

City of Vero Beach

100 - 17th STREET - P. O. BOX 1389
VERO BEACH, FLORIDA - 32961-1389
Telephone: (407) 567-5151
Fax: (407) 569-5981

MUNICIPAL POWER PLANT

August 28, 1995

Mr. Clair H. Fancy, P.E.
Bureau of Air Regulation
Florida Department of Environmental Protection
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

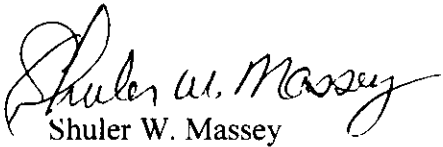
RE: Unit 5 Construction Permit AC31-253502; PSD-FL-152B

Mr. Fancy:

Please find enclosed, a copy of the Notice of Intent to Issue Permit for the Unit 5 Combustion Turbine, which was published in the August 25, 1995, issue of the Press Journal, the City's local newspaper.

If you have any questions regarding this matter, please contact Mike Siefert at (407) 562-7231.

Sincerely,



Shuler W. Massey
Director of Power Resources

SWM/ms

Mail Certified No. Z 115 133 075

cc: Mike Siefert CVB
T. R. Nason CVB
Gary Perko HGSS
Charles Collins FDEP Central District

STATE OF FLORIDA
DEPARTMENT OF
ENVIRONMENTAL PROTECTION
NOTICE OF INTENT TO ISSUE PERMIT
AC 31-253502
PSD-FL-152B

The Department of Environmental Protection (Department) gives notice of its intent to issue a permit to Vero Beach Municipal Power Plant, Post Office Box 1389, Vero Beach, FL 32961, for a modification to Unit 5, which is an existing 60 MW combined cycle gas turbine. The existing facility is located in Indian River County, Florida. A determination of Best Available Control Technology was required in the original permitting activity, issued June 28, 1991, and will not be revised. The modification is associated with the installation of dry low-NOx burners for NOx emissions control and the resultant increases in fuel oil consumption, heat input while on fuel oil, and emissions of SO₂. SINCE THE REQUESTED changes are a modification, (i.e., emission related and federally enforceable), issuance of a new state construction permit/amended federal construction permit is deemed necessary. For the SO₂ EMISSIONS IMPACT, THE PROPOSED LEVEL WAS evaluated by modeling during the original permitting activity and is acceptable. The Department is issuing this Intent to Issue for the reasons stated above and in the transmittal letter.

Any 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 (F.S.). 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 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, F.S.

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. Persons whose substantial interests will be affected by any decision of the Department with regard to the request 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 28-5.207, F.A.C.

The request 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
2600 Blair Stone Road
Tallahassee, Florida 32399-2400
Department of Environmental Protection
Central District
3319 Maguire Blvd., Suite 232
Orlando, Florida 32803-3767

Any person may send written comments on the proposed action to Mr. Bruce Mitchell at the Department's Tallahassee address. All comments received within 14 days of the publication of this notice will be considered in the Department's final determination.

Aug. 25, 1995

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