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October 4, 2007

BUREAU OF AIR REGULATION

Ms. Teresa Heron
DEP/DARM
Permitting Section
Division of Air Resource Management
2600 Blair Stone Road MS 5505
Tallahassee, Florida 32399-2400

Re: Avon Park Power Plant – Permit Number 0550003-005-AC – Affidavit of
Publication

Dear Ms. Heron:

In accordance with Ms. Trina Vielhauer's letter to Ms. Julie Turner dated September 17, 2007, we have published the public notice in *The Highlands Today* on September 26, 2007.

Attached is the Affidavit of Publication.

If you have any questions, please contact me at (727) 820-5295. Thank you very much for processing the permit renewal.

Best Regards,

A handwritten signature in cursive script that reads "Dave Meyer".

Dave Meyer, P.E.
Senior Environmental Specialist

XC: Julie Turner

Attachment

HIGHLANDS TODAY & THE TAMPA TRIBUNE
Published Daily
Sebring, Highlands County, Florida

State of Florida)
County of Highlands)ss.

Before the undersigned authority personally appeared Tina Gottus, who on oath says that she is the Publisher of The Highlands Today, a daily newspaper published at Sebring in Highlands County, Florida; that the attached copy of advertisement being a

in the matter

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL
PROTECTION
TITLE V AIR OPERATION PERMIT RENEWAL
PROGRESS ENERGY - AVON PARK POWER PLANT
HIGHLANDS COUNTY

Published in THE HIGHLANDS TODAY in the issues of
SEPTEMBER 26, 2007

Affiant further says that the said The Tampa Tribune is a newspaper published at Sebring in said Highlands County, Florida, and that the said newspaper has heretofore been continuously published in said Highlands County, Florida, each day and has been entered as second class mail matter at the post office in Sebring, in said Highlands 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, this advertisement for publication in the said newspaper.

Tina Gottus

Tina Gottus, Publisher

Sworn to and subscribed by me, 3rd Day of October, 2007.

Personally Known or Product Identification

Type of Identification Produced _____

(SEAL) *Krystal M. Lanier*
Krystal M. Lanier



KRYSTAL M. LANIER
Notary Public, State of Florida
My comm. expires Aug. 18, 2011
Comm. No. DD347874

Legal Notices

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Title V Air Operation Permit Renewal

DRAFT Permit Project No. 0550003-005-AV
Progress Energy - Avon Park Power Plant

Highlands County

Applicant: The applicant for this project is Progress Energy Florida, 6525 Osceola-Polk County Line Rd, Intercession City, Florida 33848. The applicant's responsible official is Ms. Julie Turner.
Facility Location: The applicant operates a Power Electric Utility, which is located at 1172 Memorial Drive, Avon Park, Highlands County.

Project: The applicant submitted an application for a Title V Air Operation Permit Renewal. This facility consists of two gas turbine peaking units. Both units are permitted to fire No. 2 fuel oil or natural gas. Each turbine is rated at 33.8 megawatts. These units began commercial service in 1968. These units are not subject to the Standards of Performance for Stationary Gas Turbines at 40 CFR 60, Subpart GG. A compliance assurance monitoring (CAM) plan is not required. These are not affected units under the Federal Acid Rain Program. The facility holds ORIS facility code 0624 under the Federal Acid Rain Program for an affected unit that was retired and dismantled.

Permitting Authority: Applications for processing 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, 62-212, and 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 in the manner requested. 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: Florida Department of Environmental Protection, Bureau of Air Regulation, 111 South Magnolia Drive, Suite 4, Tallahassee, Florida, 32301. The Permitting Authority's mailing address is: Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, Mail Station #5505. 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 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 contact the Permitting Authority's project review engineer for additional information at the address and phone number listed above or at the following email address:
www.dep.state.fl.us/air/products/ards/
A copy of the complete project file is also available at the Florida Department of Environmental Protection South District Office, 2295 Victoria Avenue, Suite 364, Fort Myers, Florida 33902-2549. Telephone: 239/332-6975. Fax 239/332-6969.

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 must be post-marked 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 Florida Administrative Weekly (FAW) at <http://faw.dos.state.fl.us> and in a newspaper of general circulation in the area affected by the permitting action. For additional information, contact the Department 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 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 for 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 www.epa.gov/region4/air/permits/Florida.htm.