

TAMPA ELECTRIC

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JUL 16 2001

BUREAU OF AIR REGULATION

July 13, 2001

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

Via Fed Ex  
Airbill No. 7924 2663 5333

**Re: Tampa Electric Company (TEC) – F.J. Gannon Station  
Unit Nos. 1, 2, & 4 WDF Modification Air Construction Permit  
Affidavit of Publication**

Dear Mr. Fancy:

Please find enclosed the original Affidavit of Publication from the Tampa Tribune, as required by 62-110.106(5), F.A.C. This public notice was published in the legal section of the Tampa Tribune on Monday July 9, 2001. If you have any questions, please feel free to telephone Raiza Calderon or me at (813) 641-5261.

Sincerely,

Laura R. Crouch  
Manager-Air Programs  
Environmental Affairs

EP\gm\RC103

Enclosure

- c: Mr. Tom Davis - ECT
- Mr. Buck Oven, FDEP
- Mr. Scott Sheplak, FDEP
- Mr. Jerry Kissel - FDEP SW

**THE TAMPA TRIBUNE**  
**Published Daily**  
**Tampa, Hillsborough County, Florida**

State of Florida )  
 County of Hillsborough ) ss.

Before the undersigned authority personally appeared J. Rosenthal, who on oath says that she is Classified Billing Manager of The Tampa Tribune, a daily newspaper published at Tampa in Hillsborough County, Florida; that the attached copy of advertisement being a

LEGAL NOTICE

in the matter of PUBLIC NOTICE OF INTENT

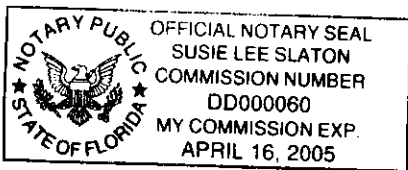
was published in said newspaper in the issues of JULY 9, 2001

Affiant further says that the said The Tampa Tribune is a newspaper published at Tampa in said Hillsborough County, Florida, and that the said newspaper has heretofore been continuously published in said Hillsborough County, Florida, each day and has been entered as second class mail matter at the post office in Tampa, in said Hillsborough 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, this advertisement for publication in the said newspaper.

*J. Rosenthal*

Sworn to and subscribed by me, this 11 day  
 of JULY, A.D. 2001

Personally Known  or Produced Identification   
 Type of Identification Produced \_\_\_\_\_



*Susie Lee Slaton*

**PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT**  
 STATE OF FLORIDA  
 DEPARTMENT OF ENVIRONMENTAL PROTECTION  
 Permit No.: 0570040-012-AC  
 F. J. Gannon Station  
 Hillsborough County  
 The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit to Tampa Electric Company, for the modification of the F. J. Gannon Station Unit Nos. 1, 2, and 4 steam generator operating limitations to allow for the firing of a coal and wood-derived fuel (WDF) blend. The F. J. Gannon Station is located at Port Sutton Road, Tampa, Hillsborough County. A Best Available Control Technology (BACT) determination was not required pursuant to Rule 62-212.400, F.A.C. and 40 CFR 52.21. Prevention of Significant Deterioration (PSD). The applicant's mailing address is: Tampa Electric Company, P. O. Box 111, Tampa, Florida 33601-0111.  
 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 Air Construction 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. 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 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 in the notice of intent. The signature of any person to the petition within the appropriate time period shall constitute a request that the person's name be placed on the ministerial determination (issuance and 120.57, F.S.) 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 in compliance with Rule 28.106.201 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; (c) 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; (d) A statement of how and when the petitioner received notice of the agency action or proposed action; (e) A statement of all disputed issues of material fact; (f) If there are none, the petitioner must so indicate; (g) 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; (h) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and (i) 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.

...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:  
 Dept. of Environmental Protection  
 Bureau of Air Regulation  
 Suite 4, 111 S. Magnolia Drive  
 Tallahassee, Florida, 32301  
 Telephone: 850/488-0114  
 Fax: 850/522-6579  
 Dept. of Environmental Protection  
 Southwest District  
 3804 Coconut Palm Drive  
 Tampa, Florida 33615-8218  
 Telephone: 813/744-6100  
 Fax: 813/744-6884  
 The complete project file includes the application, technical evaluations, Draft permit and the information submitted by the responsible official, except for confidential records under Section 403.111, F.S. Interested persons may contact the Assistant, Title V Section, at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/488-0114, for additional information.  
 7/9/01