

BEST AVAILABLE COPY

Reliant Energy Indian River, LLC

7800 S. U.S. Highway 1

Titusville FL, 32780

321-267-2155



FACSIMILE TRANSMITTAL SHEET

TO: Tom Cascio		FROM: Amy Deese	
COMPANY: FD&P		PHONE NUMBER: (321) 264-4589	FAX NUMBER: 321-385-4685
		EMAIL: adeese@reliant.com	
PHONE NUMBER: (850) 922-6479	FAX NUMBER: 6479	DATE: 8/31/2004	
RE: (850) 922-9533	TOTAL NO. OF PAGES INCLUDING COVER: 2		

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

NOTES/COMMENTS:

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Published Daily

STATE OF FLORIDA
COUNTY OF BREVARD

Before the undersigned authority personally appeared MAUREEN FARR who on oath says that she is LEGAL ADVERTISING CLERK

of the FLORIDA TODAY, a newspaper published in Brevard County, Florida; that the attached copy of advertising being a LEGAL NOTICE

(Ad#453941-\$573.30) the matter of

RELIANT ENERGY, INC.

in the _____ Court

D.E.P. NOTICE

was published in the FLORIDA TODAY

in the issues of AUGUST 24, 2004

affiant further says that the said FLORIDA TODAY

is a newspaper in said Brevard County, Florida, and that the said newspaper has heretofore been continuously published in said Brevard County, Florida, regularly as stated above, and has been entered as periodicals matter at the post office in MELBOURNE in said Brevard County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that 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 said newspaper.

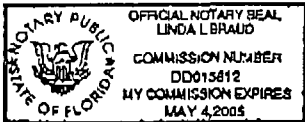
Maureen Farr
(Signature of Affiant)

Sworn to and subscribed before this this 24TH DAY OF AUGUST, 2004

Linda L. Braud
(Signature of Notary Public)

LINDA L. BRAUD
(Name of Notary Typed, Printed or Stamped)

Personally Known _____ or Produced Identification _____
Type Identification Produced _____



AD453941-8/24/2004
PUBLIC NOTICE OF INTENT TO ISSUE
TITLE V AIR OPERATION PERMIT
STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Reliant Energy Indian River, LLC
Title V DRAFT Permit Renewal No.000704-005-AV
Reliant Energy Indian River Plant
Brevard County, Florida

The Department of Environmental Protection (hereinafter "DEP") gives notice of its intent to issue a DRAFT Title V Air Operation Permit renewal for the Indian River Plant located at US 1 and Kings Highway, Titusville, Brevard County, The applicant's name and address are: M. F. Kelly 2, Gulf Shores, FL 32561, Southern Ocean, Reliant Energy Indian River, LLC, 7800 South U.S. Highway One, Titusville, FL 32780.

This facility primarily consists of three boilers and a lime storage silo. Specifically, emissions units 001, 002, and 003 consist of three Combustion Engines (heavy generators). The boilers may burn a variable combination of natural gas, propane, No. 6 fuel oil, and on specification used oil from facility operations. Emissions units 001 and 002 share a common stack with a single air flow. Emissions unit 003 has a separate stack. Unit 001 began operation on February 1, 1962; Unit 002 on September 1, 1964; and Unit 003 on February 1, 1974. Emissions unit 004 is a lime storage silo filling system. This is associated with a fabric filter baghouse made by General Resource Corporation Model 32045. The baghouse is approximately 77 barrels efficient in controlling particulate matter emissions. This source is located at the water treatment building. The silo began operation on February 1, 1974.

This permit renewal adds one permit/step note to the initial Title V permit document and incorporates the content of two previously issued Administrative Permit Corrections.

The permitted activity will have 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 opinion or significant change in 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 Florida Department of Air, Water, and Solid Waste, 3400 Blair Stone Road, Mail Station 65003, Tallahassee, Florida 32399-5000. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the DRAFT Permit, the permitting authority shall issue another DRAFT Permit and require, if applicable, another Public Notice.

A person whose substantial interests are affected by the proposed permitting decision may petition for a preliminary hearing in accordance with Section 120.57, F.S. (20.57 of the Florida Statutes). The petition must contain the information set forth below and must be filed (received) in Office of Hearings and Appeals, Bureau of Administrative Services, 3400 Blair Stone Road, Mail Station 65003, Tallahassee, Florida 32399-5000. Telephone: 850/722-3300. Petitions filed by any person other than those entitled to written notice under Section 120.57(1), F.S., must be filed within fourteen days of publication of the public notice or within fourteen days of the date of the public notice, whichever occurs first. Under Section 120.60(7), F.S., however, any person who asked the permitting authority 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 file a copy of the petition to the applicant at the address indicated above; at the time of filing, the filer of any person to file a petition within the specified time shall provide a copy of the petition to the permitting authority. The determination (hearing) under Sections 120.57 and 120.57, F.S. or to intervene in this proceeding and participate as a party is a. Any subsequent intervention will be only at the approval of the hearing officer on the file of a petition 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:

- The name and address of each agency affected and each agency's file or identification number, if known;
- The name, address, and telephone number of the petitioner, name address and telephone number of the petitioner's counsel, name address and telephone number of the address for service purposes during the course of the proceeding; and an explanation of how petitioner's substantial rights will be affected by the agency's determination;
- A statement of the issue and what the petitioner received notice of the agency action or proposed action;
- A statement of all disputed issues of material fact, if there are none, the petition must so state;
- A concise statement of the petitioner's facts believed to be true and the relief which the petitioner is seeking;
- A demand for relief.

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 28-106.201, F.A.C. Because the administrative hearing process is designed to resolve the agency action, the filing of a petition means that the petitioner's authority to object to the action may be different from the action taken by it in this 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 is not available for this proceeding;
- In addition to the above, pursuant to 42 United States Code (U.S.C.) Section 7614(b)(2), any person may petition the Administrator of the EPA within 60 (sixty) days of the expiration of the Administrator's 45 (forty five) day review period as established at 42 U.S.C. Section 7614(b)(1), to object to issuance of any permit issued pursuant to the provisions of Chapter 62B, Air Permits, that were issued with reasonable specificity during the 30 (thirty) day public comment period provided in this notice, unless the petitioner demonstrates to the Administrator of the EPA that it is impracticable to raise such objections within the comment period; unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit issued pursuant to the provisions of Chapter 62B, Air Permits, filed with the Administrator of EPA. A final permit issued by the Administrator of the EPA at 42 U.S.C. EPA 401 (b), 302 (b), Washington, D.C. 20460.
- A completely 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:

Permitting Authority
Department of Environmental Protection
Bureau of Air Regulation
(1) South Alachua Drive, Suite 4
Gainesville, Florida 32601
Telephone: 850/488-0114
Fax: 850/722-4971

Affected District Engineer
Department of Environmental Protection
Central District Office
8019 Alachua Boulevard, Suite 120
Orlando, Florida 32803-3197
Telephone: 407/854-3533
Fax: 407/872-3944

The complete project file includes the DRAFT Permit Renewal, the application, and the information submitted by the responsible party. Exclusions of confidential records under Section 111, F.S. or other persons may conduct the Permit Administrator, Permitting South Section, at the above address, on call 850/488-0114, for additional information.