

Indiantown Cogeneration, L.P.

RECEIVED

APR 10 2000

BUREAU OF AIR REGULATION

Indiantown Cogeneration, L.P.
P.O. Box 1799
19140 SW Warfield Blvd.
Indiantown, FL 34956
Tel: 561.597.6500
Fax: 561.597.6210

April 6, 2000

RECEIVED

APR 10 2000

BUREAU OF AIR REGULATION

C. H. Fancy, P.E. Chief
Bureau of Air Regulations
Department of Environmental Protection
Marjory Stoneman Douglas Building
3900 Commonwealth Blvd.
Tallahassee, Florida 32399-3000

VIA FEDERAL EXPRESS

**Re: DEP File No. PA 90-31, PSD-FL-168
Indiantown Cogeneration Facility CO2 Recovery Project
Public Notice of Intent to Issue PSD Permit Modification**


Dear Mr. Fancy:

Pursuant to your written request of March 24, 2000, and the requirements of Chapter 50 Florida Statutes, please find attached proof of publication of Public Notice of Intent to Issue PSD Permit Modification, State of Florida Department of Environmental Protection DEP File No. PA 90-31, PSD-FL-168, Indiantown Cogeneration, L.P., Indiantown Cogeneration Plant, Martin County, printed April 2, 2000 in the Palm Beach Post and Stuart News. Please contact David Burrage at 561-597-6500, extension 19, if you have any questions.

Sincerely,



Stephen A. Sorrentino
General Manager

Enclosure 

cc: Mike Halpin, DEP
Buck Oven, DEP
A.J. Jablonowski



STUART NEWS PORT ST. LUCIE NEWS

(an edition of the Stuart News)

Martin County and St. Lucie County, Florida
1939 S. Federal Highway, Stuart, FL 34994

AFFIDAVIT OF PUBLICATION

STATE OF FLORIDA

COUNTY OF MARTIN; COUNTY OF ST. LUCIE

Before the undersigned authority personally appeared, Mary T. Byrne, who on oath says that she is Classified Legal Advertising Representative of the Stuart News and the Port St. Lucie News, a daily newspaper published at Stuart in Martin County, Florida: that the attached copy of advertisement was published in the Stuart/Port St. Lucie News in the following issues below. Affiant further says that the said Stuart/Port St. Lucie News is a newspaper published in Stuart in said Martin County, Florida, with offices and paid circulation in Martin County and St. Lucie County, Florida, and that said newspapers have heretofore been continuously published in said Martin County, Florida, daily and distributed in Martin and St. Lucie 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 nor promised any person, firm or corporation any discount, rebate, commission or refund for the securing this advertisement for publication in the said newspaper. The Stuart News has been entered as second class matter at the Post Offices in Stuart, Martin County, Florida and Ft. Pierce, St. Lucie County, Florida and has been for a period of one year next preceding the first publication of the attached copy of advertisement.

<u>Ad #</u>	<u>Date</u>	<u>Copyline</u>	<u>PO #</u>
1875778	04/02/2000	DEP PERMIT	

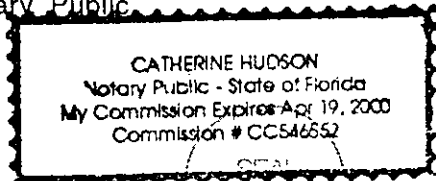
Subscribed and sworn to me before this date:

04/03/2000

Mary T. Byrne

Catherine Hudson

Notary Public



PUBLIC NOTICE OF INTENT TO ISSUE
PSD PERMIT MODIFICATION
STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DEP File No.: PA 90-31, PSL-FL-168
Indiantown Cogeneration, L.P.
Indiantown Cogeneration Plant
Martin County

The Department of Environmental Protection (Department) gives notice of its intent to issue a modification of the permit for the Prevention of Significant Deterioration of Air Quality (PSD permit) to Indiantown Cogeneration, L.P. The permit modification is to install a slipstream carbon dioxide recovery plant and to clarify allowable operation rates of auxiliary boilers at the Indiantown Cogeneration Plant, located at 19140 Southwest Warfield Blvd., Indiantown, Martin County. A Best Available Control Technology (BACT) determination was not required pursuant to Rule 62-212.400, F.A.C. and 40 CFR 52.21, Prevention of Significant Deterioration. The applicant's mailing address is: Stephen Sorrentino, General Manager, Indiantown Cogeneration Plant, Post Office Box 1799, Indiantown, Florida 34956.

The existing facility is a coal-fired electrical and steam co-generation plant. Emissions are controlled by baghouses, spray driers and selective catalytic reduction. The slipstream plant will sequester carbon dioxide (CO₂), a combustion product, and convert it to bottled (liquid) CO₂ for resale purposes. Other changes are minor and are for the purposes of clarifying permit conditions.

This project is not subject to review under Section 403.506, F.S. (Power Plant Siting Act), because it provides for no expansion in steam generating capacity.

An air quality impact analysis was not conducted. Emissions from this project are largely beneficial and will not consume PSD increment and will not significantly contribute to or cause a violation of any state or federal ambient air quality standards.

The Department will issue the Final permit with the attached conditions unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed permit issuance action for a period of 14 days from the date of publication of this Public Notice of Intent to Issue PSD Permit Modification. Written comments should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, FL 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the proposed permit and require, if applicable, another Public Notice.

The Department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to sections 120.569 and 120.57, F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below. Mediation is not available in this proceeding.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57 of the 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 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under section 120.60(3) of the Florida Statutes must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under section 120.60(3), however, any person who asked the Department 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 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 will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205 of the Florida Administrative Code.

A petition that disputes the material facts on which the Department'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 interests will be affected by the agency determination; (c) A statement of how and when 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 indicate; (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; 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 Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth

THE PALM BEACH POST
 Published Daily and Sunday
 West Palm Beach, Palm Beach County, Florida

PROOF OF PUBLICATION

STATE OF FLORIDA
 COUNTY OF PALM BEACH

Before the undersigned authority personally appeared Peter W. Ortado who on oath says that he is Classified Advertising Supervisor of The Palm Beach Post, a daily and Sunday newspaper published at West Palm Beach in Palm Beach County, Florida; that the attached copy of advertising, being a Notice in the matter of Intent to Issue PSD Permit Modification in the --- Court, was published in said newspaper in the issues of April 2, 2000.


Affiant further says that the said The Post is a newspaper published at West Palm Beach, in said Palm Beach County, Florida, and that the said newspaper has heretofore been continuously published in said Palm Beach County, Florida, daily and Sunday and has been entered as second class mail matter at the post office in West Palm Beach, in said Palm Beach 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/he 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.

Peter W. Ortado

Sworn to and subscribed before this 3 day of April A.D. 2000.

[Signature]

Personally known XX or Produced Identification _____
 Type of Identification Produced _____


 Karen McLinton
 Notary Public, State of Florida
 Commission No. CC 591337
 My Commission Exp. 11/15/2000
 1-800-NOTARY Fla. Notary Service & Bonding Co.

NO. 553220
 PUBLIC NOTICE OF INTENT
 TO ISSUE PSD PERMIT
 MODIFICATION
 STATE OF FLORIDA
 DEPARTMENT
 OF ENVIRONMENTAL
 PROTECTION
 DEP File No. PA 90-31,
 PSD-FL-168

Indiantown Cogeneration, L.P.
 Indiantown
 Cogeneration Plant
 Martin County

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The existing facility is a coal-fired electrical and steam cogeneration plant. Emissions are controlled by baghouses, spray driers and selective catalytic reduction. The slipstream plant will sequester carbon dioxide (CO₂), a combustion product, and convert it to bottled (liquid) CO₂ for resale purposes. Other changes are minor and are for the purposes of clarifying permit conditions.

This project is not subject to review under Section 403.508 F.S. (Power Plant Siting Act), because it provides for no expansion in steam generating capacity.

An air quality impact analysis was not conducted. Emissions from this project are largely beneficial and will not consume PSD increment and will not significantly contribute to or cause a violation of any state or federal ambient air quality standards.

The Department will issue the Final permit with the attached conditions unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed permit issuance action for a period of 14 days from the date of publication of this Public Notice of Intent to Issue PSD Permit Modification. Written comments should be provided to the Department's Bureau of Air Regulation at 2500 Blair Stone Road, Mail Station #5505, Tallahassee, FL 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the proposed permit and require, if applicable, another Public Notice.

The Department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to sections 120.569 and 120.57 F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below. Mediation is not available in this proceeding.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in

Protection
 Southeast District
 400 North Congress
 West Palm Beach,
 Florida 33401
 Telephone: 561-799-
 Fax: 561/681-67-
 The complete pr
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 cation, and the
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 official, exclusiv
 e records un
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 Section, at 111 S
 lia Drive, Suite 4
 Florida 32301
 850/488-0114, f
 information.
 PUB: The Palm B
 April 2, 2000

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Florida
Bureau of Air Regulation
Department of Environmental
Protection
11 S Magnolia Drive
Tallahassee, Florida 32301
Telephone: 850/488-0114
Fax: 850/922 6979

of any of the parties listed be-
low must be filed within four-
teen days of receipt of this
notice of intent. Petitioners filed
by any persons other than
those entitled to written no-
tice under section 120.60(3)
of the Florida Statutes must
be filed within fourteen days
of publication of the public no-
tice or within fourteen days of
receipt of this notice of intent,
whichever occurs first. Under
section 120.60(3), however,
any person who asked the De-
partment for notice of agency
action may file a petition with-
in fourteen days of receipt of
that notice, regardless of the
date of publication. A peti-
tion shall mail a copy of the re-
quest 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 pe-
riod shall constitute a waiver
of that person's right to re-
quest an administrative deter-
mination (hearing) under sec-
tions 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 offi-
cer upon the filing of a motion
in compliance with Rule 2B,
106.205 of the Florida Admin-
istrative Code.
A petition that disputes the
material facts on which the
Department's action is based
must contain the following in-
formation: (a) The name and
address of each agency's file
and each agency's file
number, if any, which shall
be the address for service
of the petition; (b) The name, ad-
dress, and telephone number
of the petitioner, the name,
address, and telephone num-
ber of the petitioner's repre-
sentative, if any, which shall
be the address for service
of the petition; (c) A statement of how
and when petitioner received
notice of the agency action or
proposed action; (d) A state-
ment of all disputed issues of
material fact. If there are
disputed issues of material
fact, the petitioner must so in-
dicate; (e) A concise state-
ment of the ultimate facts at-
tached, including the specific
facts including the petitioner contends
warrant reversal or modifica-
tion of the agency's proposed
action; (f) A statement of the
specific rules or statutes the
petitioner contends require re-
versal or modification of the
agency's proposed action;
and (g) A statement of the re-
sult 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 dis-
pute the material facts upon
which the Department'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 2B-
106.301.
Because the administrative
hearing process is designed
to formulate that agency ac-
tion, the filing of a petition
means that the Department's
final action may be different
from the position taken by it
in this notice. Persons whose
substantial interests will be af-
fected by any such final deci-
sion of the Department on the
application have the right to
petition to become a party to
the proceeding, in accordance
with the requirements set
forth above.
A complete project file is
available for public inspection
during normal business hours,
8:00 a.m. to 5:00 p.m., Mon-
day through Friday, except fe-
rial holidays, at:
Department of Environmental
Protection
Bureau of Air Regulation
11 S Magnolia Drive
Tallahassee, Florida 32301
Telephone: 850/488-0114
Fax: 850/922 6979

Additional
call
Magnolia
Review
Adminis-
tration
Section
Confiden-
sible
Information
Draft
on file in
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