

# City of Vero Beach

1053 - 20th PLACE - P.O. BOX 1389  
VERO BEACH, FLORIDA 32961-1389  
Telephone: (561) 978-4710 • Fax: (561) 778-3856  
e-mail: citymgr@covb.org

OFFICE OF THE  
CITY MANAGER /  
UTILITIES DIRECTOR

RECEIVED

FEB 25 2002

BUREAU OF AIR REGULATION

February 22, 2002

Mr. Clair H. Fancy, Chief  
Bureau of Air Regulation  
Florida Department of Environmental Protection  
11 South Magnolia, Suite 4  
Tallahassee, FL 32301

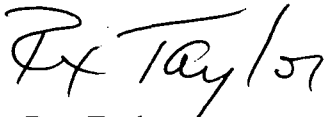
**Subject:** Title V Permit No. 0610029-005-AV: Vero Beach Municipal Power Plant

Dear Mr. Fancy,

On February 15, 2002, the City posted in the Press Journal, the City's local newspaper, the Public Notice of Intent to Issue Title V Air Operation Permit Revision. Enclosed for your review is a confirmation that the notice was published in the newspaper as required by Sections 403.815 and 403.807, F.S., and Rules 62-110.106 and 62.210.350(3), F.A.C..

If you have any questions, please contact Jim Stevens at (772) 978-5051.

Sincerely,



Rex Taylor  
City Manager/Utilities Director/Responsible Official

Enclosures

Mail Certified 7001 0320 0001 8487 0931

Cc: Mr. L. T. Kozlov, FDEP Central District  
Peter N. Lindberg  
James F. Stevens  
File

BEST AVAILABLE COPY



PRESS JOURNAL  
INDIAN RIVER COUNTY, FLORIDA  
1801 U.S. 1, Vero Beach, FL 32960

AFFIDAVIT OF PUBLICATION

STATE OF FLORIDA

COUNTY OF INDIAN RIVER

Before the undersigned authority personally appeared, Judy Rejon, who on oath says that she is a Classified Legal Advertising Representative of the Press Journal, a daily newspaper published at Vero Beach in Indian River County, Florida; that the attached copy of advertisement was published in the Press Journal in the following issues below. Affiant further says that the said Press Journal is a newspaper published at Vero Beach in said Indian River County, Florida and that the said newspaper has heretofore been continuously published in said Indian River County, Florida daily and distributed in Indian River County, Florida, for a period of one year next preceding the first publication of 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 the said newspaper. The Press Journal has been entered as second class matter at the Post Office in Vero Beach, Indian River County, Florida and has been for a period of one year next preceding the first publication of the attached copy of advertisement.

Ad #	Name	Date	Price Per Day	PO #
2353527	City of Vero Beach	02/15/2002	\$361.68	dep/titlev
Total			\$361.68	

RECEIVED

FEB 22 2002

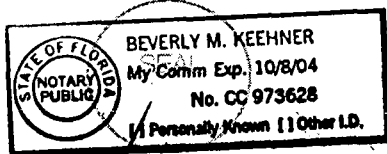
V.B. POWER PLANT

Subscribed and sworn to me before this date:

02/14/2002

*Judy Rejon*  
*Beverly M. Keehner*

Notary Public



RECORDED

FEB 25 2002

BUREAU OF AIR REGULATION

PUBLIC NOTICE OF INTENT TO ISSUE  
TITLE V AIR OPERATION PERMIT REVISION  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
Title V Air Operation Permit Revision  
Title V DRAFT Permit No.: 0610029-005-AV  
City of Vero Beach Municipal Utilities Power Plant  
Indian River County

The Department of Environmental Protection (permitting authority) gives notice of its intent to issue a Title V Air Operation Permit Revision to City of Vero Beach Municipal Utilities for the City of Vero Beach Municipal Utilities Power Plant located at 100-17th Street, Vero Beach, Indian River County. The applicant's name and address are: City of Vero Beach Municipal Utilities, PO Box 1389, Vero Beach, FL 32961-1389.

This Title V Air Operation Permit Revision is being issued to include an evaporative cooling system from Permit No. 0610029-005-AC (PSD-FL-152C) on the existing 38 MW combined cycle combustion turbine-electrical generator designated as UAH-5. The permitting authority will issue the PROPOSED Permit and subsequent FINAL Permit, in accordance with the conditions of the DRAFT Permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The permitting authority will accept written comments concerning the proposed 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 Department's Bureau of Air Regulation, 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 this DRAFT Permit, the permitting authority shall issue a Revised DRAFT Permit and require, if applicable, another Public Notice.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 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 of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/488-9730; Fax: 850/487-4938). Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of the notice of intent, whichever occurs first. Under Section 120.60(3), 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 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 applicable 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 will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28.106.205, Florida Administrative Code (F.A.C.).

A petition that disputes the material facts on which the permitting authority'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, 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 petitioner's substantial rights will be affected by the agency determination;
- (c) A statement of how and when the petitioner received notice of the agency action or proposed action;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so state;
- (e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle petitioner to relief;
- (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; 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 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 28.106.301, F.A.C. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the permitting authority's final action may be different from the position 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 7661d(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 7661d(b)(1), to object to issuance of any permit revision. Any petition shall be based only on objections to the permit revision that were raised 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 was impracticable to raise such objections within the comment period or 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 properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460.

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:

PERMITTING AUTHORITY  
Department of Environmental Protection  
Bureau of Air Regulation  
111 South Magnolia Drive, Suite 4  
Tallahassee, Florida 32301  
Telephone: 850/488-0114  
Fax: 850/922-6979

AFFECTED DISTRICT/LOCAL PROGRAM  
Department of Environmental Protection  
Central District  
3319 Maguire Boulevard, Suite 232  
Orlando, Florida 32803  
Telephone: 407/893-3334  
Fax: 407/897-5963

The complete project file includes the DRAFT Permit, the application, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact Scott M. Shepley, P.E. at the above address, or call 850/921-9532, for additional information.  
February 15, 2002

2353527