

RECEIVED

NOV 06 2007

BUREAU OF AIR REGULATION

TO: Al Linero -  
DATE: 11-5-07  
FROM: Alan Zahm

Thought the following  
might interest  
you.



MESSAGE:

Attached is the Public Notice for Vero Beach  
Municipal Power Plant Renewal.

*City of Vero Beach*  
100 - 17th STREET - P.O. BOX 1389  
VERO BEACH, FLORIDA - 32961-1389  
Telephone: (772) 978-5050  
Fax: (772) 978-5090

MUNICIPAL POWER PLANT

October 29, 2007

RECEIVED

NOV 01 2007

BUREAU OF AIR REGULATION

Ms. Teresa Heron, Engineer  
Permitting South Section  
Bureau of Air Regulation  
Florida Department of Environmental Protection  
2600 Blair Stone Road  
Tallahassee, FL 32399-2400

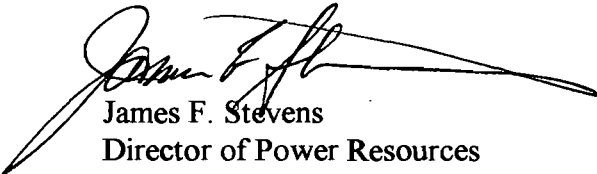
**Subject:** Title V Permit No. 0610029-005-AV Permit Renewal Vero Beach Municipal Power  
Plant Oris Code 693

Dear Ms. Heron,

On October 12, 2007, the City posted the public notice of intent to issue the Title V permit for the Vero Beach Power Plant in the Vero Beach Press Journal. Please find the attached copies of that posting.

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

Sincerely,



James F. Stevens  
Director of Power Resources

Enclosures

Mail Certified 7005 1160 0000 8251 4053

Cc: Tom Allen  
R.B. Sloan  
File



SCRIPPS HOWARD

# SCRIPPS TREASURE COAST NEWSPAPERS

Vero Beach Press Journal

1801 U.S. 1, Vero Beach, FL 32960

## AFFIDAVIT OF PUBLICATION

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BUREAU OF AIR REGULATION

OCT 31 2007

DEP Central Dist.

STATE OF FLORIDA  
COUNTY OF INDIAN RIVER

Before the undersigned authority personally appeared, S. Darlene Broeg who on oath says that she is Classified Inside Sales Manager of the Vero Beach Press Journal, a daily newspaper published at Vero Beach in Indian River County, Florida; that the attached copy of advertisement was published in the Vero Beach Press Journal in the following issues below. Affiant further says that the said Vero Beach Press Journal is a newspaper published in Vero Beach in said Indian River County, Florida, and that 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 the attached copy of advertisement; and affiant further says that she has neither paid or 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 Vero Beach Press Journal has been entered as Periodical Matter at the Post Offices 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.

*Published 10/12/2007*

<u>Customer</u>	<u>Ad Number</u>	<u>Pub Date</u>	<u>Copyline</u>	<u>PO #</u>
CITY OF VERO BEACH	1721837	10/12/2007	NOTICE OF INTENT	DEP AIR PERMIT RENEW

RECEIVED  
OCT 15 2007  
CITY OF VERO BEACH  
ACCOUNTING

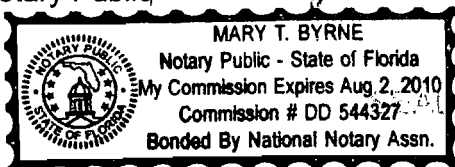
Subscribed and sworn to me before this date:

October 12, 2007

*S. Darlene Broeg*

*Mary T. Byrne*

Notary Public



PUBLIC NOTICE OF INTENT TO ISSUE  
TITLE V AIR OPERATION PERMIT RENEWAL  
STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
DRAFT Permit Project No. 0610029-007-AV  
City of Vero Beach Municipal Utilities

Applicant: The applicant for this project is the City of Vero Beach Municipal Utilities. The applicant's responsible official is Mr. John Lee, Acting Utilities Director, City of Vero Beach, 100 17th Street, Vero Beach, Florida 32961-1389.

Applicant hereby certifies that the 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 the 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, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to specific rules or statutes; and, (g) A statement of the relief sought by the petitioner, stating precisely the action the 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 Public 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: Mediation is not available for this proceeding.

Objections: In addition to the above right to petition, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within sixty (60) 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 the issuance of any Title V air operation permit. Any petition shall be based only on objections to the Permit that were raised with reasonable specificity during the thirty (30) day public comment period provided in the Public 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, SW., Washington, D.C. 20460. For more information regarding EPA review and objections, visit EPA's Region 4 web site at [www.epa.gov/region4/air/permits/Florida.htm](http://www.epa.gov/region4/air/permits/Florida.htm)

Publish: October 12, 2007



SCRIPPS HOWARD

# SCRIPPS TREASURE COAST NEWSPAPERS

Vero Beach Press Journal

1801 U.S. 1, Vero Beach, FL 32960

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COUNTY OF INDIAN RIVER

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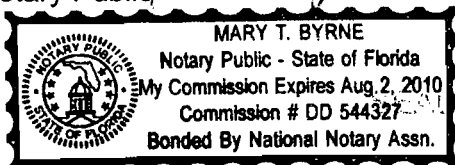
Subscribed and sworn to me before this date:

October 12, 2007

*S. Darlene Broeg*

*Mary T. Byrne*

Notary Public



PUBLIC NOTICE OF INTENT TO ISSUE  
TITLE V AIR OPERATION PERMIT RENEWAL  
STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
DRAFT Permit Project No. 0610029-007-AV  
City of Vero Beach Municipal Utilities

Applicant: The applicant for this project is the City of Vero Beach Municipal Utilities. The applicant's responsible official is Mr. John Lee, Acting Utilities Director, City of Vero Beach, 100 17th Street, Vero Beach, Florida 32961-1389.

Applicant, the 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 the 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, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to specific rules or statutes; and, (g) A statement of the relief sought by the petitioner, stating precisely the action the 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 Public 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: Mediation is not available for this proceeding.  
Objections: In addition to the above right to petition, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within sixty (60) 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 the issuance of any Title V air operation permit. Any petition shall be based only on objections to the Permit that were raised with reasonable specificity during the thirty (30) day public comment period provided in the Public 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, SW., Washington, D.C. 20460. For more information regarding EPA review and objections, visit EPA's Region 4 web site at [www.epa.gov/region4/air/permits/Florida.htm](http://www.epa.gov/region4/air/permits/Florida.htm)  
Publish: October 12, 2007

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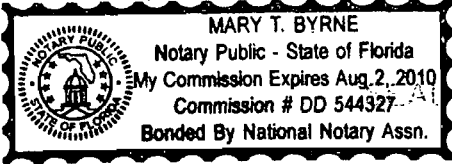
Subscribed and sworn to me before this date:

October 12, 2007

*S. Darlene Bragg*

*Mary T. Byrne*

Notary Public



DEPARTMENT OF ENVIRONMENTAL PROTECTION  
DRAFT Permit Project No. 0610029-007-AV  
City of Vero Beach Municipal Utilities

Applicant: The applicant for this project is the City of Vero Beach Municipal Utilities. The applicant's responsible official is Mr. John Lee, Acting Utilities Director, City of Vero Beach, 100 17th Street, Vero Beach, Florida 32961-1389.

Facility Location: The applicant operates the City of Vero Beach Municipal Utilities facility, which is located at 100 17th Street, Vero Beach, Indian River County.

Project: The applicant submitted an application for a Title V Air Operation Permit Renewal. This facility is an electric power generating plant located adjacent to a wastewater treatment facility and consists of four oil and gas-fired fossil fuel steam generating units (Units 1, 2, 3 and 4) rated at 13, 17, 34 and 56 megawatts respectively and a 38 MW combined cycle gas turbine (Unit 5). Also included in this permit are miscellaneous unregulated or insignificant emissions units or activities. This permitting action will also revise some specific conditions and will update the Federal Acid Rain Program allowances starting in the year 2010.

Permitting Authority: Applications for Title V air operation permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, and 62-213 and 62-214 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and an air permit is required to operate the facility. The Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination regarding this project. The Permitting Authority's physical address is: Bureau of Air Regulation at 111 S. Magnolia, Suite 4, Tallahassee, Florida. The Permitting Authority's mailing address is: Bureau of Air Regulation, MS 5505, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. The telephone number is (850) 488-0114 and facsimile (850) 921-9533.

Project File: A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at address indicated above for the Permitting Authority. The complete project file includes the DRAFT Permit, the Statement of Basis, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may view the DRAFT Permit by visiting the following website: <http://www.dep.state.fl.us/air/products/ards/>. A copy of the complete project file is also available at the Florida Department of Environmental Protection Central District Office, 3319 Maguire Boulevard, Suite 232, Orlando, Florida 32803-3767. Telephone: 407/894-7555. Fax: 407/897-2966.

Notice of Intent to Issue a Permit: The Permitting Authority gives notice of its intent to issue a permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of the facility will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-214, 62-296, and 62-297, F.A.C. The Permitting Authority will issue a 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 a significant change of terms or conditions.

Comments: The Permitting Authority will accept written comments concerning the DRAFT Permit for a period of thirty (30) days from the date of publication of this Public Notice. Written comments must be post-marked and all email or facsimile comments must be received by the close of business (5 pm) on or before the end of this 30-day period by the Permitting Authority at the above address, email or facsimile. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location on the Florida Administrative Weekly (FAW) website at [hp/faw.dos.state.fl.us](http://faw.dos.state.fl.us) and in a newspaper of general circulation in the area affected by the permitting action. For additional information, contact the Permitting Authority at the above address or phone number. If written comments or comments received at a public meeting result in a significant change to the DRAFT Permit, the Permitting Authority shall issue a Revised DRAFT Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

Petitions: 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, F.S. The petition must contain the information set forth below and must be filed with (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within fourteen (14) days of publication of this Public Notice or receipt of a written notice, whichever occurs first. Under Section 120.60(3), P.S., however, any person who asked the Permitting Authority for notice of agency action may file a petition within fourteen (14) 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 appropriate 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 (in a proceeding initiated by an other party) will be only at the approval of the presiding officer upon the filing of a motion 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: (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; the 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 the 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, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to specific rules or statutes; and, (g) A statement of the relief sought by the petitioner, stating precisely the action the 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.

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Mediation: Mediation is not available for this proceeding.

Objections: In addition to the above right to petition, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within sixty (60) 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 the issuance of any Title V air operation permit. Any petition shall be based only on objections to the Permit that were raised with reasonable specificity during the thirty (30) day public comment period provided in the Public 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, SW, Washington, D.C. 20460. For more information regarding EPA review and objections, visit EPA's Region 4 web site at [www.epa.gov/region4/air/permits/Florida.htm](http://www.epa.gov/region4/air/permits/Florida.htm)

Publish: October 12, 2007

1721837

# City of Vero Beach

100 - 17th STREET - P.O. BOX 1389  
VERO BEACH, FLORIDA - 32961-1389  
Telephone: (772) 978-5050  
Fax: (772) 978-5090

MUNICIPAL POWER PLANT

October 29, 2007

To Tally!!

RECEIVED

OCT 31 2007

DEP Central Dist.

Mr. James N. Bradner, PE  
State of Florida  
Department of Environmental Protection  
3319 Maguire Boulevard, Suite 232  
Orlando, Florida 32803-3767

Subject: Title V Permit No. 0610029-005-AV Permit Renewal Vero Beach Municipal  
Power Plant Oris Code 693

Dear Mr. Bradner:

On October 12, 2007, the City posted the public notice of intent to issue the Title V permit for the Vero Beach Power Plant in the Vero Beach Press Journal. Please find the attached copies of that posting.

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

Sincerely,

  
James F. Stevens  
Director of Power Resources

Enclosures  
Mailed Certified 7005 1160 0000 8251 4060

cc: Tom Allen  
File

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DEPARTMENT OF ENVIRONMENTAL PROTECTION  
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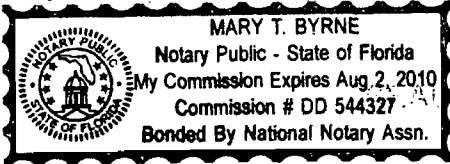
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A petition that disputes the material facts on which the Permitting Authority's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address and telephone number of the petitioner; the 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 the 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, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to specific rules or statutes; and, (g) A statement of the relief sought by the petitioner, stating precisely the action the 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 Public 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: Mediation is not available for this proceeding. Objections: In addition to the above right to petition, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within sixty (60) days of the expiration of the Administrator's 45 (forty-five) day review period as established at 42 U.S.C. Section 766 1d(b)(1), to object to the issuance of any Title V air operation permit. Any petition shall be based only on objections to the Permit that were raised with reasonable specificity during the thirty (30) day public comment period provided in the Public 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, SW., Washington, D.C. 20460. For more information regarding EPA review and objections, visit EPA's Region 4 web site at [www.epa.gov/region4/air/permits/Florida.htm](http://www.epa.gov/region4/air/permits/Florida.htm)

Publish: October 12, 2007

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