-104.305, F.A.C.

A petition that discloses 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 what, and how the petitioner requested 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 indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts, the petition or contentions, 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 28-104.301, 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 an Air 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.
EPA Review: EPA has agreed to treat the Draft/Proposed Title V air operation permit as if it were a Proposed Title V air operation permit and to perform its 45-day review provided by the law and regulations concurrently with the public comment period. Although EPA's 45-day review period will be performed concurrently with the public comment period, the deadline for submitting a citizen petition to object to the EPA Administrator will be determined as if EPA's 45-day review period is performed after the public comment period has ended. The Final Title V air operation permit will be issued after the conclusion of the 45-day EPA review period so long as no active comments are received that result in a different decision or significant change of terms or conditions. The status regarding EPA's 45-day review of this project and the deadline for submitting a citizen petition can be found at the following website address: <http://www.epa.gov/region4/air/permits/Florida.htm>.

Objections: Finally, pursuant to 42 United States Code (U.S.C.) Section 7611(b)(2), any person may petition the Administrator of the EPA within 60 days of the expiration of the Administrator's 45-day review period as established at 42 U.S.C. Section 7611(b)(1), to object to the issuance of any Title V air operation permit. An objection shall be based only on objections to the permit that were raised and responded to specifically during the 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 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 7611(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>.

January 21, 2009

Attention
Idayna