

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**

OCT 27 1998

BUREAU OF  
AIR REGULATION

October 23, 1998

Mr. C.H. Fancy, P.E.  
Department of Environmental Protection  
Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, FL 32399-2400

Subject: Proof of Publication of the Intent to Issue  
Title V Permit No. 0970043-002-AV

Dear Mr. Fancy:

Attached please find enclosed the proof of publication and a copy of the publication of the intent to issue Title V Permit for our Cane Island Power Park that was published in the Osceola Sentinel on Friday, October 16, 1998.

Sincerely,

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

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

AKS/rw

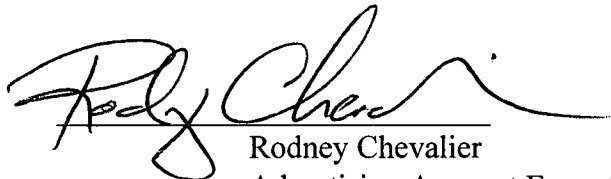
Enclosures

# The Orlando Sentinel

Osceola County  
804 W. Emmett Street  
Kissimmee, Florida 34741

Date: 10/20/98

This is to certify that the attached advertisements did publish in  
The Osceola Sentinel, OCTOBER 16<sup>th</sup>, 1998.

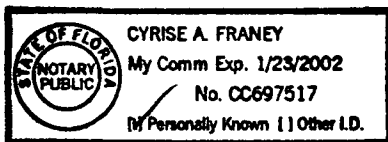


Rodney Chevalier  
Advertising Account Executive  
The Osceola Sentinel

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 20<sup>th</sup> day of Oct,  
1998.



Cyrise A. Franey  
Notary Public  
State of Florida at Large

My commission expires Jan 23, 2002.

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(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 401 M. Street, SW, 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: 850/488-1344  
Fax: 850/922-6979

Affected District:

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, 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. Sheplak, P.E., at the above address, or call 850/488-1344, for additional information.

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

State of Florida  
Department of Environmental Protection

Title V DRAFT Permit No.: 0970043-002-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 to Kissimmee Utility Authority for the Cane Island Power Park located at 6075 Old Tampa Hwy., Intercession City, Osceola County. The applicant's name and address are: Kissimmee Utility Authority, 1701 West Carroll Street, Kissimmee, Florida 34741.

The permitting authority will issue the Title V PROPOSED Permit, and subsequent Title V FINAL Permit, in accordance with the conditions of the Title V DRAFT Permit 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 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, 2600 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, the permitting authority shall issue a Revised DRAFT Permit 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, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/488-9730; Fax: 850/4874938). Petitions must be filed within 14 (fourteen) days of publication of the public notice or within 14 (fourteen) days of receipt of the notice of intent, whichever occurs first. A petitioner must 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 28-5.207 of the Florida Administrative Code.

A petition 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 each 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, as well as the rules and statutes which entitle petitioner to relief; and
- (f) A demand for relief.