

One Energy Place
Pensacola, Florida 32520

Tel 850.444.6111

RECEIVED

MAY 21 2013

DIVISION OF AIR
RESOURCE MANAGEMENT



May 20, 2013

Mr. Jeff Koerner, P.E.
Florida Department of Environmental Protection
Division of Air Resources Management
2600 Blair Stone Road
Mail Station #5505
Tallahassee, Florida 32399-2400

Via Email and Overnight Mail

Dear Mr. Koerner:

RE: OLEANDER POWER PROJECT, LP
TITLE V REVISION
AIR PERMIT APPLICATION NO. 3493-1
PROOF OF PUBLICATION

Please find enclosed Southern Power's "Proof of Publication" for the above-referenced permit application to modify the Oleander Title V permit. The Public Notice was published on May 14th, 2013 in the legal advertisement section of a newspaper of general circulation pursuant to Section 403.815, F.S. and Rules 62-110.106 and 62-210.350, F.A.C.

Please call me at (850) 444-6153 regarding any questions or concerns.

Sincerely,

A handwritten signature in cursive script that reads "Susan B. Kennedy".

Susan B. Kennedy, Q.E.P.
Senior Environmental Affairs Specialist

Cc (email): Ed Svec, FDEP – Tallahassee Office
Scott Dial, Plant Oleander
Jim King, Plant Oleander
Rebecca Ivy, Plant Oleander
Circe Starks, Southern Power
Randy Alexander, Southern Power
Greg Terry, Gulf Power

Mailed to:

SUSAN KENNEDY
GULF POWER CO
ONE ENERGY PLACE
PENSACOLA FL 32520

A daily publication by:



STATE OF FLORIDA
COUNTY OF BREVARD

Before the undersigned authority personally appeared KATHY CICALA, who on oath says that she is LEGAL ADVERTISING SPECIALIST of the FLORIDA TODAY, a newspaper published in Brevard County, Florida; that the attached copy of advertising being a

LEGAL NOTICE

| | | | |
|--------------------|-------|--|----------------|
| Ad # (304598) | \$ | 697.30 | the matter of: |
| Acct. # (60L255) | | | |
| | | | GULF POWER CO |
| the | Court | PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT | |

as published in the FLORIDA TODAY in the issue(s) of:

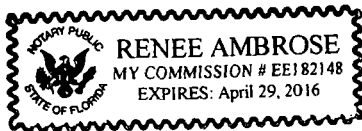
May 14, 2013

Affiant further says that the said FLORIDA TODAY is a newspaper in said Brevard County, Florida, and that the said newspaper has heretofore been continuously published in said Brevard County, Florida, regularly as stated above, and has been entered as periodicals matter at the post office in MELBOURNE in said Brevard County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she 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 said newspaper.

Kathy Cicala
(Signature of Affiant)

Sworn to and subscribed before this:

14th day of May 2013
Renee Ambrose
(Signature of Notary Public)



Renee Ambrose
(Name of Notary Typed, Printed or Stamped)

Personally Known X or Produced Identification _____
Type Identification Produced: _____

PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT
 Florida Department of Environmental Protection
 Division of Air Resource Management,
 Office of Permitting and Compliance
 Draft Air Permit No. 0090180-007-AC
 Oleander Power Project, L.P., Oleander Power Project
 Brevard County, Florida

Applicant: The applicant for this project is Oleander Power Project, L.P. The applicant's authorized representative and mailing address is: E. Scott Dial, Plant Manager, Oleander Power Project, L.P., Oleander Power Project, 555 Townsend Road, Cocoa, Florida 32922.

Facility Location: Oleander Power Project, L.P. operates the existing Oleander Power Project, which is located in Brevard County at 555 Townsend Road, Cocoa, Florida.

Project: The purpose of this permitting action is to clarify the testing requirements for gas and oil upon permit renewal and to clarify that testing on fuel oil for Units 1 to 5 is not required when operating on fuel oil less than 400 hours annually and to remove the mass emissions limits for NOX from the requirements for Unit 5. These changes will require revisions to existing specific conditions in Permit No. 0090180-001-AC (PSD-FL-258) and Permit No. 0090180-003-AC (PSD-FL-377).

Permitting Authority: Applications for air construction permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210 and 62-212 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and an air permit is required to perform the proposed work. The Permitting Authority responsible for making a permit determination for this project is the Office of Permitting and Compliance in the Department of Environmental Protection's Division of Air Resource Management. The Permitting Authority's physical address is: 2600 Blair Stone Road, Tallahassee, Florida. The Permitting Authority's mailing address is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's phone number is 850-717-9000.

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 the physical address indicated above for the Permitting Authority. The complete project file includes the Draft Permit, the Technical Evaluation and Preliminary Determination, the application and information submitted by the applicant (exclusive of confidential records under Section 403.111, F.S.). Interested persons may contact the Permitting Authority's project engineer for additional information at the address and phone number listed above. In addition, electronic copies of these documents are available on the following web site: <http://www.dep.state.fl.us/air/emission/apds/default.asp>.

Notice of Intent to Issue Air Permit: The Permitting Authority gives notice of its intent to issue an air construction permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of proposed equipment 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, 62-296 and 62-297, F.A.C. The Permitting Authority will issue a Final Permit in accordance with the conditions of the proposed Draft Permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

Comments: The Permitting Authority will accept written comments concerning the proposed Draft Permit for a period of 14 days from the date of publication of the Public Notice. Written comments must be received by the Permitting Authority by close of business (5:00 p.m.) on or before the end of this 14-day period. If written comments received result in a significant change to the Draft Permit, the Permitting Authority shall revise the 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 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 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 (in a proceeding initiated by another party) 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 when and how the petitioner received notice of the agency action or proposed decision; (d) A statement of all disputed issues of material fact. If there are none, the petition 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 including an explanation of how the alleged facts relate to the specific rules or statutes; 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 to Issue Air Permit. 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.