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PUBLISHED DAILY  
MIAMI-DADE-FLORIDA

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

Before the undersigned authority personally  
appeared:

SCARLETH Y. MENDOZA

Who on oath says that he/she is

CUSTODIAN OF RECORDS

of The Miami Herald, a daily newspaper published at  
Miami in Miami-Dade County, Florida; that the  
attached copy of advertisement was published in said  
newspaper in the issues of:

October 5, 2007

Affiant further says that the said The Miami Herald  
is a newspaper published at Miami, in the said  
Miami-Dade County, Florida and that the said  
newspaper has heretofore been continuously published  
in said Miami-Dade County, Florida each day and has  
been entered as second class mail matter at the post  
office in Miami, in said Miami-Dade 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  
newspapers(s).

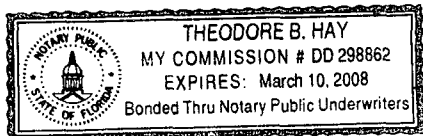
Sworn to and subscribed before me this  
5<sup>th</sup> day of October 2007

My Commission

Expires: March 10, 2008

Theodore B. Hay

Notary



BUREAU OF AIR REGULATION

OCT 22 2007

RECEIVED

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

Department of  
Environmental  
Protection  
**DRAFT/PROPOSED  
Title V Air Operation  
Permit No.  
0250001-003-AV  
Florida Power &  
Light Company -  
Cutter Plant  
Miami-Dade County**

**Applicant:** The  
applicant for this  
project is Florida  
Power & Light  
Company, 9700 SW  
344th Street,  
Homestead, FL  
33035. The  
applicant's  
responsible official is  
Mr. H. O. Nunez,  
General Manager.

**Facility - Location:**  
The applicant  
operates the Cutter  
Plant, which is located  
at 14925 SW 67  
Avenue, Miami,  
Miami-Dade County,  
Florida.

**Project:** The  
applicant submitted  
an application for a  
Title V Air Operation  
Permit Renewal.

The facility consists  
of two natural gas  
and fuel oil fired  
conventional steam  
electric generating  
stations, designated  
as Units #5 and #6  
by the Florida Power  
& Light Company.  
Unit #5 is comprised  
of a Combustion  
Engineering Outdoor-  
type boiler/steam  
generator and a  
Westinghouse  
condensing steam  
turbine that drives a  
hydrogen-cooled

MiamiHerald.com/  
Classifieds

generator with a  
nameplate rating of  
75 megawatts. Unit  
#6 is comprised of a  
Combustion  
Engineering  
Outdoor-type  
boiler/steam  
generator and a  
General Electric  
tandem compound  
single reheat turbine  
generator with a  
generator nameplate  
rating of 160  
megawatts.

**Permitting Authority:**  
Applications for Title  
V air operation permits  
are subject to review  
in accordance with  
the provisions of  
Chapter 403, Florida  
Statutes (F.S.) and  
Chapters 62-4,  
62-210, 62-213,  
and 62-214 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 operate the facility.  
The Department of  
Environmental  
Protection Bureau of  
Air Regulation is the  
Permitting Authority  
responsible for  
making a permit  
determination with  
regarding this project.  
The Permitting  
Authority's physical  
address is: 11 South  
Magnolia Drive, Suite  
4, Tallahassee, Florida  
32301. The Permitting  
Authority's mailing  
address is: 2600 Blair  
Stone Road, Mail  
Station #5505,  
Tallahassee, Florida  
32399-2400. The  
Permitting Authority's  
telephone number is  
850/488-0114 and  
facsimile number is  
850/921-9533.

**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  
(excluding legal  
holidays), at address  
indicated above for  
the Permitting  
Authority. The  
complete project file  
includes the DRAFT/  
PROPOSED 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  
above, at the time of  
PROPOSED Permit  
by visiting the  
following web site:  
[http://www.dep.  
epa.gov/region4/air/  
eproducts/ards/](http://www.dep.<br/>epa.gov/region4/air/<br/>eproducts/ards/).

**Notice of Intent to  
Issue a 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 the project will  
comply with all  
appropriate  
provisions of  
Chapters 62-4,  
62-204, 62-210,  
62-212, 62-213,  
62-214, 62-296, and  
62-297, F.A.C. The  
Permitting Authority  
will issue a FINAL  
Permit in accordance  
with the conditions of  
the DRAFT/  
PROPOSED Permit  
unless a response  
received in  
accordance with the  
following procedures  
is received. A  
decision or a  
significant change of  
terms or conditions.

**Comments:** The  
Permitting Authority  
will accept written  
comments concerning  
the DRAFT/  
PROPOSED Permit  
for a period of thirty  
(30) days from the  
date of publication of  
this Public Notice.  
Written comments  
must be post-marked  
and all e-mail or  
facsimile comments  
must be received by  
the close of business  
(5 pm) on or before  
the end of this 30-day  
period by the  
Permitting Authority  
at the above address  
by email or facsimile.  
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  
official web site for  
the Department of  
Administrative Weekly  
(FAW) at [http://law.  
dos.state.fl.us/](http://law.<br/>dos.state.fl.us/) and  
relate to specific  
generals or statutes 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/PROPOSED  
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  
under Section  
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  
Commodore  
Boulevard, Mail  
Station #35,  
Tallahassee, Florida  
32399-3000.  
Petitions filed by  
any persons other than  
those entitled to  
written notice under  
Section 120.569(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  
hearing (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  
submitting 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 petitioner's  
address and telephone  
number of the  
petitioner, the name  
and 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 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 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 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. 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.

**EPA Review &  
Objections:** EPA has  
agreed to treat the  
DRAFT Title V Permit  
as a PROPOSED Title  
V Permit and to  
perform its 45-day  
review provided by  
the law and  
regulations, any  
concurrently with the  
public comment  
period. Although  
EPA's 45-day review  
period will be  
performed  
concurrently with  
the public comment  
period, the deadline  
for submitting a  
citizen petition to  
object to the EPA  
Administrator will be  
determined by EPA if  
EPA's 45-day review  
period is performed  
after the public  
comment period has  
ended. The Title V  
Air Operation  
Permit will be issued  
after the conclusion  
of the 45-day EPA  
review period so  
long as no adverse  
comments are  
received that results  
in a different decision  
or significant change  
of terms or  
conditions.

The status regarding  
EPA's 45-day review  
of this project and the  
deadline for  
submitting a citizen  
petition can be found  
at the following web  
site address [http://  
epa.gov/region4/air/  
permits/Florida.htm](http://<br/>epa.gov/region4/air/<br/>permits/Florida.htm).

Finally, 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 if  
established at 42  
U.S.C. Section  
7661d(b)(1), to object  
to the issuance of any  
Title V air operation  
permit. Any petition  
shall be based only  
on objections to the  
Permit that were  
purposed with  
reasonable specificity  
during the thirty (30)  
day public comment  
period provided in  
the Public Notice.  
If 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  
objections 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 EPA review  
and objections, visit  
EPA's Region 4 web  
site at [http://  
epa.gov/region4/  
permits/Florida.htm](http://<br/>epa.gov/region4/<br/>permits/Florida.htm).