

TAMPA ELECTRIC

October 19, 2004

Mr. Jim Pennington
Florida Department of Environmental Protection
Division of Air Resource Management
111 South Magnolia, Suite 4
Tallahassee, FL 32301

**Re: Tampa Electric Company
Polk Power Station
DRAFT Title V Air Operation Permit Renewal
Public Notice of Intent
Permit No. 1050233-014-AV**

Dear Mr. Pennington:

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 Thursday, October 14, 2004. If you have any questions, please feel free to telephone Raiza Calderon or me at (813) 228-4369.

Sincerely,

Laura R. Crouch
Manager - Air Programs
Environmental, Health & Safety

EHS/bmr/RC193

Enclosure

c/enc: Mr. Jerry Kissel, FDEP SW District
Mr. Ed Svec, FDEP

TAMPA ELECTRIC COMPANY
P. O. BOX 111 TAMPA, FL 33601-0111

AN EQUAL OPPORTUNITY COMPANY
[HTTP://WWW.TAMPAELECTRIC.COM](http://www.tampaelectric.com)

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OCT 20 2004

BUREAU OF AIR REGULATION

**Via FedEx
Airbill No. 7919 5974 2153**

(813) 228-4111

CUSTOMER SERVICE:
HILLSBOROUGH COUNTY (813) 223-0800
OUTSIDE HILLSBOROUGH COUNTY 1 (888) 223-0800

AFFIDAVIT OF PUBLICATION

THE LEDGER

Lakeland, Polk County, Florida

RECEIVED
OCT 20 2004
DEPARTMENT OF AIR REGULATION

Case No

STATE OF FLORIDA)
COUNTY OF POLK)

Before the undersigned authority personally appeared C. Morgan Miller, who on oath says that he is Display Advertising Manager of The Ledger, a daily newspaper published at Lakeland in Polk County, Florida; that the attached copy of advertisement, being an

Notice of Intent

in the matter of **Permit No. 1050233-016-AV**.....

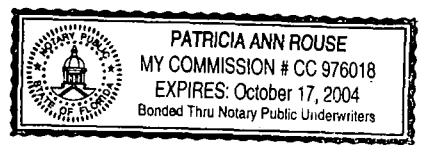
Concerning **Polk Power Station**

was published in said newspaper in the issues of **10-14; 2004**.....

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..... *C. Morgan Miller*
C. Morgan Miller
Display Advertising Manager
Who is personally known to me.

Sworn to and subscribed before me this 14TH
day of October..... A.D. 2004
Patricia Ann Rouse
Notary Public



(Seal)
My Commission Expires Oct 17, 2004

Attach Ad Here

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

State of Florida
Department of Environmental Protection
Division of Air Resource Management
Bureau of Air Regulation
DRAFT Title V Major Source Air Operation Permit No. 1050233-016-AV
Tampa Electric Company
Polk Power Station
Polk County

Applicant: The applicant for this project is Tampa Electric Company, P.O. Box 111, Tampa, Florida 33601-0111. The applicant's responsible official is Mark J. Hornick, General Manager.

Facility Location: The applicant operates an electrical power generating facility, which is located at 9995 State Route 37 South, near Mulberry, Polk County, Florida.

Project: The applicant submitted an application for a Title V Major Source Air Operation Permit Renewal (Permit). The regulated emissions units at the coal gasification facility include a 260 megawatt (electric) combined cycle combustion turbine which fires syngas or No. 2 fuel oil; an auxiliary boiler which fires No. 2 fuel oil; a sulfuric acid plant; a solid fuel handling system; and a solid fuel gasification system. The integrated coal gasification combined cycle combustion turbine is a General Electric Model Number 7F, 260 megawatt (electric) unit capable of firing syngas or No. 2 fuel oil. No add-on emissions control devices are employed by the emissions unit. The sulfuric acid plant takes a sulfur gas stream from the solid fuel gasification plant's hot gas cleanup or cold gas cleanup systems and converts it to sulfuric acid. Based on the renewal Title V permit application received April 22, 2004, this facility is not a major source of hazardous air pollutants (HAPs).

This permit will be a renewal of the Permit for this facility.

Permitting Authority: Applications for Permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, and 62-213, Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and a Permit is required to operate the facility. The Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination regarding this project. The Permitting Authority's physical address is: 111 South Magnolia Drive, Tallahassee, Florida. The Permitting Authority's mailing address is: Mail Station #5505, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. 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: jim.pennington@dep.state.fl.us. A copy of the complete project file is also available at the Department's Southwest District Office at 3804 Coconut Palm Drive, Tampa, Florida 33619-8318 (Telephone: (813) 744-6100).

Notice of Intent to Issue Air 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, 62-256, 62-257, 62-281, 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 provided to the Permitting Authority at the above address. 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 Department's official web site for notices (<http://flhoro6.dep.state.fl.us/onw/>) and in a newspaper of general circulation in the area affected by the permitting action. For additional information, contact the Permitting Authority 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 petitioner 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; 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 7661c(b)(1), to object to the issuance of any 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 objections, visit the EPA Region 4 web site at: www.epa.gov/region4/air/permits

L756 10-14-2004