



# Department of Environmental Protection

Lawton Chiles  
Governor

Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Virginia B. Wetherell  
Secretary

January 31, 1995

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

Mr. Mike Siefert  
City of Vero Beach  
Municipal Power Plant  
Post Office Box 1389  
Vero Beach, Florida 32961

Dear Mr. Siefert:

RE: Amendment to Construction Permit  
AC 31-184928 [PSD-FL-152A]  
Vero Beach Municipal Power Plant, Unit 5

The Department has reviewed Mr. Gary V. Perko's letter dated January 30, 1995, requesting an extension of the construction permit expiration date. The permit is amended as follows:

**A. Expiration Date Extension;**

From

January 31, 1995

To

July 31, 1995

**B. Attachments to be Incorporated;**

- HBG&S letter received January 30, 1995

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. Petitions filed by the applicant of the amendment request/application and the parties listed below must be filed within 14 days of receipt of this amendment. Petitions filed by other persons must be filed within 14 days of the

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Permit Amendment  
January 31, 1995  
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amendment issuance or within 14 days of their receipt of this amendment, whichever occurs first. 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 the 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 amendment. Persons whose substantial interests will be affected by any decision of the Department with regard to the request/application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be

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filed (received) within 14 days of receipt of this amendment 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.

This letter amendment must be attached to Construction Permit No. AC 31-184928 (PSD-FL-152A), and shall become part of the permit.

Sincerely,



*for* Howard L. Rhodes  
Director  
Division of Air Resources  
Management

HLR/CSL

Attachment

cc: C. Collins, CD  
A. Zahm, CD  
J. Harper, EPA  
J. Bunyak, NPS  
G. Perko, HBG&S

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this AMENDMENT and all copies were mailed by certified mail before the close of business on 1/31/95 to the listed persons.

FILING AND ACKNOWLEDGMENT FILED,  
on this date, pursuant to 120.52(11),  
Florida Statutes, with the designated  
Department Clerk, receipt of which is  
hereby acknowledged.

Charlotte J. Hayes 1/31/95  
Clerk Date

Memorandum

Florida Department of  
Environmental Protection

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To : Howard Rhodes  
From : Clair Fancy  
Date : January 31, 1995  
Subject: Approval of Construction Permit Amendment  
AC 31-184928 [PSD-FL-152A]  
Vero Beach Municipal Power Plant, Unit 5

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Attached for your approval and signature is an amendment to a construction permit prepared by the Bureau of Air Regulation for the Vero Beach Municipal Power Plant, Unit 5. The purpose of this amendment is to extend the expiration date of the construction permit from January 31, 1995 to July 31, 1995.

This amendment is recommended for your approval and signature.

CF/CSL

Is your RETURN ADDRESS completed on the reverse side?

<b>SENDER:</b> • Complete items 1 and/or 2 for additional services. • Complete items 3, and 4a & b. • Print your name and address on the reverse of this form so that we can return this card to you. • Attach this form to the front of the mailpiece, or on the back if space does not permit. • Write "Return Receipt Requested" on the mailpiece below the article number. • The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee): 1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery Consult postmaster for fee.	
3. Article Addressed to: Mr. Mike Siefert City of Vero Beach Municipal Power Plant P. O. Box 1389 Vero Beach, FL 32961		4a. Article Number P 872 563 673	
5. Signature (Addressee) <i>George Young</i>		4b. Service Type <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input checked="" type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise	
6. Signature (Agent) <i>[Signature]</i>		7. Date of Delivery 2-2-95	
		8. Addressee's Address (Only if requested and fee is paid)	

Thank you for using Return Receipt Service.

PS Form 3811, December 1991    \*U.S. GPO: 1992-323-402    DOMESTIC RETURN RECEIPT

P 872 563 673



**Receipt for Certified Mail**  
 No Insurance Coverage Provided  
 Do not use for International Mail  
 (See Reverse)

PS Form 3800, JUNE 1991

Sent to	
Mr. Mike Siefert	
Street and No.	
P. O. Box 1389	
P.O. State and ZIP Code	
Vero Beach, FL 32961	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	
Mailed: 1-31-95	
Permit: AC 31-184928	
PSD-FL-152A	