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MAY 30 2008

BUREAU OF AIR REGULATION

Orlando Sentinel

Published Daily

State of Florida } S.S.
COUNTY OF ORANGE

Before the undersigned authority personally appeared Beverly C. Simmons, who on oath says that he/she is the Legal Advertising Representative of Orlando Sentinel, a daily newspaper published at Orlando in Orange County, Florida; that the attached copy of advertisement, being a Public Notice in the matter of PERMIT #0950137-021-AC in the Orange Court, was published in said newspaper in the issue; of 5/9/08

Affiant further says that the said Orlando Sentinel is a newspaper published at Orlando, in said Orange County, Florida, and that the said newspaper has heretofore been continuously published in said Orange County, Florida, each Week Day and has been entered as second-class mail matter at the post office in Orlando in said Orange 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/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement publication in the said newspaper.

[Handwritten signature of Beverly C. Simmons]

The foregoing instrument was acknowledged before me this 12 day of May, 2008, by Beverly C. Simmons, who is personally known to me and who did take an oath.

[Handwritten signature]

(SEAL) DEBORAH M. TONEY
Comm# DD0482759
Expires 11/18/2009
Florida Notary Assn., Inc

Order# 710687

Florida Department of Environmental Protection... Bureau of Air Regulation... Draft Permit... The applicant requests authorization to replace the above ground coal... insertable dust collector... The existing baghouse is located near the emergency cool pile and frequently becomes locked with coal up to the level of the motor... this issue by replacing the current traditional baghouse with an inline insertable dust collector... The new insertable dust collector will be located inside the tunnel which conveys coal from the coal pad to the boiler... The dust collector will have no direct vent to the atmosphere... The project is subject to the general reconstruction review requirements... 212.300 of the Florida Administrative Code... 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, 62-10, and 62-12, 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 Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination for this project... The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite 24, Tallahassee, Florida. The Permitting Authority's mailing address is: 2600 Blair Stone Road, MS 8505 Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850-498-0114. 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 address indicated above for the Permitting Authority. The complete project file includes the Draft Permit, the Technical Evaluation and Preliminary Determination, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Permitting Authority's project review 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/products/opds/default.asp. Notice of Intent to Issue Air Permit: The Permitting Authority gives notice of its intent to issue an air 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 120.549 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.

...not change 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.

Petitioner: A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.36 and 120.37.

F.3. The petition must contain the information set forth below and must be filed with (received by) the Department Agency Clerk in the Office of General Counsel of the Department of Environmental Protection of the Commonwealth of Florida, 625 Tallahassee, Florida 32399-0000. Petitions filed by any person other than those entitled to written notice under Section 120.40(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 120.40(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 registered owner of the firm or firms. 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 120.36 and 120.37, F.S., or to intervene in the 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 28.100.20, F.A.C.

F.4. A petition filed disputes the material facts on which the Permitting Authority's opinion 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 were not revealed or modification of the agency's proposed action; (f) A statement of the specific rules or statutes and (g) A statement of the relief sought by the petitioner. The petitioner wishes the agency to take with respect to the agency's proposed action. A petition that does not dispute the material

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