

TAMPA ELECTRIC

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MAY 23 2001

BUREAU OF AIR REGULATION

May 22, 2001

Mr. Clair Fancy
Florida Department of Environmental Protection
111 South Magnolia Drive, Suite 4
Tallahassee, Florida 32301

Via Fed Ex
Airbill No. 7900 5763 4652

**Re: Tampa Electric Company (TEC) – Polk Power Station
PSD Permit Modification
DEP File Nos. PSD-FL-194G and PSD-FL-263A**

Dear Mr. Fancy:

Please find enclosed the original Affidavit of Publication from the Lakeland Ledger, as required by 62-110.106(5), F.A.C. This public notice was published in the legal section on Friday, May 18, 2001. If you have any questions, please feel free to telephone Shannon Todd or me at (813) 641-5125.

Sincerely,

Laura R. Crouch
Manager-Air Programs
Environmental Affairs

EP\gm\SKT256

Enclosure

- c: Mr. Tom Davis - ECT
- Mr. Gregg Worley – EPA
- Mr. Buck Oven, FDEP
- Mr. Scott Sheplak, FDEP
- Mr. Jerry Kissel - FDEP SW
- Mr. John Bunyak - NPS

AFFIDAVIT OF PUBLICATION

THE LEDGER

Lakeland, Polk County, Florida

Case No

STATE OF FLORIDA)
COUNTY OF POLK)

Before the undersigned authority personally appeared Ken Holtzinger, who on oath says that he is the Classified Manager of The Ledger, a daily newspaper published at Lakeland in Polk County, Florida; that the attached copy of advertisement, being a

Notice of Intent


in the matter of dep file no. 1050233-005-AC (PSD-FL-194G and PSD-FL-263A)

in the

Court, was published in said newspaper in the issues of

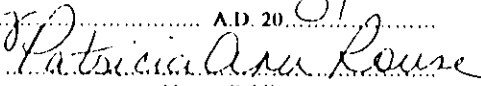
5-18; 2001

Affiant further says that said The Ledger is a newspaper published at Lakeland, in said Polk County, Florida, and that the said newspaper has heretofore been continuously published in said Polk County, Florida, daily, and has been entered as second class matter at the post office in Lakeland, in said Polk 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, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Signed 
Ken Holtzinger
Classified Manager
Who is personally known to me.

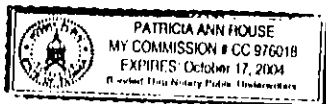
Sworn to and subscribed before me this 21

day of May, A.D. 2001


Notary Public
PATRICIA ANN ROUSE

(Seal)

My Commission Expires



Attach Notice Here

PUBLIC NOTICE OF INTENT TO ISSUE PSD PERMIT MODIFICATION

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

DEP File No. 1050233-005-AC (PSD-FL-194G and PSD-FL-263A)

Polk Power Station
Requirement to Sample Fuel Oil for Fuel Bound Nitrogen
Polk County

The Department of Environmental Protection (Department) gives notice of its intent to issue a final permit modification to Tampa Electric Company. The permit is to allow the use of a nitrogen oxides continuous emissions monitor to substitute for the requirement to sample fuel oil for fuel bound nitrogen, as required by 40 CFR 60, Subpart GG for the combined cycle combustion turbine-electric generation of the Polk Power Station in Polk County. A Best Available Control Technology (BACT) determination was not required pursuant to Rule 62-212.005, F.A.C. The applicant's name and address are Tampa Electric Company, P.O. Box 111, Tampa, Florida 33601-0111.

40 CFR 60, Subpart GG, Standards of Performance for New Stationary Gas Turbines requires turbines supplied fuel from bulk storage tanks determine the fuel bound nitrogen content of the fuel each occasion that fuel is transferred to the storage tank from any other source. Tampa Electric Company requested that they not be allowed to demonstrate compliance with the requirement by using the continuous emissions monitor for nitrogen oxides. Rule 62-212.005, F.A.C. issued guidance dated May 26, 2000 to Ronald W. Gore of the Alabama Department of Environmental Management which allows the use of nitrogen continuous emissions monitors for the purpose.

An air quality impact analysis was not required or conducted. No significant impacts are expected to occur as a result of this project. It will not cause or contribute to a violation of any ambient air quality standard or increment.

The Department will issue the FINAL permit modification with the attached conditions unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions:

The Department will accept written comments concerning the proposed permit modification for a period of thirty (30) days from the date of publication of Public Notice of Intent to Issue a PSD Permit Modification. Written comments should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, FL 32309-2400. Any written comments received shall be available for public inspection. Written comments received result in a significant change in the proposed permit action, the Department shall revise the proposed permit and require, if appropriate, another Public Notice.

The Department will file the permit with the attached conditions unless a timely petition for an administrative hearing pursuant to Sections 120.569 and 120.577, F.S., before the deadline for filing a petition. The procedure for petitioning for a hearing are set forth below. Mediation is not available in this proceeding.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.577 of the Florida Statutes. 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, 2600 Blair Stone Road, Mail Station #33, Tallahassee, Florida 32309-2400. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen (14) days of receipt of this notice of intent. Petitions filed by any person other than those entitled to written notice under Section 120.569(3) of the Florida Statutes must be filed within fourteen (14) days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under Section 120.569(3) of the Florida Statutes, notice of the Department for notice of a hearing may be given by the permit applicant or any other person, 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 120.577, F.S., or to intervene in and participate as a party to it. Any subsequent intervention will be only of the approval of the presiding officer upon the filing of a motion in compliance with Rule 28.106.205 of the Florida Administrative Code.

A petition that disputes the material facts on which the Department'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's representative, if any, which shall be the address for service purposes during the course of the proceeding; and on explanation of how the petitioner's substantial interests will be affected by the agency determination; (c) A statement of how and when 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 indicate; (e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief; and (f) A demand for relief.

A petition that does not dispute the material facts upon which the Department'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.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in the notice. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

A complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

Department of Environmental Protection Bureau of Air Regulation 111 S. Magnolia Drive, Suite 4 Tallahassee, Florida 32301 Telephone: 850/468-0144 Fax: 850/922-6979	Department of Environmental Protection Southwest District Office 3804 Coconut Palm Drive Tallahassee, Florida 32310 Telephone: 813/774-0100 Fax: 813/774-0084
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The complete project file includes the application, project description, Draft PSD Permit Modification, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Administrator of the Bureau of Air Regulation, 111 S. Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/922-4932, for additional information.

5-18-2001