



Florida Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

April 5, 1994

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Peter Cunningham
Hopping Boyd Green & Sams
P. O. Box 6526
Tallahassee, Florida 32314

Dear Mr. Cunningham:

RE: Vero Beach Municipal Power Plant, Unit 5
Request for Extension of Construction
Permit No. AC 31-184928, PSD-FL-152

The Department is in receipt of your letter dated March 23, 1994, on behalf of the City of Vero Beach Municipal Power Plant requesting an extension of the expiration date of the above mentioned permit. This request is acceptable. The expiration date for this permit will be changed as follows:

FROM: March 31, 1994

TO: June 30, 1994

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 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.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- 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.

RECEIVED

I also wish to receive the following services (for an extra fee):

- APR 11 2 1994
1. Addressee's Address
 Bureau of Postmaster for fee.
2. Restricted Delivery

3. Article Addressed to:
 Mr. Peter Cunningham
 Hopping Boyd Green & Sams
 P. O. Box 6526
 Tallahassee, Florida 32314

5. Signature (Addressee)

6. Signature (Agent)
Thomas Miller

4a. Air Regulation
 P 872 563 612

4b. Service Type
 Registered Insured
 Certified COD
 Express Mail Return Receipt for Merchandise

7. Date of Delivery
 APR 11 1994

8. Addressee's Address Only if Requested and fee is paid

Thank you for using Return Receipt Service.

P 872 563 612



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

Send to Mr. Peter Cunningham	
Street and No. P. O. Box 6526	
P.O., State and ZIP Code Tallahassee, FL 32314	
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: 4/6/94 AC 31-184928, PSD-FL-152	

PS Form 3800, JUNE 1991

Mr. Peter Cunningham
April 5, 1994
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The Petition shall contain the following information:

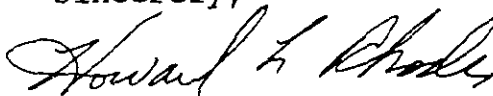
- (a) The name, address and telephone number of each petitioner, the applicant's name and address, the Department Permit File Number and the county in which the project is proposed;
- (b) A statement of how and when each petitioner received notice of the Department's action or proposed action;
- (c) 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;
- (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 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.

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A copy of this letter shall be attached to the above mentioned permit and shall become a part of this permit.

Sincerely,



Howard L. Rhodes
Director
Division of Air Resources
Management

HLR/TH/bjb

Attachment to Be Incorporated:

Mr. Peter Cunningham's letter of March 23, 1994.

cc: Charles Collins, CD

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 April 6, 1994 to the listed persons.

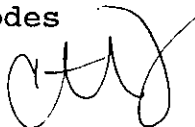
Clerk Stamp

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.

Barbara J. Boutwell 4/6/94
Clerk Date

Florida Department of
Environmental Protection

Memorandum

TO: Howard L. Rhodes
FROM: Clair Fancy 
DATE: April 5, 1994
SUBJECT: Request for Permit Amendment
Vero Beach Municipal Power Plant, Unit No. 5
AC31-184928 and PSD-FL-152

Attached for your approval and signature is an amendment to the City of Vero Beach's construction permit prepared by the Bureau of Air Regulation. The purpose of the amendment is to extend the expiration date of the above mentioned permit.

I recommend your approval and signature.

CF/TH/bjb

Attachment