



P.O. Box 148
Houston, TX 77001-0148

CERTIFIED MAIL: RETURN RECEIPT REQUESTED

May 11, 2006

Trina L. Vielhauer
Chief, Bureau of Air Regulation
Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

RECEIVED
MAY 15 2006
DIVISION OF AIR
RESOURCES MANAGEMENT

Re: Reliant Energy Osceola Plant
Title V Permit No. 0970071
Application for Construction and Title V Revision

Dear Ms. Vielhauer:

Reliant Energy would like to withdraw its request for an Application for Construction and Title V Revision for the Osceola Generating Station. The application is number 1058-1 and was submitted via your electronic application system on January 20, 2006.

The application is being withdrawn due to language in the draft permit which is incompatible with obligations in our existing power contracts.

We sincerely appreciate all of the time and effort your staff has put forth on this project. Should you have any questions, please contact me at 713.488.7167.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe Araiza".

Joe Araiza
Senior Air Quality Engineer

cc: Tom Cascio, Florida Department of Environmental Protection, Tallahassee

RELIANT ENERGY INDIAN RIVER, LLC
7800 S. U.S. 1
TITUSVILLE FL, 32780

FACSIMILE TRANSMITTAL SHEET

TO: Tom Cascio	FROM: Amy Deese
COMPANY: FDEP	PHONE NUMBER: FAX NUMBER: 321-385-4686
PHONE NUMBER: FAX NUMBER: (850) 922-6979	EMAIL: adeese@reliant.com
RE:	DATE: 5/5/2006
	TOTAL NO. OF PAGES INCLUDING COVER: 4

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

NOTES/COMMENTS:

Sentinel

Published Daily

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State of Florida } S.S.
COUNTY OF ORANGE

Before the undersigned authority personally appeared LeAnne Hill

who on oath says that he/she is the Legal Advertising Representative of Orlando Sentinel, a daily newspaper published at KTSTIMMEE in OSCEOLA County, Florida; that the attached copy of advertisement, being a PUBLIC NOTICE OF in the matter of #0570071-007-AC in the OSCEOLA Court, was published in said newspaper in the issue of 5/20/06

Affiant further says that the said Orlando Sentinel is a newspaper published at KTSTIMMEE in said OSCEOLA County, Florida, and that the said newspaper has heretofore been continuously published in said OSCEOLA County, Florida, each Week Day and has been entered as second-class mail matter at the post office in KTSTIMMEE in said OSCEOLA County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

The foregoing instrument was acknowledged before me this 3 day of MAY, 20 06, by LeAnne Hill who is personally known to me and who did take an oath.

(SEAL)

DEBORAH M. TONEY
Comm# DD0482758
Expires 11/18/2009
Banded thru (800)432-4254
Florida Notary Assn., Inc.

PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT AND A TITLE V AIR OPERATION PERMIT REVISION

Department of Environmental Protection

Draft Air Construction Permit No. 0970071-007-AC
DRAFT Title V Air Operation Permit Revision No. 0970071-005-AV
Reliant Energy Osceola, L.L.C. Facility
Osceola County

The Department of Environmental Protection (permitting authority) gives notice of its intent to issue an Air Construction Permit and a Title V Air Operation Permit Revision to Reliant Energy Osceola, L.L.C. for the Reliant Energy Osceola, L.L.C. Facility located at 3200 West Holopaw Road, St. Cloud, Osceola County. A determination of best available control technology (BACT) was not required. The applicant's name and address are: Mr. Terry E. Gish, Responsible Official, Reliant Energy Osceola, L.L.C., 7800 U.S. Highway One South, Titusville, Florida 32780.

The facility consists of three 170-megawatt gas-fired combustion turbines that occasionally use low sulfur (0.05 percent) fuel oil for backup. The air construction permit, and corresponding Title V permit revision, are to implement the following change: Rate of operation of the turbines shall be limited to 3,000 hours each. Reliant Energy is requesting that the rate be limited to a total of 9,000 hours per twelve month period, of which up to 2,250 hours may be on fuel oil. This change would provide greater flexibility in how the units are dispatched. This change will not result in any type of emissions increase since all three units are essentially identical and total emissions will not change should, for example, one unit operate for 4,000 hours or two units operate for 2,000 hours. The Department has determined that this change does not require a review pursuant to the rule for the Prevention of Significant Deterioration of Air Quality (PSD).

The permitting authority will issue the Air Construction Permit and the PROPOSED Title V Air Operation Permit Revision and subsequent FINAL Title V Air Operation Permit Revision, in accordance with the conditions of the Draft Air Construction Permit and the DRAFT Title V Air Operation 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 Draft Air Construction Permit issuance action for a period of 14 (fourteen) 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, Mall Station #505, 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 Air Construction Permit, the permitting authority shall issue a Revised Draft Air Construction Permit and require, if applicable, another Public Notice.

The Permitting Authority will accept written comments concerning the DRAFT Title V Air Operation Permit Revision for a period of thirty (30) days from the date of publication of this Public Notice. Written comments must be postmarked and all facsimile comments must be received by the close of business (3:00 pm), on or before the end of this 30-day period, by the Permitting Authority at 2600 Blair Stone Road, Mall Station #505, Tallahassee, Florida 32399-2400 or facsimile.

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12000 Blair Stone Road, Mall Station #5508, Tallahassee, Florida 32399-2400 or facsimile (850/922-6979). 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 at <http://flhraq6.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 Title V Air Operation Permit Revision, the Permitting Authority shall issue a Revised DRAFT Title V Air Operation Permit Revision and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

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 the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mall Station #03, 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 120.40(3), F.S., 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. Under Section 120.40(3), F.S., however, any person who asked the permitting authority for notice of agency action may file a petition within 14 (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 120.469 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 (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 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;
- (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the

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and.
(g) A statement of the relief sought by the petitioner, stating precisely the action 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 28-106.30, 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(s) 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 766d(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 766d(b)(1), in object to issuance of any permit revision. Any petition shall be based only on objections to the permit revision that were raised with reasonable specificity during the 30 (thirty) day public comment period provided in this notice. If 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 766d(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: 850/438-0114
Fax: 850/922-6979

Affected District/Local Program:
Department of Environmental Protection
Central District Office
3319 Maguire Boulevard,
Suite 232
Orlando, Florida 32803-3767
Telephone: 407/894-7553
Fax: 407/897-2966

The complete project file includes the Technical Evaluation and Preliminary Determination and associated Draft Air Construction Permit and DRAFT Title V Air Operation Permit Revision, the application(s), and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Permitting Administrator, Permitting South Section, at the above address, or call 850/438-0114, for additional information.
OSC6749622 4/30/06