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A Progress Energy Company

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BUREAU OF AIR REGULATION

January 2, 2002

Mr. Al Linero, P.E., Administrator
New Source Review Section
Division of Air Resources Management
Florida Department of Environmental Protection
2600 Blair Stone Road, MS 5505
Tallahassee, Florida 32399-2400

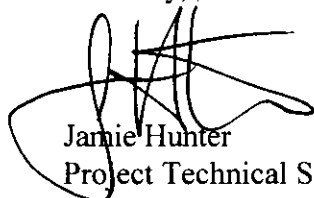
Dear Mr. Linero:

Re: Intercession City Units P12 – P14
Project No. 0970014-006-AC
Draft Permit No. PSD-FL-268A
Public Notice – Proof of Publication

Please find enclosed the “proof of publication” for the public notice of the above referenced draft permit. The notice was published on December 22, 2001.

Please contact me if you have any questions or need additional information.

Sincerely,



Jamie Hunter
Project Technical Specialist
Environmental Services

jjh/JJH021

Enclosure

c(w/enc): Jeff Koerner, FDEP - Tallahassee
Martin Drango, IC44

PROOF OF PUBLICATION

FROM

Osceola News-Gazette

Kissimmee, Florida
OSCEOLA COUNTY

In the Matter of

Public Notice
Of Intent To Issue
Air Construction Permit
Draft Permit PSD-FL-268A

RECEIVED

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Postal Svcs
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Filed day of 20
First Publication December 22 2001
Last Publication December 22 2001

Make Remittance to Osceola News-Gazette
Kissimmee, Florida

**PUBLIC NOTICE OF INTENT
TO ISSUE AIR CONSTRUCTION PERMIT
STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Florida Power Corporation
Intercession City Power Plant
Project No. 0970014-006-AC
Draft Permit: PSD-FL-268A**

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit to the Florida Power Corporation to make minor modifications to the original PSD air construction permit for three simple cycle gas turbines installed at the Intercession City Power Plant. This plant is located in Osceola County approximately 3.5 miles west of Intercession City. The address is 6525 Osceola Polk County Line Road, Intercession City, Florida 33848. The applicant's authorized representative is Mr. Martin J. Drango, the Plant Manager. The applicant's mailing addresses is: P.O. Box 368, Intercession City, Florida 33848.

The original PSD permit authorized installation of three new simple cycle gas turbines at the Intercession city plant. The applicant requested changes to the original permit, primarily for a slight increase in the heat input rates and to clarify NOx compliance monitoring requirements. The heat input rates and NOx mass emission rates would increase by less than 3% of the current values. The draft permit authorizes those increases as well as the following changes: Revises the averaging period of CEMS-based NOx standards from a 3-hour rolling average to a 24-hour block average to accommodate multiple startups and fuel switching at this plant; clarify the continuous NOx monitoring conditions including the allowance for data exclusion; reduce the minimum observation period for compliance visible emissions test from 60 to 30 minutes; and clarify that the plant may provide the analysis of the fuel sulfur content for distillate oil shipments in addition to an analysis from the fuel vendor.

Because the existing plant is a PSD-major source of air pollution, new projects are subject to the preconstruction review requirements for the Prevention of Significant Deterioration (PSD) of Air Quality in Rule 62-212.400, F.A.C. The proposed changes result in increased annual emissions of 6 tons of NOx per year and 2 tons of SO₂ per year. Annual emissions of other pollutants are not predicted to increase. These levels are well below the PSD significant emission rates defined in Table 62-212.400, F.A.C. Therefore, the project is not subject to PSD.

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 and requests for public meetings concerning the proposed permit issuance action for a period of thirty (30) days from the date of publication of this Public Notice of Intent to Issue Air Construction Permit. Written comments and requests for public meetings 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, Florida Statutes, 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, 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 (14) 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), F.S., must be filed within fourteen (14) days of publication of the Public Notice or within fourteen (14) days of receipt of this notice of intent, whichever occurs first. Under Section 120.60(3), F.S., 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 interventions 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 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, F.A.C.

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:

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Bureau of Air Regulation
New Source Review Section
111 S. Magnolia Drive, Suite 4
Tallahassee, FL 32301
Telephone: (850) 488-0114
Fax #: (850) 922-8979

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Central District Office
Air Resource Section
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767
Telephone: (407) 894-7555
Fax #: (407) 897-2966

The complete project file includes the application, Technical Evaluation and Preliminary Determination, Draft Permit and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Department's reviewing engineer for this project, at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call (850) 488-0114, for additional information.

December 22, 2001

NOTICE OF PUBLICATION

DAN L. AUTREY

undersigned authority, personally Dan L. Autrey, who on oath says that he is the publisher of the Osceola News-Gazette, a newspaper published at Kissimmee, in Florida; that the attached copy of the notice is published weekly in the regular issues of said newspaper in the issues of:

December 22, 2001

that the Osceola News-Gazette is published in Kissimmee, in said Florida, and that the said newspaper is published continuously in said Florida, each week and has been published for a period of more than one year next preceding the first publication of advertisement; and affirms 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 newspaper.

Dan L. Autrey

Sworn to and subscribed before me by Dan L. Autrey, who is personally known to me, this *22* day of

December, 2001.

Carol L. Gorrell
Carol L. Gorrell
(N.P. Seal)

