



P.O. BOX 423219 • KISSIMMEE, FLORIDA 34742-3219  
407/933-7777

RECEIVED

AUG 04 2003

BUREAU OF AIR REGULATION

July 30, 2003

Mr. Scott Sheplak, P.E.  
Florida Department of Environmental Protection  
Bureau of Air Regulation  
2600 Blair Stone Road  
Mail Station #5505  
Tallahassee, FL 32399-2400

Ref: Draft Permit No. 0970043-010-  
AV

Dear Mr. Sheplak:

Enclosed please find the proof of publication for the Draft Title V Permit  
Revision No. 0970043-010-AV for the Cane Island Power Park.

Sincerely,

A handwritten signature in black ink that reads "Robin Ward". The signature is written in a cursive, flowing style.

Robin Ward, Administrative Assistant  
Kissimmee Utility Authority

Enclosure

**Orlando Sentinel**  
communications

Osceola County  
804 W. Emmett Street  
Kissimmee, Florida 34741

RECEIVED

AUG 04 2003

Date: July 29, 2003 BUREAU OF AIR REGULATION

This is to certify that the attached advertisement did publish in The Orlando Sentinel,  
Osceola Edition July 27, 2003.

*Melvin Lopez*

Advertising Account Exec.  
The Orlando Sentinel

STATE OF FLORIDA  
COUNTY OF OSCEOLA

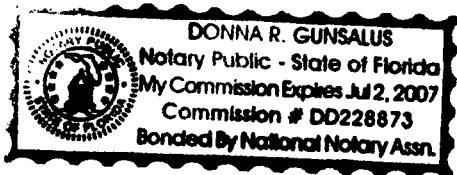
I, the undersigned authority, hereby certify that the foregoing is a true and correct copy of  
the instrument presented to me by MELVIN LOPEZ as the original of  
such instrument.

WITNESS my hand and official seal, this 29th day of July, 2003.

*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 REVISION**

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Title V DRAFT Permit Revision No. 0970043-010-AV

**Cane Island Power Park**  
Osceola County

The Department of Environmental Protection (permitting authority) gives notice of its intent to issue a Title V Air Operation Permit Revision to the Kissimmee Utility Authority for the Cane Island Power Park, located at 6075 Old Tampa Highway, Intercession City, Osceola County. The applicant's name and address are: Mr. A. K. Ben Sharma, P.E., Vice President of Power Supply, Kissimmee Utility Authority, 1701 West Carroll Street, Kissimmee, Florida 34742.

The revision adds one combined-cycle combustion turbine emissions unit to the facility's operating permit.

The permitting authority will issue the Title V PROPOSED Permit Revision, and subsequent Title V FINAL Permit Revision, in accordance with the conditions of the Title V DRAFT Permit Revision 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 Title V DRAFT Permit Revision 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, 2900 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 Revision, the permitting authority shall issue another DRAFT Permit Revision 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 of the Florida Statutes (F.S.). The petition must contain the information set forth below and must be filed (received) in Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/245-2242; Fax: 850/245 2303). 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, 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 petitioner must so state;
- (e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle petitioner to relief; and
- (f) A demand for relief.

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. Any petition shall be based only on objections to the permit 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 Program:**  
Department of Environmental Protection  
Central District Office  
3319 Maguire Boulevard, Suite 232  
Orlando, Florida 32803-3767  
Telephone: 407/894-7555  
Fax: 407/897-2996

The complete project file for the Title V Permit Revision includes the DRAFT Permit Revision, 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. Sheplek, P.E., at the above address, or call 850/921-9532, for additional information.