



TAMPA ELECTRIC

August 14, 2001

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

Via Facsimile and FedEx
Airbill No. 7909 5035 3811

Re: Tampa Electric Company (TEC)
Polk Power Station
Title V Permit Modification
DEP File No. 1050233-009-AV

RE

AUG 15 2001

BUREAU OF AIR REGULATION

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 Tuesday, August 7, 2001. If you have any questions, please feel free to telephone Shannon Todd or me at (813) 641-5125.

Sincerely,

Laura R. Crouch

Laura R. Crouch
Manager-Air Programs
Environmental Affairs

EP\gm\SKT271

Enclosure

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

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RECEIVED AFFIDAVIT OF PUBLICATION

AUG 15 2001

THE LEDGER

Lakeland, Polk County, Florida

BUREAU OF AIR REGULATION

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

Public Notice of Intent

Revision No. 1050233-009-AV

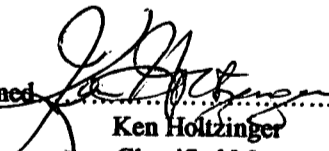
in the matter of.....

in the.....

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

8-7, 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.

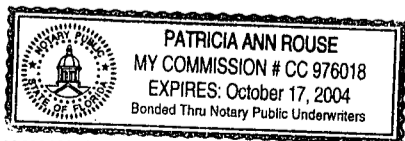
Signed 
Ken Holtzinger
Classified Manager
Who is personally known to me.

Sworn to and subscribed before me this 8TH.....

day of August..... A.D. 20 01.....


Notary Public

PATRICIA ANN ROUSE



(Seal)

My Commission Expires.....

Attach Notice Here

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

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DRAFT Title V Permit Revision No.: 1050233-009-AV
Polk Power Station
Polk County

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 to remove the requirement to utilize an opacity monitor on Emissions Unit I.D. -001 for periodic monitoring and incorporates the use of a nitrogen oxide continuous emissions monitors to determine liquid fuel bound nitrogen content for the Polk Power Station located at 9995 State Route 37 South, Mulberry, Polk County. The USEPA granted approval for the opacity monitor removal on May 9, 2001. The applicant's name and address are: Tampa Electric Company, P.O. Box 111, Tampa, Florida 33601-0111.

The permitting authority will issue the PROPOSED Title V Permit Revision, and subsequent FINAL Title V Permit Revision, in accordance with the conditions of the DRAFT Title V 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 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 Permit Revision, the permitting authority shall issue a Revised DRAFT Title V Permit Revision and require, if applicable, another Public Notice.

The permitting authority will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, F.S. mediation under Section 120.573, F.S., will not be available for this proposed action.

A person whose substantial interests are affected by the proposed permitting decision (revision) 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 (received) in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/488-9730; Fax: 850/487-4938). Petitions must be filed within 14 (fourteen) days of publication of the public notice or within 14 (fourteen) days of receipt of the notice of intent, whichever occurs first. A petitioner must 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 28-5.207 of the Florida Administrative Code.

A petition must contain the following information:

(a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Permit File Number, and the county in which the project is proposed;

(b) A statement of how and when each petitioner received notice of the permitting authority's action or proposed action;

(c) A statement of how each petitioner's substantial interests are affected by the permitting authority's action or proposed action;

(d) A statement of the material facts disputed by the petitioner, if any;

(e) A statement of the facts that the petitioner contends warrant reversal or modification of the permitting authority's action or proposed action;

(f) A statement identifying the rules or statutes that the petitioner contends require reversal or modification of the permitting authority's action or proposed action; and

(g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the permitting authority to take with respect to the action or proposed action addressed in this notice of intent.

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.

In addition to the above, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(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 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 the permit revision 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 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 401 M. Street, SW, 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:

Permitting Authority:
Department of Environmental Protection
Bureau of Air Regulation
111 South Magnolia Drive, Suite 4
Tallahassee, Florida 32301
Telephone: 850/488-1344
Fax: 850/922-6979

Affected District/Local Program:
Department of Environmental Protection
Southwest District Office
3804 Coconut Palm Drive
Tampa, Florida 33619-8218
Telephone: 813/744-6100
Fax: 813/744-6084

The complete project file includes the DRAFT Title V 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 M. Sheplak, P.E., at the above address, or call 850/921-9532 for additional information.

F653 - 8-7: 2001