

PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION Title V DRAFT Permit No. 1270020-001-AV Turner Power Plant Volusia County

The Department of Environmental Protection (permitting authority) gives notice of its intent to issue a Title V air operation permit to Florida Power Corporation for the Turner Power Plant, located at 201 Debary Avenue, Deltona Volusia County. The applicant's name and address are: Florida Power Corporation, 3201 34th Street South St. Petersburg, Florida 33711.

The permitting authority will issue the Title V PROPOSED Permit and subsequent Title V FINAL Permit in accordance with the conditions of the Title V 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 permitting authority will accept written comments concerning the proposed Title V DRAFT Permit issuance action for a period of 30 (thirty) days from the date of publication of this Notice. The permitting authority will issue the Title V PROPOSED Permit and subsequent Title V FINAL Permit in accordance with the conditions of the enclosed Title V 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 permitting authority will accept written comments concerning the proposed Title V DRAFT Permit issuance action, for a period of 30 (thirty) days from the date of publication of this Notice. Written comments should be provided to the permitting authority's office. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this DRAFT Permit, the permitting authority shall issue a Revised DRAFT Permit and require, if applicable, another Public Notice.

The permitting authority 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. Mediation under Section 120.573, F.S. will not be available for this proposed action.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 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 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within fourteen (14) days of publication of this notice.

Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, Florida Statutes. The Petition shall contain the following information:

(a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department Permit File Number and the county in which the project is proposed; (b) A statement of how and when each petitioner received notice of the Department's action or proposed action; (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action; (d) A statement of the material facts disputed by Petitioner, if any;

(e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action; (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this Notice. Person whose substantial interests will be affected by any decision of the Department with regard to the application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of publication of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.07, F.A.C.

The application is available for public inspection during business hours: 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

Permitting Authority Florida Department of Environmental Protection 3319 Maguire Boulevard, Suite 232 Orlando, Florida 32803 Telephone: 407/894/7555 FAX: 407/897-5963

The complete project file includes the Draft Permit, the application and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact Scott M. Sheplak, P.E., at the above address or call 850/488-1344, for additional information. VOL1835760 NOV.23.1997



The Orlando Sentinel Published Daily \$32.24 State of Florida COUNTY OF ORANGE

Before the undersigned authority personally appeared Donna A. Shaver, who on oath says that he/she is the Legal Advertising Representative of The Orlando Sentinel, a daily newspaper published at DELAND Volusia County, Florida; that the attached copy of advertisement, being a PUBLIC NOTICE OF INTENT in the matter of Turner Power Plant in the Volusia Court, was published in said newspaper in the issue; of 11/23/97

Affiant further says that the said Orlando Sentinel is a newspaper published at DELAND Volusia County, Florida, and that the said newspaper has heretofore been continuously published in said Volusia County, Florida, each Week Day and has been entered as second-class mail matter at the post office in DELAND Volusia 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 for publication in the said newspaper.

Donna A. Shaver

The foregoing instrument was acknowledged before me this 26th day of November, 1997 by Donna A. Shaver who is personally known to me and who did take an oath.

(SEAL) JULIA NICHOLS My Comm Exp. 9/23/2001 Bonded By Service Ins No. 683016 [] Personally Known [] Other I.D.