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MAY 01 2000

BUREAU OF AIR REGULATION

Monday, April 17, 2000

Florida Department of Environmental
Protection
Bureau of Air Regulation
2600 Blair Stone Road
Mail Station #5505
Tallahassee, FL 32399-2400
(850) 488-0114

Florida Power & Light Legal Notice
Proof of Publication

The Public Notice for the Intent To Issue Title V Permit Revision for the Florida Power & Light Co. Martin Plant facility was published on April 1, 2000. A copy of the Public Notice with the sworn affidavit of publication was sent to Tom Tittle of the Southeast District Office on April 6, 2000 by the publisher. The notification was sent to Mr. Tittle in compliance with F.S. 403.815 and 403.087 and Rules 62-110.106 and 62-210.350(3) of the F.A.C.

A copy of the publication and the affidavit are included as an attachment to this letter for use by the Department.

If you have any questions, or need any additional information, I can be contacted at (561) 691-2894.

Sincerely,

John C. Hampp
Sr. Environmental Specialist
Florida Power & Light Co.
700 Universe Blvd.
Juno Beach, FL 33410
(561)691-2894
jhampp@fpl.com

5/2/00 cc: Wendy Alexander

Published Daily

STATE OF FLORIDA
COUNTY OF OKEECHOBEE

Before the undersigned authority personally appeared Judy Kasten, who on oath says she is Publisher of the Okeechobee News, a DAILY Newspaper published in Okeechobee, in Okeechobee County, Florida; that the attached copy of advertisement, being a

Public Notice

in the matter of

Notice of Intent

in the 19th Judicial District of the Circuit Court of Okeechobee County, Florida, was published in said Newspaper in the issues of

April 1, 2000

Affiant further says that the said Okeechobee News is a newspaper published at Okeechobee, in said Okeechobee County, Florida, and that said newspaper has heretofore been published continuously in said Okeechobee County, Florida each week and has been entered as second class mail matter at the post office in Okeechobee, in said Okeechobee 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.

Judy Kasten

Sworn to and subscribed before me this 4th day of April

A.D. 2000

Karmen R. Brown

Notary Public, State of Florida at Large



Karmen R. Brown
Commission # CC 902300
Expires Jan. 17, 2004
Bonded Thru
Atlantic Bonding Co., Inc.

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BUREAU OF AIR REGULATION

PUBLIC NOTICE OF INTENT
TO ISSUE TITLE V
AIR OPERATION PERMIT
REVISION
STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

DRAFT Title V Operation Permit Revision No.: 0850001-007-AV Martin Plant Martin County The Department of Environmental Protection (permitting authority) gives notice of its intent to issue Title V air operation permit revision to Florida Power and Light Company for the Martin Plant located 7 miles North of Indiantown on State Road 710, Indiantown, Martin County. The applicant's name and address are: Florida Power and Light Company, Environmental Services Department, P.O. Box 14000, Juno Beach, Florida 33408.

The applicant applied on September 29, 1999, to the permitting authority for a Title V air operation permit revision. The requested permit revision allows for an alternate method of operation resulting in no increase of emissions. Based on the application, one specific condition is being revised and one specific condition is being added in subsection B (Emissions Units -003 to -006, Combustion Turbines with (HRSGs) of Initial Final Title V Permit No. 0850001-004-AV. These conditions incorporate requirements from PSD permit modification PSD-FL-146(G) (also Air Construction Permit No. 0850001-005-AC) for inlet foggers installed on the four combined cycle combustion turbines. The permitting authority will issue the PROPOSED Title V Operation Permit Revision, and subsequent FINAL Title V Operation Permit Revision, in accordance with the conditions of the DRAFT Title V Operation Permit Revision unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions. The permitting authority will accept written comments concerning the proposed DRAFT Title V Operation Permit Revision issuance action for a period of 30 (thirty) days from the date of publication of this Notice. Written comments should be provided to the Department's Bureau of

Air Regulation, 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this DRAFT Title V Operation Permit Revision, the permitting authority shall issue a Revised DRAFT Title V Operation Permit Revision and require, if applicable, another Public Notice. 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 of the Florida Statutes (F.S.). The Petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35 Tallahassee, Florida 32399-3200 (Telephone: 850-488-9730, Fax 850-487-4938). Petitions filed by any person other than those entitled to written notice under Section 120.60(3), F.S., must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of the notice of intent, 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 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 applicable 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 of the Florida Administrative Code (F.A.C.). A petition that disputes the material facts on which the permit-

ting 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; name address and telephone number or 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 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, as well as the rules and statutes which entitle petitioner to relief;
(f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and
(g) A statement of the relief sought by the petitioner, stating precisely the action 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 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 is not available for this proceeding. In addition to the above, pursuant

to 42 United States Code (U.S.C.) Section 7661d(b) any person may petition Administrator of the EPA within 60 (sixty) days of the expiration of the Administrator's (forty-five) day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to issuance of any permit revision. Any petition shall be based only on objections to permit revision that were raised with reasonable specificity during the 30 (thirty) day public comment period provided in this notice, unless petitioner demonstrates to 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 effective date of any permit properly issued pursuant to provisions of Chapter 62-2 F.A.C. Petitions filed with Administrator of EPA must meet the requirements of U.S.C. Section 7661d(b) and must be filed with Administrator of the EPA, U.S. EPA, 401 M Street, S. Washington, D.C. 20460 complete project file is available for public inspection during normal business hours: 8:00 a.m. to 5:00 p.m. Monday through Friday, excluding legal holidays. at: Permit Authority: Department of Environmental Protection, South Magnolia Drive, Suite Tallahassee, Florida 32301. After District Program: Department of Environmental Protection, Southeast District Office, North Congress Avenue, V Palm Beach, Florida 33452. Telephone: 561-6600 Fax: 561-681-6755 complete project file include the DRAFT Title V Operation Permit Revision, the application, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact Scott Sheplek, P.E., at the address, or call 850-9532, for additional information. 45301-4/1/00