



Progress Energy

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MAY 11 2005

BUREAU OF AIR REGULATION

May 10, 2005

Ms. Teresa Heron
DEP/DARM
Permitting Section
Division of Air Resource Management
2600 Blair Stone Road MS 5500
Tallahassee, Florida 32399-2400

Re: Progress Energy Intercession City – Title V Permit - Affidavit of Publication

Dear Ms. Heron:

In accordance with Ms. Trina Vielhauer's letter to Mr. Kris Edmondson dated April 21, 2005 we have published the public notice in the Osceola News-Gazette on May 5, 2005. Attached is the Affidavit of Publication.

If you have any questions, please contact me at (727) 820-5295. Thank you for your help in processing the Title V permit revision.

Best Regards,

Dave Meyer, P.E.
Senior Environmental Specialist

XC: Kris Edmondson
Gus Schaefer
Scott Osbourn, Golder

Attachment

Teresa Heron

PROOF OF PUBLICATION

FROM

Osceola News-Gazette

Kissimmee, Florida
OSCEOLA COUNTY

In the Matter of

Public Notice of Intent
DRAFT Permit Project
No. 09.70.014-009-A.V.

Filed day of 20

First Publication *May 5* 20 *05*

Last Publication *May 5* 20 *05*

Make Remittance to Osceola News-Gazette
Kissimmee, Florida

AIR OPERATION PERMIT REVISION (307.001)
STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Draft Permit 0970014-007-AM
Progress Energy, Intercession City Power Plant
Osceola County

Applicant: The applicant for this project is Progress Energy Florida, Post Office Box 14042, MAC DB44, St. Petersburg, Florida 33733. The applicant's responsible official is Mr. Kris G. Edmondson, Plant Manager.

Facility Location: The applicant operates a Power Electric Utility, which is located at 6525 Osceola Park Lane Road, Intercession County, Osceola County, Florida.

Project: On January 18, 2005 (complete on April 11, 2005), the applicant applied to the Permitting Authority for a Permit revision. There will be no physical construction or emissions increases as a result of this project.

The applicant requested the revision of the facility Title V Operation Permit 0970014-007-AM to incorporate the following language: "ASTM D1552-00 or later edition" to the list of acceptable fuel test methods in Section III of Specific Conditions A.12, B.18 and B.25. Details of the project are provided in the application and the enclosed "Statement of Basis". This facility is subject to applicable provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-256, 62-257, 62-281, 62-296, and 62-297, F.A.C.

This facility consists of fourteen simple cycle combustion turbines (CT) 6 are pre-NSPS and 8 are NSPS Support GG sources operating in a peaking mode. The six pre-NSPS turbines (CT1 - CT6) are GE generators with ratings of 56.7 MW per CT. SO₂ emissions are controlled by burning new No. 2 low sulfur fuel oil. These emissions units are regulated under Rule 62-210.300, F.A.C., Permits Required. Combustion Turbines, CTs 7 through 10 are General Electric Model No. PG 7111EA units and CT 11 is a Siemens V84.3 unit with generator ratings of 62.9 MW per CT and 171 MW, respectively. NO_x and SO₂ emissions are controlled with water injection and burning new No. 2 low sulfur fuel oil, respectively. Combustion Turbines, CTs 7, through 14 are regulated under Phase 1 and under NSPS 42 CFR 60.40. Subpart GG (Standards of Performance for Stationary Gas Turbines).

Permitting Authority: Applications for processing 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, 62-212, and 62-213 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 in the manner requested. The Department of Environmental Protection, Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination regarding this project. The Permitting Authority's physical address is: Florida Department of Environmental Protection, Bureau of Air Regulation, 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301. The Permitting Authority's mailing address is: Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32309-2400, Mail Station #501. The Permitting Authority's telephone number is 850/488-0114. The Permitting Authority's 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 Statement of Basis, 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 or at the following email address: http://www.dep.state.fl.us/air/products/ards/. A copy of the complete project file is also available at the Florida Department of Environmental Protection Central District Office, 3819 Maguire Boulevard, Suite 232, Orlando, Florida 32803-3767. Telephone: 407/894-7555. Fax #: 407/897-2966.

Notice of Intent to Issue Air Permit: The Permitting Authority gives notice of its intent to issue a Title V Air Operation Permit Revision to the applicant for the project described above. The applicant has public notice of this action. The applicant has the facility and the facility will adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-256, 62-257, 62-281, 62-296, and 62-297, F.A.C. The Permitting Authority will issue a Proposed Permit and subsequent Final Permit in accordance with the conditions of the Draft Permit unless a response received in accordance with the following procedures results in a different decision or a significant change of terms or conditions. Comments: The Permitting Authority will accept written comments concerning the DRAFT Title V Air Operation 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, 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 Department's official web site for notices (<http://thoras.dep.state.fl.us/nw/>) and in a newspaper of general circulation 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 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 of Agency Chair 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 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 determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in the proceeding and participate as a party to it. Any subsequent intervention 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 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; 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.

Objections: In addition to the above right to petition, pursuant to 42 United States Code (U.S.C.) Section 7661(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 as established at 42 U.S.C. Section 7661(d)(1), to object to the issuance of any Title V major source air operation permit. Any petition shall be based only on objections to the permit that were raised with reason-

tion 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 7661(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 objections, visit the EPA Region 4 web site at: www.epa.gov/region4/air/permits/ May 8, 2005

PROOF OF PUBLICATION

STATE OF FLORIDA,
COUNTY OF OSCEOLA

Before me, the undersigned authority, personally appeared Paula A. Stark, who on oath says that she is General Manager of the Osceola News-Gazette, a twice weekly newspaper published at Kissimmee, in Osceola County, Florida; that the attached copy of the advertisement was published weekly in the regular and entire edition of said newspaper in the issues of:

May 5, 2005

Affiant further says that the Osceola News-Gazette is a newspaper published in Kissimmee, in said Osceola County, Florida, and that the said newspaper has heretofore been continuously published in said Osceola County, Florida, each week and has been entered as periodicals postage matter at the post office in Kissimmee, in said Osceola 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 newspaper.

Paula A. Stark

Sworn to and subscribed before me by Paula A. Stark, who is personally known to me, this 5 day of

May 20 05
Carol L. Gorrell
Carol L. Gorrell
(N.P. Seal)

