PUBLIC NOTICE OF INTENT TO ISSUE PSD PERMIT

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

DEP File No. 0950137-015-AC, PSD-FL-395

Orlando Utilities Commission (OUC)
Curtis H. Stanton Energy Center Units 1 and 2
Orange County

Applicant: The applicant for this project is the Orlando Utilities Commission (OUC). The applicant's mailing address is: OUC, Post Office Box 3193, Orlando, Florida 32802

Facility Location: The applicant operates the Stanton Energy Center located at 5100 Alafaya Trail, Orlando, Orange County.

Project: The permit authorizes installation or upgrade of low nitrogen oxides (NO_X) burners (LNB) and overfire air (OFA) systems in the furnaces of Units 1 and 2. OUC Stanton Units 1 and 2 each consist of a coal fired boiler/steam generator and steam turbine with a 468 megawatts nominal capacity rating. Each unit is equipped with an electrostatic precipitator for control of particulate matter and a wet flue gas desulfurization scrubber for sulfur dioxide (SO_2) control. Unit 2 is also equipped with LNBs, OFA and a selective catalytic reduction system. OUC proposes to install LNBs and an OFA system on Unit 1 and to upgrade the LNBs and OFA system on Unit 2. The purpose of the project is to decrease NO_X emissions from Units 1 and 2. The project is part of a continuing program at OUC to reduce emissions of SO_2 and NO_X for the purpose of complying with the Clean Air Interstate Rule (CAIR). One effect of the project is that it will cause increases of CO emissions. The Department conducted a BACT determination and is proposing a limit of 0.18 pounds of CO per million British Thermal Units of heat input to the furnace (lb/mmBtu) of Unit 1 and a limit of 0.15 lb CO/mmBtu for Unit 2. The Department requires installation of continuous emission monitoring systems for determination of compliance with the BACT limits on a 30-day averaging basis. The Department reviewed an ambient air modeling analysis submitted by OUC and concluded that the increased CO emissions will not cause or contribute to any violation of the ambient air quality standards. A full description of the project and the Department's review are available at: www.dep.state.fl.us/Air/permitting/construction/ouc-stanton_LNBOFA.htm

Notice of Intent to Issue A Permit: The Department Environmental Protection (Department) gives notice of its intent to issue a permit under the requirements for the Prevention of Significant Deterioration of Air Quality (PSD permit) to OUC. A best available control technology (BACT) determination was required for emissions of carbon monoxide (CO) pursuant to Rule 62-212.400(10)(c), Florida Administrative Code (F.A.C.). The Department will issue the final PSD Permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

Comments: The Department will accept written comments concerning the proposed permit issuance action and requests for a public meeting for a period of 30 days from the date of publication of Public Notice of Intent to Issue PSD Permit. Written comments should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 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 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.

Petitions: 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 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) of the Florida Statutes must be filed within 14 days of publication of the public notice or within 14 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 (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 28-106.205 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 decision; (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, including an explanation of how the alleged facts relate to the specified rules or statutes; 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.

Project File: 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 South Magnolia Drive, Suite 4
Tallahassee, Florida 32301
Telephone: 850/488-0114
Fax: 850/921-9533

Department of Environmental Protection
Central District Office
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767
Telephone: 407/894-7555
Fax: 407/897-5963

Notice for Publication in Newspaper

The complete project file includes the technical evaluation and the 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, South Permitting Section at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/488-0114, for additional information.