



Jeb Bush
Governor

Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

David B. Scruhs
Secretary

November 1, 1999

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Charles A. Shelnut
General Manager
Tampa Electric Company
Post Office Box 775
Tampa, Florida 33680-0775

DEPARTMENT OF
ENVIRONMENTAL PROTECTION

NOV 04 1999

STING COORDINATION

Re: Modification of DEP File No. 1050233-002-AC/PSD-FL-194C
Polk Power Station, Unit No.1


Dear Mr. Shelnut:

Enclosed is one copy of the Draft PSD Permit Modification for the Integrated Gasification Combined Cycle facility located at 9895 State Road 37, Mulberry, Polk County. The Department's Intent to Issue PSD Permit Modification and the "PUBLIC NOTICE OF INTENT TO ISSUE PSD PERMIT MODIFICATION" are also included.

The PUBLIC NOTICE OF INTENT TO ISSUE PSD PERMIT MODIFICATION must be published one time only, as soon as possible, in the legal advertisement section of a newspaper of general circulation in the area affected, pursuant to the requirements Chapter 50, Florida Statutes. Proof of publication, i.e., newspaper affidavit, must be provided to the Department's Bureau of Air Regulation office within seven days of publication. Failure to publish the notice and provide proof of publication may result in the denial of the permit.

Please submit any written comments you wish to have considered concerning the Department's proposed action to A. A. Linero, P.E., Administrator, New Source Review Section at the above letterhead address. If you have any other questions, please call Mr. Syed Arif, P.E. at 850/921-9528.

Sincerely,


for C. H. Fancy, P.E., Chief
Bureau of Air Regulation

CHF/sa

Enclosures

In the Matter of an
Application for Permit Modification by:

Mr. Charles A. Shelnut
General Manager
Tampa Electric Company
Post Office Box 775
Tampa, Florida 33680-0775

DEP File No. 1050233-002-AC
PSD Permit No. PSD-FL-194C
Polk Power Station
Polk County

INTENT TO ISSUE PSD PERMIT MODIFICATION

The Department of Environmental Protection (Department) gives notice of its intent to issue a permit modification (copy of DRAFT Permit Modification attached) for the proposed action, as detailed in the application specified above, for the reasons stated below.

The applicant, Tampa Electric Company (TEC), applied on May 21, 1998 to the Department for a modification to the Conditions of Approval (related to fuel use) contained in the Permit for the Prevention of Significant Deterioration (PSD Permit) applicable to Tampa Electric Company, Polk Power Station, Unit No. 1. Presently only syngas from coal gasification may be burned in Unit 1. The request will allow TEC to temporarily burn syngas made from blends of petroleum coke and coal while conducting a series of performance tests on Unit 1.

The Department has permitting jurisdiction under the provisions of Chapter 403, Florida Statutes (F.S.), the Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, and 62-212, and 40CFR52.21(u). The above actions are not exempt from permitting procedures. The Department has determined that a modification of the PSD Permit is required for the proposed work.

The Department intends to issue this PSD Permit Modification based on the belief that reasonable assurances have been provided to indicate that operation of these emission units will not adversely impact air quality, and the emission units will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C.

Pursuant to Section 403.815, F.S., and Rule 62-110.106(7)(a)1., F.A.C., you (the applicant) are required to publish at your own expense the enclosed "Public Notice of Intent to Issue PSD Permit Modification." The notice shall be published one time only in the legal advertisement section of a newspaper of general circulation in the area affected. Rule 62-110.106(7)(b), F.A.C., requires that the applicant cause the notice to be published as soon as possible after notification by the Department of its intended action. For the purpose of these rules, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. If you are uncertain that a newspaper meets these requirements, please contact the Department at the address or telephone number listed below. The applicant shall provide proof of publication to the Department's Bureau of Air Regulation, at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400 (Telephone: 850/488-0114; Fax 850/ 922-6979). You must provide proof of publication within seven days of publication, pursuant to Rule 62-110.106(5), F.A.C. No permitting action for which published notice is required shall be granted until proof of publication of notice is made by furnishing a uniform affidavit in substantially the form prescribed in section 50.051, F.S. to the office of the Department issuing the permit. Failure to publish the notice and provide proof of publication may result in the denial of the permit pursuant to Rules 62-110.106(9) & (11), F.A.C.

The Department will issue the final permit 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 issuance action for a period of 14 (fourteen) days from the date of publication of Public Notice of Intent to Issue Air Permit. Written comments should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, FL 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the proposed permit and require, if applicable, another Public Notice.

The Department 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., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57 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 at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under section 120.60(3) of the Florida Statutes must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under section 120.60(3), however, any person who asked the Department 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 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 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, 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 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, 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 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 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 this 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. Mediation is not available in this proceeding.

In addition to the above, a person subject to regulation has a right to apply for a variance from or waiver of the requirements of particular rules, on certain conditions, under Section 120.542 F.S. The relief provided by this state statute applies only to state rules, not statutes, and not to any federal regulatory requirements. Applying for a variance or waiver does not substitute or extend the time for filing a petition for an administrative hearing or exercising any other right that a person may have in relation to the action proposed in this notice of intent.


The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. The petition must specify the following information: (a) The name, address, and telephone number of the petitioner; (b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any; (c) Each

rule or portion of a rule from which a variance or waiver is requested; (d) The citation to the statute underlying (implemented by) the rule identified in (c) above; (e) The type of action requested; (f) The specific facts that would justify a variance or waiver for the petitioner; (g) The reason why the variance or waiver would serve the purposes of the underlying statute (implemented by the rule); and (h) A statement whether the variance or waiver is permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

The Department will grant a variance or waiver when the petition demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of those terms is defined in Section 120.542(2) F.S., and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner.

Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable by the Administrator of the EPA and by any person under the Clean Air Act unless and until the Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

Executed in Tallahassee, Florida.


for C. H. Fancy, P.E., Chief
Bureau of Air Regulation


CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this INTENT TO ISSUE PSD PERMIT MODIFICATION (including the PUBLIC NOTICE, and DRAFT PSD Permit Modification) was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on 11-4-99 to the person(s) listed:

Charles A. Shelnut, TEC*
Gregg Worley, EPA
John Bunyak, NPS
Bill Thomas, DEP SWD
Buck Oven, DEP PPS
Joe King, Polk County

Clerk Stamp

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to §120.52, Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.


(Clerk) 11-4-99
(Date)

PUBLIC NOTICE OF INTENT TO ISSUE PSD PERMIT MODIFICATION

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

DEP File No. 1050233-002-AC

PSD-FL-194C/PA 92-32

Polk Power Station Integrated Gasification Combined Cycle Project
Polk County

The Department of Environmental Protection (Department) gives notice of its intent to issue a PSD Permit Modification to Tampa Electric Company (TEC) to conduct a series of performance tests for pollutant emissions while firing syngas made from blends of petroleum coke (petcoke) and coal. The testing will be done on Unit 1 at its Integrated Gasification Combined Cycle Facility (Polk Power Station) located at 9895 State Road 37 South, Mulberry, Polk County. Testing will begin in January 2000 and be conducted over a period of five months. The applicant's name and address are: Tampa Electric Company, Post Office Box 775, Tampa, Florida 333680-0775.

Presently, the plant is only allowed to burn syngas made from coal gasification. Emissions control for SO₂ consists of an acid gas removal unit. Emissions control for NO_x consists of nitrogen diluent injection to the Combined Cycle Unit. The Unit must continue to meet its permitted emission limits during the tests and is required to document any increases in actual emissions caused by burning syngas made from blends of petroleum coke and coal. This documentation is required to determine if a permanent switch to coal/petcoke blend would require a review pursuant to Rule 62-212.400 and 40 CFR 52.21 – Prevention of Significant Deterioration (PSD).

Any subsequent request by TEC for a permanent switch to petcoke/coal syngas firing will require publication of another Notice of Intent to Issue PSD Permit Modification and a Notification of the parties to the original Site Certification PA 92-32 affording another opportunity to provide comments to the Department.

The Department will issue the Final permit 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 issuance action for a period of 14 (fourteen) days from the date of publication of this Public Notice of Intent to Issue 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 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the proposed permit and require, if applicable, another Public Notice.

The Department 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., before the deadline for filing a petition. The procedures 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 120.57 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 at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be

**NOTICE TO BE PUBLISHED
IN THE NEWSPAPER**

filed within fourteen days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under section 120.60(3) of the Florida Statutes must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under section 120.60(3), however, any person who asked the Department 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 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 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, 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 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, 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 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 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 this 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:

Polk County Public Works Department - Air Program 4189 Ben Durrance Road Bartow, Florida 33830 Telephone: 941/534-7377 Fax: 941/534-7374	Dept. of Environmental Protection Bureau of Air Regulation 111 S. Magnolia Drive, Suite 4 Tallahassee, Florida 32301 Telephone: 850/488-0114 Fax: 850/922-6979	Dept. of Environmental Protection Southwest District 3804 Coconut Palm Drive Tampa, Florida 33619-8218 Telephone: 813/744-6100 Fax: 813/744-6084
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The complete project file includes the Draft Permit Modification, the application, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Administrator, New Resource Review Section at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/488-0114 for additional information.

DRAFT

December xx, 1999

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Charles A. Shelnut
General Manager
Tampa Electric Company
P.O. Box 775
Tampa, Florida 33680-0775

Dear Mr. Shelnut:

Re: Modification of PSD-FL-194
Tampa Electric Polk Power Station, Unit No. 1
Petroleum Coke/Coal Performance Test Request

The Department has reviewed the request from Tampa Electric Company (TEC) dated May 21, 1998 and supplementary information dated September 8, 1998 and November 10, 1998 to conduct performance tests while firing petroleum coke/coal blends at Polk Power Station, Unit No. 1.

You are hereby authorized to conduct performance tests for pollutant emissions on Polk Power Station Unit No. 1 in Polk County while firing blends of petroleum coke (petcoke) and bituminous coal (coal). All Conditions of Certification and Conditions of Approval in your Site Certification and PSD Permit related to air pollution emission limits and control equipment remain in force.

The performance tests will be conducted in order to gather data regarding pollutant emissions and operational limitations while firing blends of petcoke and coal containing a maximum of 70 percent (% by weight) petcoke. Screening to determine whether future long-term firing of petcoke/coal blends constitutes a modification subject to a review for Prevention of Significant Deterioration (PSD) shall be performed in accordance with Chapter 403, F.S.; Chapters 62-210 through 62-297 and 62-4, F.A.C.; and, Title 40, Code of Federal Regulations (CFR; July 1, 1998 version). The procedure will consist of a comparison of estimates of "representative actual annual emissions" while burning petcoke/coal blends against past actual emissions while burning coal (or estimates of past actual emissions developed from 100 percent coal baseline performance tests).

The performance test results along with any modification application to allow permanent petcoke/coal burning will be reviewed by the Department's Bureau of Air Regulation (BAR) and interested agencies/parties (i.e., DEP Southwest District office, U.S. EPA, National Park Service, etc.).

The performance tests shall be subject to the following conditions:

1. The permittee shall notify, in writing, the Department's BAR office, the Southwest District office, and the Site Certification office at least 15 days prior to commencement of the baseline and the petcoke/coal blend performance tests. A written test result report shall be submitted to these offices within 45 days upon completion of the last test run.

2. The petcoke/coal blend performance tests shall commence on or before March 1, 2000 and be conducted for not more than 90 days. The tests shall be conducted based on the proposed testing protocol to establish steady state operation and to achieve a maximum (70%) blend. If, for any reasons, a steady state operation of 70% petroleum coke-coal blend, or less, is not achieved, or the testing at 70% petcoke blend or less, presents any operational or environmental concerns, the testing shall be curtailed. The Department shall be immediately notified of the problems that have prevented steady state operations and what steps will be initiated to correct the problem. All testing shall be concluded within 150 days of when petcoke is first introduced into Unit No. 1.

Estimated Date of Introduction of Fuel Blend: January 1, 2000

(Note: This is the date at which a run on Petcoke fuel blend may be commenced. It does not indicate that Unit 1 will run continuously from January 1 to June 1, 2000)

Estimated Testing Schedule:

Scenario: 55% Petcoke/ 45% Coal

Estimated date to begin testing: March 1, 2000

Scenario: 60% Petcoke/40% Coal (if 55% blend emissions are less than baseline)

Estimated date to begin testing: April 1, 2000

Scenario: 65% Petcoke/ 35% Coal (if 60% blend emissions are less than baseline)

Estimated date to begin testing: May 1, 2000

Scenario: 70% Petcoke/ 30% Coal (if 65% blend emissions are less than baseline)

Estimated date to begin testing: May 15, 2000

3. Stack emissions from Unit No. 1 shall not exceed the following during baseline and petcoke/coal blend performance tests (based on most stringent of present PSD Permit and Certification Conditions):
 - a. Sulfur dioxide (SO₂) - 357 pounds per hour on a 30-day rolling average.
 - b. Nitrogen oxides (NO_x) - 222.5 pounds per hour on a 30-day rolling average.
4. As-burned fuel samples shall be collected and analyzed for the sulfur and nitrogen content throughout the petroleum coke-coal blend and the baseline coal test periods.
5. The performance test of the petcoke/coal blends shall be limited to a maximum of 70% petcoke, by weight. The maximum weight of the petroleum coke burned during the petcoke/coal blend performance tests shall not exceed 1628 tons per day, on a dry basis.
6. The maximum sulfur content of the fuel shall not exceed 3.5 percent, by weight, during the baseline tests and the petroleum coke-coal blend tests.
7. SO₂, NO_x, and opacity emissions data shall be recorded using continuous emissions monitors (CEMS) during the baseline and the petcoke/coal blend tests. If the plant CEMS are used for these tests, these systems shall be quality assured pursuant to 40 CFR 60, Appendix F requirements. The data assessment report per 40 CFR 60, Appendix F, for the most recent relative accuracy test audit (RATA) and most recent cylinder gas audit (CGA), shall be submitted with the test report. In addition, stack tests shall be conducted for sulfuric acid mist during the baseline and petcoke/coal blend tests. A satisfactory performance test for each baseline test and each petroleum coke-coal blend shall consist of a minimum of three tests at three runs per test.
8. The pollutant emission results from the petroleum coke/coal blend performance tests shall be used to estimate "representative actual annual emissions" following an operational change per 62-210.200 (12)(d),

F.A.C., for comparison with actual emissions per Rule 62-210.200(12)(a), F.A.C. The comparison will form the basis of a PSD applicability determination pursuant to 40 CFR 52.21. The results of baseline performance tests when firing coal will be used only to the extent that such information does not already exist or is insufficient to determine actual emissions.

9. Performance tests shall be conducted using EPA Reference Methods, as contained in 40 CFR 60 (Standards of Performance for New Stationary Sources), or any other method approved by the Department, in writing, in accordance with Chapter 62-297, F.A.C.
10. If additional time is needed, the permittee shall request an extension of time and provide the Department with documentation of the progress accomplished to-date and shall identify the work required to complete the performance tests.
11. Daily records (e.g., heat input, MW, fuel input rates, etc.) of IGCC operations while firing the petcoke/coal blend and while firing only coal (baseline) during the tests shall be required.
12. The Southwest District office may conduct a Type I or II stack audit.
13. Complete documentation (recording) of any firing of the petroleum coke-coal blend shall be required (i.e., all CEMs records; testing results; materials utilized, by weight; etc.) and kept on file for a minimum of five years.
14. The authorized petroleum coke-coal blend performance tests shall not result in the release of objectionable odors pursuant to Rule 62-296.320(2), F.A.C.
15. Performance testing shall cease as soon as possible if Unit No. 1 operations are not in accordance with the conditions in the air section of Site Certification No. PA 92-32, PSD Permit No. PSD-FL-194, or this authorization protocol. Performance testing shall not resume until appropriate measures to correct the problem(s) have been implemented.
16. The performance tests for pollutant emissions shall be conducted under the direct supervision of a professional engineer registered in Florida.
17. This Department action is only to authorize the petroleum coke-coal blend performance tests. Any firing of petroleum coke beyond the 90 days of testing within the 150 day period approved to conduct such tests will be deemed a violation of the Site Certification No. PA 92-32 and Permit No. PSD-FL-194.
18. The Southwest District office shall be immediately notified, in writing upon completion of the final test.
19. The testing series shall include emissions tests for each of the petroleum coke/coal blends and pollutants with the source operating at permitted capacity. Permitted capacity is defined as 90-100 percent of the capacity allowed by Site Certification PA 92-32 and Permit PSD-FL-194. If it is impracticable to test at permitted capacity, then the source may be tested at a lesser rate. However, the tests shall be conducted at capacities within 10 percent of each other and corrected to the same heat input basis. Furthermore, subsequent source operation with a petroleum coke-coal blend, if requested and approved by the Department, shall be limited to 110 percent of the tested capacity for that blend until new tests are conducted, which requires prior Department authorization.
20. Attachments to be incorporated:
 - Tampa Electric Company letters dated May 21, September 8 and November 10, 1998.
 - FDEP letters dated June 16 and October 5, 1998.

DRAFT

A copy of this letter shall be filed with the referenced permit and shall become part of the permit. This permit modification is issued pursuant to Chapter 403, Florida Statutes.

Any party to this order (permit modification) has the right to seek judicial review of it under Section 120.68, F.S., by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department of Environmental Protection in the Office of General Counsel, Mail Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The notice must be filed within thirty days after this order is filed with the clerk of the Department.

Executed in Tallahassee, Florida.

Howard L. Rhodes, Director
Division of Air Resources
Management

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this permit modification was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on _____ to the person(s) listed:

Charles A. Shelnut, TEC*
Buck Oven, DEP PPS
Bill Thomas, DEP SWD
Gregg Worley, EPA
John Bunyak, NPS
Patrick Shell, TEC

Clerk Stamp

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to §120.52, Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

(Clerk)

(Date)