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June 17, 2010

Ms. Trina L. Vielhauer  
Florida Department of Environmental Protection  
111 South Magnolia Drive, Suite 4  
Tallahassee, Florida 32301

Via FedEx  
Airbill No. 7987 6977 8544

**Re: Tampa Electric Company  
Air Operation Permit  
Proof of Publication of the Intent to Issue  
DEP File No. 0570040-029-AV**

Dear Ms. Vielhauer:

Pursuant to Rule 62-110.106(5), F.A.C., enclosed is the proof of publication of the Notice of Intent to Issue the Tampa Electric Company H.L. Culbreath Bayside Power Station Air Operation Permit. This notice was published in the legal section of the Tampa Tribune on June 16, 2010.

Thank you for your attention to this matter. If you have any concerns or questions feel free to contact me or Laurie Pence at (813) 228-4457.

Sincerely,

A handwritten signature in cursive script that reads "Julie Ward".

Julie Ward  
Engineer - Air Programs  
Environmental, Health & Safety

EHSvrikJMW/LAP493

Enclosures

c/enc: Ms. Mara Nasca-FDEP SW District

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# South Shore News and Tribune

Published Bi-weekly by The Tampa Tribune

Hillsborough County, Florida

State of Florida }  
County of Hillsborough } SS.

Before the undersigned authority personally appeared C. Pugh, who on oath says that she is the Advertising Billing Analyst of South Shore News & Tribune, a Bi-weekly newspaper published in Hillsborough County, Florida; that the attached copy of the

Legal Ads IN THE South Shore News

In the matter of Legal Notices

In the Court, was published in said newspaper in the issues of

06/16/2010

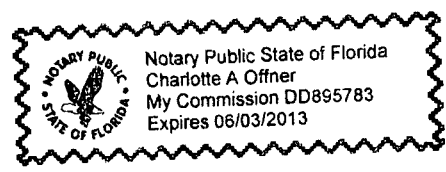
Affiant further says that the said South Shore News & Tribune is a newspaper published in said Hillsborough County, Florida, and that the said newspaper has heretofore been continuously published in said Hillsborough County, Florida, each week and has been entered as second class mail matter at the post office in Tampa, in said Hillsborough 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, this advertisement for publication in the said newspaper.

*J. P. ...*

Sworn to and subscribed by me, this 16 day of June, A.D. 2010

Personally Known  or Produced Identification   
Type of Identification Produced \_\_\_\_\_

*Charlotte A. Offner*



**Legal Notices**  
PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT  
Florida Department of Environmental Protection  
Division of Air Resource Management, Bureau of Air Regulation  
Project No. 0570040-028-AC (PSD-FL-301D), Draft Air Construction Permit Revision  
Project No. 0570040-029-AV, Draft/Proposed Title V Air Permit Revision  
EPA Parallel Review Package  
Tampa Electric Company, H.L. Culbreath Bayside Power Station  
Hillsborough County, Florida  
  
Applicant: The applicant for this project is Tampa Electric Company. The applicant's authorized representative and mailing address is: Frank Busot, Director, Bayside Power Station, Tampa Electric Company, H.L. Culbreath Bayside Power Station, P.O. Box 111, Tampa, Florida 33601-0111.  
  
Facility Location: Tampa Electric — Company operates the existing H.L. Culbreath Bayside Power Station, which is located in Hillsborough County at 3602 Port Sutton Road in Tampa, Florida.  
  
Project: This project is a concurrent revision of underlying air construction permits and the Title V air operation permit. Permit No. 0570040-019-AC (PSD-FL-301C) for existing combined cycle Units 1 and 2 is primarily being revised to clarify excess emissions during warm and cold steam turbine startups. For the new simple cycle peaking Units 3 through 6, Permit No. 0570040-026-AC is being revised primarily to address the exclusion of carbon monoxide emissions data collected during combustion turbine tuning. These changes are not expected to result in an actual emissions increase and the project is not subject to preconstruction review for the Prevention of Significant Deterioration (PSD) of Air Quality. The project will also concurrently revise existing Title V air operation Permit No. 0570040-027-AV to incorporate the newly constructed simple cycle peaking units and the new revisions made in the draft air construction permit revision. Finally, the Title V air operation permit revision is being processed as both a draft and proposed permit package for parallel review by the Environmental Protection Agency (EPA).

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, F.A.C. Applications for Title V air operation permits are subject to review in accordance with the provisions of Chapter 403, F.S. and Chapters 62-4, 62-210, 62-212, 62-213 and 62-214, F.A.C. The projects are not exempt from the permitting procedures for air construction or Title V air operation permits. The Florida Department of Environmental Protection's Bureau of Air Regulation is the Permitting Authority responsible for making the permit determinations for this project. The Bureau of Air Regulation's physical address is 111 South Magnolia Drive, Suite 4, Tallahassee, Florida and the mailing address is 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Bureau of Air Regulation's phone 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/Proposed Permits, the Technical Evaluation and Preliminary Determination, the Statement of Basis, 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/emission/apds/default.asp>.

Notice of Intent to Air Issue Permits with Parallel Review by EPA: The Permitting Authority gives notice of its intent to issue a Draft Air Construction Permit Revision and a concurrent Draft/Proposed Title V Air Operation Permit. Revision for the projects 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 applicable 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 final permits in accordance with the conditions of the Draft/Proposed Permits 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: For a period of 30 days from the date of publication of this Public Notice, the Permitting Authority will accept written comments and requests for a public meeting concerning the Draft Air Construction Permit Revision and the Draft Title V Air Operation Permit Revision. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location in the Florida Administrative Weekly. Written comments must be received by the appropriate Permitting Authority by close of business (5:00 p.m.) on or before the end of this 30-day period. In addition, if a public meeting is requested within the 30-day comment period and conducted by the Permitting Authority, any oral and written comments received during the public meeting will also be considered by the Permitting Authority. If timely received comments result in a significant change to a 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, 3900 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 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 (Project No.), 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 interests will be affected by the agency determination; (c) A statement of when and how each petitioner received notice of the agency action or proposed decision; (d) A statement of all disputed issues of material fact; (e) A concise statement of the ultimate facts alleged, including 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 Air Permits. 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.

EPA Review: The EPA has agreed to treat the Draft Title V Air Operation Permit Revision as a Proposed Title V Air Operation Permit Revision 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 adverse 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 7661d(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 7661d(b)(1), to object to issuance of any Title V Air Operation Permit. Any petition shall be based only on objections to the Title V Air Operation Permit that were raised with reasonable specificity during the 30 (thirty) day public comment period provided in this 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 Title V Air Operation 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 objections, visit EPA's Region 4 web site at: <http://epa.gov/region4/air/permits/Florida.htm>. 9206 6/16/10