

LARRY MATTERN  
Vice President of Power Supply  
E-mail: lmattern@kua.com



P.O. BOX 423219, KISSIMMEE, FLORIDA 34742-3219  
(407) 933-7777 FAX: 407-847-0787

September 1, 2009

Mr. Yousry (Joe) Attalla  
Bureau of Air Regulation  
Florida Department of Environmental Protection  
2600 Blair Stone Road  
MS #5505  
Tallahassee, FL 32399-2400

Subject: Title V Air Operation Permit Renewal  
Permit No. 0970043-017-AV  
Facility ID No. 0970043  
Cane Island Power Park  
Osceola County

RECEIVED

SEP 04 2009

BUREAU OF AIR REGULATION

Dear Mr. Attalla,

Enclosed please find the proof of publication and a tear sheet for the Cane Island Power Park Title V Air Operation Permit Renewal.

Sincerely,

A handwritten signature in cursive script that reads "Larry Mattern".

Larry Mattern  
Vice President of Power Supply

cc: Jerome Guidry, Perigee Technical Services, Inc.

# Orlando Sentinel

1215 E. Donegan Avenue  
Kissimmee, FL 34744

Date: August 27, 2009

This is to certify that the attached advertisement did publish in The Orlando Sentinel, Osceola Edition on Thursday, August 27, 2009.

Anne Cappiello  
Anne Cappiello  
Client Services Coordinator  
The Orlando Sentinel

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SEP 04 2009

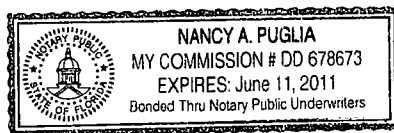
BUREAU OF AIR REGULATION

STATE OF FLORIDA  
COUNTY OF OSCEOLA

I, the undersigned authority, hereby certify that the foregoing is a true and correct copy of the instrument presented to me by Anne Cappiello as the original of such instrument.

WITNESS my hand and official seal, this 27th day of August, 2009.

Nancy A. Puglia  
Notary Public  
State of Florida at Large



My commission expires \_\_\_\_\_.

## How to reach us Osceola County contacts

COMMUNITIES EDITOR  
SHARON McBREEN  
smcbreen@orlandosentinel.com, 407-420-5321

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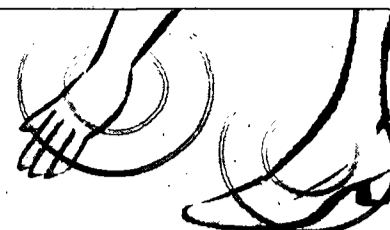
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## PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT

Florida Department of Environmental Protection  
Division of Air Resource Management, Bureau of Air Regulation  
Draft/Proposed Permit No. 0970043-017-AV  
Kissimmee Utility Authority, Cane Island Power Park  
Osceola County, Florida

**Applicant:** The applicant for this project is Kissimmee Utility Authority. The applicant's responsible official and mailing address are: Mr. Larry Mattern, Vice President of Power Supply, Kissimmee Utility Authority, Cane Island Power Park, 1701 West Carroll Street, Kissimmee, Florida 34741.

**Facility Location:** The applicant operates the existing Cane Island Power Park, which is located in Osceola County at 6075 Old Tampa Highway, Intercession City, Florida.

**Project:** The applicant applied on May 14, 2009 to the Department for a Title V air operation permit renewal. This is a renewal of Title V air operation permit No. 0970043-013-AV.

This facility consists of three fossil fuel-fired combustion turbine electric generating units, a cooling tower, three distillate oil storage tanks and ancillary equipment.

Emissions Unit 001 is a 40 megawatt (MW) General Electric Model LM-6000PA simple-cycle combustion turbine with an electrical generator set. Emission Unit 002 is a General Electric Model PG7111(EA) combined-cycle combustion turbine with electrical generator set and an unfired heat recovery steam generator (HRSG). Emissions Unit 002 produces 80 MW during simple-cycle operation and 120 MW during combined-cycle operation. Each combustion turbine fires natural gas as the primary fuel with very low sulfur distillate oil ( $\leq 0.05\%$  sulfur by weight) as a backup fuel. Both units have simple-cycle stacks. Unit 002 also has a separate HRSG stack for combined-cycle operation.

Emissions Unit 003 is a nominal 167 MW stationary gas combined-cycle combustion turbine-electrical generator burning natural gas with very low sulfur fuel oil as backup; a supplemental gas-fired heat recovery steam generator to raise sufficient steam to achieve 250 MW in combined-cycle operation; a nominal 80-90 MW steam electric generator; a 44 million British thermal units per hour (MMBtu/hr) heat input duct burner; a selective catalytic reduction unit and ancillary equipment; ammonia storage; a 130-foot stack; and a 100-foot bypass stack for simple-cycle operation.

Support facilities for Unit 003 include: a cooling tower; water and wastewater facilities; water storage tanks; a storm water detention pond; a 230 kilovolt (KV) transmission line; and, a 1.0 million gallon storage tank for back-up distillate fuel oil. Nitrogen oxide (NO<sub>x</sub>) emissions are controlled by Dry Low NO<sub>x</sub> (DLN) combustors and wet injection under simple-cycle operation. NO<sub>x</sub> emissions are controlled by DLN, wet injection and selective catalytic reduction (SCR) when operating in combined-cycle mode. Inherently clean fuels and good combustion practices are employed to control all pollutants. Because a continuous emissions monitoring system (CEMS) is used to demonstrate compliance for NO<sub>x</sub>, a compliance assurance monitoring (CAM) plan is not required for the SCR system. Site Certification for this Unit 003 was approved on November 22, 1999.

Emissions Unit 004, 007 and 008 are storage tanks for the very low sulfur back-up fuel oil. Emissions Unit 005 is the duct burner for Emissions Unit 003 and Emission Unit 006 is the cooling tower.

**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, 62-213 and 62-214, of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and a Title V air operation permit is required to operate the facility. The Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination for this project. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, Tallahassee, Florida. The Permitting Authority's mailing address is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is (850) 488-0114.

**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 the address indicated above for the Permitting Authority. The complete project file includes the draft/proposed 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/proposed permit by visiting the following website: <http://www.dep.state.fl.us/air/emission/apds/default.asp> and entering the permit number shown above. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address or phone number listed above.

**Notice of Intent to Issue Air Permit:** The Permitting Authority gives notice of its intent to issue a renewed Title V air operation permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of the proposed equipment 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 final permit in accordance with the conditions of the draft/proposed 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/proposed Title V permit for a period of 30 days from the date of publication of the Public Notice. Written comments must be received by the close of business (5:00 p.m.), on or before the end of this 30-day period by the Permitting Authority at the above address. 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 in the Florida Administrative Weekly (FAW). If a public meeting is requested within the 30-day comment period and conducted by the Permitting Authority, any oral and written comments received during the public meeting will also be considered by the Permitting Authority. If timely received written comments or comments received at a public meeting result in a significant change to the draft/proposed permit, the Permitting Authority shall issue a revised draft/proposed permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection. For additional information, contact the Permitting Authority at the above address or phone number.

**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 14 days of publication of the Public Notice or receipt of a written notice, 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 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 another 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 when and how the petitioner received notice of the agency action or proposed decision; (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 including an explanation of how the alleged facts relate to the 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 to Issue Air Permit. 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.

**EPA Review:** EPA has agreed to treat the draft/proposed Title V air operation permit as a proposed Title V air operation permit and to perform its 45-day review provided by the law and regulations concurrently with the public comment period. Although EPA's 45-day review period will be performed concurrently with the public comment period, the deadline for submitting a citizen petition to object to the EPA Administrator will be determined as if EPA's 45-day review period is performed after the public comment period has ended. The final Title V air operation permit will be issued after the conclusion of the 45-day EPA review period so long as no adverse comments are received that results in a different decision or significant change of terms or conditions. The status regarding EPA's 45-day review of this project and the deadline for submitting a citizen petition can be found at the following website address: <http://www.epa.gov/region4/air/permits/Florida.htm>

**Objections:** Finally, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 days of the expiration of the Administrator's 45-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 specificity during the 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 at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460. For more information regarding EPA review and objections, visit EPA's Region 4 web site at <http://www.epa.gov/region4/air/permits/Florida.htm>.