

A.K. (BEN) SHARMA, P.E.  
DIRECTOR OF POWER SUPPLY



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

**RECEIVED**

DEC 07 1998

BUREAU OF  
AIR REGULATION

December 1, 1998

Mr. A. A. Linero, P.E.  
Administrator  
New Service Review Section  
Department of Environmental Protection  
Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, FL 32399-2400

Ref: DEP File No. 0970043-005-AC (PSD-FL-  
182) Cane Island Power Park - Unit 1

Dear Mr. Linero:

Enclosed please find the proof of publication for the Public Notice of Intent to Issue Air Construction Permit Modification that was published on November 13, 1998.

Sincerely,

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

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

AKS/rw

cc: Myron Rollins, B&V  
Jerome Guidry, Perigee Technical Services, Inc.

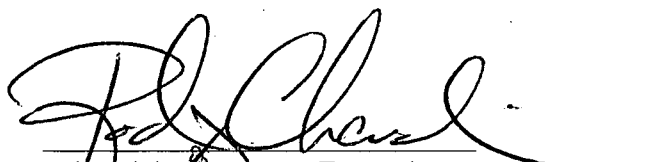
cc: Jeresa Heron, BAR  
EPA  
NPS  
Central District

# The Orlando Sentinel

Osceola County  
804 W. Emmett Street  
Kissimmee, Florida 34741

Date: Nov. 23, 1998

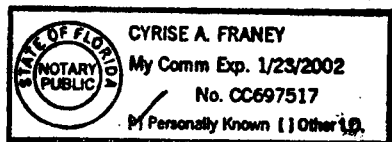
This is to certify that the attached advertisements did publish in  
The Osceola Sentinel, November 13th, 1998.

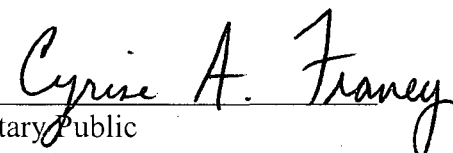
  
\_\_\_\_\_  
Advertising Account Executive  
The Osceola Sentinel

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 Rodney Chevalier  
\_\_\_\_\_ as the original of such instrument.

WITNESS my hand and official seal, this 23<sup>rd</sup> day of Nov.,  
1998.



  
\_\_\_\_\_  
Notary Public  
State of Florida at Large

My commission expires Jan. 23, 2002

**PUBLIC NOTICE OF INTENT**  
**TO ISSUE AIR CONSTRUCTION PERMIT MODIFICATION**

**STATE OF FLORIDA**  
**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**Kissimmee Utility Authority Cane Island Unit 1**  
**DEP File No. 0970043-005-AC, PSD-FL-182B**  
**Osceola County**

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit modification to Kissimmee Utility Authority (KUA) for its Cane Island Unit 1 located near Intercession City, Osceola County. A Best Available Control Technology (BACT) determination was not required for this modification pursuant to Rule 62-212.400, F.A.C. and 40 CFR 52.21, Prevention of Significant Deterioration (PSD). The applicant's name and address are: Kissimmee Utility Authority, 1701 West Carroll Street, Kissimmee, Florida 34741.

This existing facility consists of a 40 megawatt (MW) General Electric LM60000PA gas-fired simple cycle combustion turbine and a 120 MW General Electric 7EA gas-fired combined cycle unit (combustion turbine with a heat recovery steam generator). The nitrogen oxides (NOx) emission limit applicable to the LM6000PA (Unit 1) is 25 parts per million (ppm) or 36 pounds per hour (lb/hr). By January 1, 1999 this combustion turbine must comply with a limit of 15 ppm or 22 lb/hr.

KUA requests additional time to meet the lower limit using Dry Low Emissions technology. This will allow General Electric additional time to develop solutions based on recent testing conducted in Ohio and Florida. A similar developmental program by General Electric resulted in typical emissions less than 7 ppm by Dry Low NOx technology from the larger 7EA gas combustion turbine at Cane Island, even though it has a limit of 15 ppm.

The difficulties in achieving the lower values are related to the high firing temperature and high compression ratio of the aero-derivative LM6000 series. The Department will allow only one more year (January 1, 2000) and will require KUA to address the permanent solution during the course of the Site Certification and PSD permitting of a new 250 MW General Electric PG7241FA combined cycle unit planned for Cane Island.

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

The Department will accept written comments concerning the proposed permit issuance action for a period of 30 (thirty) days from the date of publication of "Public Notice of Intent to Issue Air Construction 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 modification 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, as well as the rules and statutes which entitle the petitioner to relief; and (f) A demand for relief.

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 above, as required by Rule 28-106.301.

Because the administrative hearing process is designed to formulate final agency action, 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 affected by any such final decision 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., Monday through Friday, except legal holidays, at:

Department of Environmental Protection  
Bureau of Air Regulation  
111 S. Magnolia Drive, Suite 4  
Tallahassee, Florida 32301  
Telephone: 850/488-0114  
Fax: 850/922-6979

Department of Environmental Protection  
Central District Office  
3319 Maguire Boulevard, Suite 232  
Orlando, Florida 32803-3767  
Telephone: 407/894-7555  
Fax: 407/897-2966

The complete project file includes the Draft Permit modification, the application, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the New Resource Review Section at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/488-0114, for additional information.