



TAMPA ELECTRIC

October 19, 2004

Mr. Jim Pennington
Florida Department of Environmental Protection
Division of Air Resource Management
111 South Magnolia, Suite 4
Tallahassee, FL 32301

**Re: Tampa Electric Company
Polk Power Station Unit 1
Supplemental Environmental Project
Public Notice of Intent
Permit No. 1050233-012-AV
AIRS #1050233, EU ID #001
FDEP Consent Order/OGC Case #01-0122**

RECEIVED

OCT 20 2004

BUREAU OF AIR REGULATION

Via FedEx
Airbill No. 7919 5974 2153

Dear Mr. Pennington:

Please find enclosed the original Affidavit of Publication from the Lakeland Ledger, as required by 62-110.106(5), F.A.C. This public notice was published in the legal section of the Lakeland Ledger on Thursday, October 14, 2004. If you have any questions, please feel free to telephone Raiza Calderon or me at (813) 228-4369.

Sincerely,

Laura R. Crouch
Manager - Air Programs
Environmental, Health & Safety

EHS/bmr/RC194

Enclosure

c/enc: Mr. Jerry Kissel, FDEP SW District
Mr. William Kutash, FDEP SW District
Ms. Stephanie Petro, FDEP SW District
Mr. Bob Soich, FDEP SW District

TAMPA ELECTRIC COMPANY
P. O. BOX 111 TAMPA, FL 33601-0111

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AFFIDAVIT OF PUBLICATION

THE LEDGER

Lakeland, Polk County, Florida

Case No

STATE OF FLORIDA)
COUNTY OF POLK)

Before the undersigned authority personally appeared C. Morgan Miller, who on oath says that he is Display Advertising Manager of The Ledger, a daily newspaper published at Lakeland in Polk County, Florida; that the attached copy of advertisement, being an

Notice of Intent

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in the matter of **Dep. File No. 1050233-017-AC**.....

.....
Concerning **Polk Power Station**

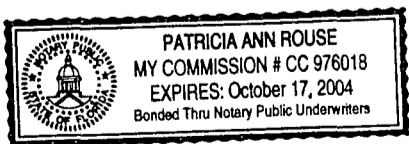
.....
was published in said newspaper in the issues of **10-14; 2004**.....

Affiant further says that said The Ledger is a newspaper published at Lakeland, in said Polk County, Florida, and that the said newspaper has heretofore been continuously published in said Polk County, Florida, daily, and has been entered as second class matter at the post office in Lakeland, in said Polk 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.

Signed..... *C. Morgan Miller*
C. Morgan Miller
Display Advertising Manager
Who is personally known to me.

Sworn to and subscribed before me this 14TH.....

day of October..... A.D. 20 04
Patricia Ann Rouse
Notary Public



(Seal)

My Commission Expires Oct 17, 2004

Attach Ad Here

PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT
STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DEP File No. 1050233-017-AC
Tampa Electric Company
Polk Power Station
Polk County

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit to Tampa Electric Company's Polk Power Station located at 9995 State Route 37 South, Mulberry, Polk County, Florida for the construction of a MDEA chiller for use during the hottest months that will allow additional collection of hydrogen sulfide gas from the syngas stream prior to combustion in the turbine thereby reducing emissions of sulfur dioxide. The applicant's name and address are: Tampa Electric Company, P.O. Box 111, Tampa, Florida 33601-0111.

The Department will issue the 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 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 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 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 intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205 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, 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.

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 111 S. Magnolia Drive, Suite 4 Tallahassee, Florida 32301 Telephone: 850/488-0114 Fax: 850/922-6979	Department of Environmental Protection Southwest District Office 3804 Coconut Palm Drive Tampa, Florida 33619-8218 Telephone: 813/744-6100 Fax: 813/744-6084
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The complete project file includes the application, technical evaluations, 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 Program Administrator, North Permitting Section at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/488-0114, for additional information.

L757 10-14; 2004