



TAMPA ELECTRIC

February 7, 2003

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

Via Fed Ex  
Airbill No. 7906 9229 8308

**Re: Tampa Electric Company  
Polk Power Station  
Unit Nos. 2 & 3 and Sulfuric Acid Plant Test Method Modification  
Public Notice of Intent  
DEP File No. 1050233-012-AV**

Dear Ms. Vielhauer:

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 of the Lakeland Ledger on Monday, February 3, 2003. If you have any questions, please feel free to telephone Raiza Calderon or me at (813) 641-5261.

Sincerely,

Laura R. Crouch  
Manager - Air Programs  
Environmental Affairs

EA/bmr/RC150

Enclosure

c: Mr. Tom Davis - ECT  
Mr. Jerry Kissel - FDEP SW  
Mr. Scott Sheplak - FDEP  
Mr. Edward Svec - FDEP

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FEB 10 2003

BUREAU OF AIR REGULATION

TAMPA ELECTRIC COMPANY  
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# AFFIDAVIT OF PUBLICATION

## THE LEDGER

### Lakeland, Polk County, Florida

RECEIVED  
FEB 10 2003  
BUREAU OF AIR REGULATION

Case No .....

STATE OF FLORIDA)  
COUNTY OF POLK)

Before the undersigned authority personally appeared Sandra Heath, who on oath says that he is the Assistant 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.....

Tampa Electric

in the.....

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

2-3; 2003

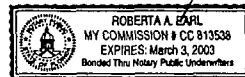
Affiant further says that said The Ledger is a newspaper published at Lakeland, in said Polk County, Florida, and that the said newspaper has heretofore been continuously published in said Polk County, Florida, daily, and has been entered as second class matter at the post office in Lakeland, in said 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 Sandra Heath  
Sandra Heath  
Assistant Classified Manager  
Who is personally known to me.

Sworn to and subscribed before me this..... 6 .....

day of February A.D. 20 03

Roberta A. Earl  
Notary Public



(Seal)  
My Commission Expires.....  
LC110193 H535

3/03/03

Attach Notice Here

**PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION**

Department of Environmental Protection  
Title V Air Operation Permit Revision  
DRAFT Permit No. 105233-019-01

Tampa Electric Company  
111 S. Magnolia Drive, Suite 4  
Lakeland, Florida 33801-1111  
Telephone: 850/458-0111; Fax: 850/722-0177

The Department of Environmental Protection (permitting authority) gives notice of its intent to issue a Title V Air Operation Permit Revision to Tampa Electric Company for the Polk Power Station located at 6995 State Route 37 South, Mulberry, Polk County, the applicant's name and address are, Tampa Electric Company, P.O. Box 1111, Tampa 33601-0111.

Tampa Electric Company requests that a revision to their Title V permit be issued to incorporate the terms and conditions of air construction permit 92D-10-263 for the operation of two simple-cycle gas turbines and establish EPA Method 8 as the acid mist test method and EPA Method 6C as the sulfur dioxide test method for the Sulfuric Acid Plant (S. U. ID No. 024).

The permitting authority will issue the 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 significant change of terms or conditions.

The permitting authority will accept written comments concerning the proposed DRAFT Permit 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, 3900 Commonwealth Boulevard, Mail Station 436, Tallahassee, Florida 32399-3000 (Telephone: 850/458-2403). Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the DRAFT Permit, the permitting authority shall issue a revised DRAFT Permit 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, 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 436, Tallahassee, Florida 32399-3000 (Telephone: 850/458-9730; Fax: 850/457-4938). Petitions filed by any persons 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 called 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 must file 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 28.10(2)(b), Florida Administrative Code (F.A.C.) 12A-06.001, 12A-06.002, 12A-06.003, 12A-06.004, 12A-06.005, 12A-06.006, 12A-06.007, 12A-06.008, 12A-06.009, 12A-06.010, 12A-06.011, 12A-06.012, 12A-06.013, 12A-06.014, 12A-06.015, 12A-06.016, 12A-06.017, 12A-06.018, 12A-06.019, 12A-06.020, 12A-06.021, 12A-06.022, 12A-06.023, 12A-06.024, 12A-06.025, 12A-06.026, 12A-06.027, 12A-06.028, 12A-06.029, 12A-06.030, 12A-06.031, 12A-06.032, 12A-06.033, 12A-06.034, 12A-06.035, 12A-06.036, 12A-06.037, 12A-06.038, 12A-06.039, 12A-06.040, 12A-06.041, 12A-06.042, 12A-06.043, 12A-06.044, 12A-06.045, 12A-06.046, 12A-06.047, 12A-06.048, 12A-06.049, 12A-06.050, 12A-06.051, 12A-06.052, 12A-06.053, 12A-06.054, 12A-06.055, 12A-06.056, 12A-06.057, 12A-06.058, 12A-06.059, 12A-06.060, 12A-06.061, 12A-06.062, 12A-06.063, 12A-06.064, 12A-06.065, 12A-06.066, 12A-06.067, 12A-06.068, 12A-06.069, 12A-06.070, 12A-06.071, 12A-06.072, 12A-06.073, 12A-06.074, 12A-06.075, 12A-06.076, 12A-06.077, 12A-06.078, 12A-06.079, 12A-06.080, 12A-06.081, 12A-06.082, 12A-06.083, 12A-06.084, 12A-06.085, 12A-06.086, 12A-06.087, 12A-06.088, 12A-06.089, 12A-06.090, 12A-06.091, 12A-06.092, 12A-06.093, 12A-06.094, 12A-06.095, 12A-06.096, 12A-06.097, 12A-06.098, 12A-06.099, 12A-06.100.

A petition that disputes the material facts on which the permitting authority's action is based must contain the following information:

- The name and address of each agency affected and each agency's file or identification number, if any;
- The name, address and telephone number of the petitioner, 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 petitioner's substantial rights will be affected by the agency determination;
- A statement of how and when the petitioner received notice of the agency action or proposed action;
- A statement of all disputed issues of material fact, if there are none, the petition must so state;
- A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief;
- A statement of the specific rules or regulations the petitioner contends require reversal or modification of the agency's proposed action; and
- 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 contain the same information as set forth above, as required by Rule 28.10(3)(b), 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 the 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 7601(d)(2) any person may petition the Administrator of the EPA within 60 (sixty) days of the expiration of the Administrator's 45 (forty-five) day review period as established in 42 U.S.C. Section 7601(d)(1), to object to issuance of any permit revision. Any petition shall be based only on objections to the permit revision that were not 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 permit properly issued pursuant to the provisions of Chapter 40-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7601(d)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460.

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  
Lakeland, Florida 33801-1111  
Telephone: 850/458-0111; Fax: 850/722-0177

The complete project file includes the DRAFT Permit, 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 M. Sheppard, P.E., at the above address or call 850/722-0177 for additional information.

H535 - 2-3; 2003