

A.K. (BEN) SHARMA, P.E.
Vice President of Power Supply
E-mail: BSHARMA@KUA.COM



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

RECEIVED
OCT 11 2004
BUREAU OF AIR REGULATION

October 6, 2004

Ms. Trina Vielhauer, Chief
Florida Department of Environmental Protection
Bureau of Air Regulation
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Subject: Draft Title V Permit Renewal No.
0970043-013-AV

Dear Ms. Vielhauer:

Enclosed please find the proof of publication for the "Public Notice of Intent to Issue Title V Air Operation Permit Renewal" that was published in the Orlando Sentinel, Osceola Edition on Sunday, October 3, 2004.

Sincerely,

A handwritten signature in cursive script that reads "A.K. Sharma".

A.K. (Ben) Sharma, P.E.
Vice President of Power Supply

cc: Jerome Guidry

Orlando Sentinel
communications

Osceola County
804 W. Emmett Street
Kissimmee, Florida 34741

RECEIVED

OCT 11 2004

BUREAU OF AIR REGULATION

Date: October 5, 2004

This is to certify that the attached advertisement did publish in The Orlando Sentinel, Osceola Edition October 3, 2004.

Advertising Account Exec.
The Orlando Sentinel

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 Melvin Lopez as the original of such instrument.

WITNESS my hand and official seal, this 5th day of October, 2004.

Donna R. Gunsalus
Notary Public
State of Florida at Large



My commission expires July 2, 2007

PUBLIC NOTICE OF INTENT TO ISSUE TITLE V **AIR OPERATION PERMIT RENEWAL**

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Title V Air Operation Permit Renewal

DRAFT Title V Permit Renewal No. 0970043-013-AV
Cane Island Power Park
Osceola County

10996878

Applicant: The applicant for this project is Kissimmee Utility Authority, located at 1701 West Carroll Street in Kissimmee, Osceola County, Florida. The applicant's responsible official is Mr. A.K. Sharma, P.E., Vice President of Power Supply.

Facility Location: The applicant operates a nominal 410 MW Power Plant, which is located at 6075 Old Tampa Highway, Intercession City, Osceola County.

Project: The applicant submitted an application for a Title V major source air operation permit renewal.

The facility consists of three natural gas and very low sulfur (0.05%) fuel-oil fired combustion turbine-electrical generators. Two of the units have heat recovery steam generators and steam turbines. Pollution control is accomplished by "low emissions combustion", use of inherently clean fuel, or selective catalytic reduction SCR. The most recently constructed combustion turbine (Unit 003) is a nominal 250 megawatt unit. It was authorized by Permit PSD-FL-254 and added to the Title V Operation Permit through Title V Operation Permit Revision 0970043-010-AV.

This permit will be a Title V Air Operation Permit Renewal to initial Title V Operation Permit issued in 1999 as revised in 2003. The main changes compared with the present permit relate to incorporation of updated federal regulations for the construction of new gas turbines and hazardous air pollutants from combustion turbines. Some additional changes include clarifications of permitted capacities and testing procedures for fuel sulfur.

Emissions from this facility will not be increased as a result of this project. This facility is subject to applicable provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-256, 62-257, 62-281, 62-296, and 62-297, F.A.C.

Permitting Authority: Applications for Title V major source 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 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 Department of Environmental Protection, Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination regarding this project. The Permitting Authority's physical address is: Florida Department of Environmental Protection, Bureau of Air Regulation, 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301. The Permitting Authority's mailing address is: Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Mail Station #5505. 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 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 contact the Permitting Authority's project review engineer for additional information at the address and phone number listed above or at the following email address: teresa.heron@dep.state.fl.us. 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.

Notice of Intent to Issue Air Permit: The Permitting Authority gives notice of its intent to issue Title V major source air operation 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, 62-256, 62-257, 62-281, 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 Title V Permit for a period of thirty (30) days from the date of publication of this Public Notice. Written comments must be provided to 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 on the Department's official web site for notices (<http://tlhora6.dep.state.fl.us/onw/>) 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 revise the 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), F.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 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; 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 major source 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, S.W., Washington, D.C. 20460. For more information regarding objections, visit the EPA Region 4 web site at: www.epa.gov/region4/air/permits.