

LANDERS & PARSONS, P.A.

ATTORNEYS AT LAW

DAVID S. DEE
DIANE K. KIESLING
JOSEPH W. LANDERS, JR.
JOHN T. LAVIA, III
FRED A. McCORMACK
PHILIP S. PARSONS
LESLIE J. PAUGH
ROBERT SCHEFFEL WRIGHT

VICTORIA J. TSCHINKEL
SENIOR CONSULTANT
(NOT A MEMBER OF THE FLORIDA BAR)

MAILING ADDRESS:
POST OFFICE BOX 271
TALLAHASSEE, FL 32302-0271

310 WEST COLLEGE AVENUE
TALLAHASSEE, FL 32301

TELEPHONE (850) 681-0311
TELECOPY (850) 224-5595
www.landersistandparsonson.com

October 6, 2000

Jeff Koerner
Department of Environmental Protection
Division of Air Resources Management
2600 Blair Stone Road, MS 5505
Tallahassee, Florida 32399-2400

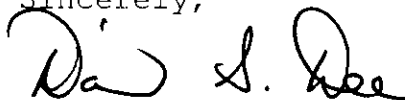
Re: Okeelanta Power Limited Partnership
DEP Draft Permit No. PSD-FL-196K

Dear Jeff:

On September 30, 2000, Okeelanta Power Limited Partnership published notice in The Palm Beach Post concerning DEP's intent to issue an air construction permit modification to Okeelanta Power L.P. A copy of the newspaper notice, and the Proof of Publication from The Palm Beach Post, are enclosed for the Department's files.

Please call me if you have any questions.

Sincerely,



David S. Dee

Enclosures

cc: Bill Tarr (w/enc.)
James Meriwether (w/enc.)

J. Koerner
D. Knowles, SD
G. Starnes, PBCHD
D. Wiley, EPA
G. Bumpah, NPS

RECEIVED

OCT 06 2000

BUREAU OF AIR REGULATION

THE PALM BEACH POST

Published Daily and Sunday
West Palm Beach, Palm Beach County, Florida

PROOF OF PUBLICATION

STATE OF FLORIDA
COUNTY OF PALM BEACH

Before the undersigned authority personally appeared Tyler Dixon, who on oath says that she is Classified Advertising Manager, Inside Sales of The Palm Beach Post, a daily and Sunday newspaper published at West Palm Beach in Palm Beach County, Florida; that the attached copy of advertising, being a Notice in the matter of Intent to Issue Air Construction Permit Modification -- in the Court, was published in said newspaper in the issues of September 30, 2000.

Affiant further says that the said The Post is a newspaper published at West Palm Beach, in said Palm Beach County, Florida, and that the said newspaper has heretofore been continuously published in said Palm Beach County, Florida, daily and Sunday and has been entered as second class mail matter at the post office in West Palm Beach, in said Palm Beach County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she/he 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.

Sworn to and subscribed before this 1 day of October, A.D. 2000.

Personally known XX or Produced Identification _____
Type of Identification Produced _____

NOTARY PUBLIC
STATE OF FLORIDA
Karen McLinton
Notary Public, State of Florida
Commission No. CC 591337
My Commission Exp. 11/15/2000
1-800-3-NOTARY Fla Notary Service & Booking Co

NO. 746787
PUBLIC NOTICE OF INTENT
TO ISSUE AIR CONSTRUCTION
PERMIT MODIFICATION
STATE OF FLORIDA
DEPARTMENT
OF ENVIRONMENTAL
PROTECTION
Project No. 0990332-011-AC
Draft Permit No. PSD-FL-196K
Okeelanta Power L.P.
Palm Beach County

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit modification to Okeelanta Power Limited Partnership to extend emergency standby operation of the sugar mill boilers. Okeelanta Power L.P. operates a biomass cogeneration plant located near Highway 27, approximately 6 miles south of South Bay in Palm Beach County, Florida. Okeelanta Corporation operates a sugar mill and refinery at an adjacent location. The original PSD permit for the cogeneration plant allowed very limited simultaneous operation of the existing sugar mill boilers with the new units in order to achieve commercial operation. The PSD permit also required permanent shutdown of the sugar mill boilers by January 1, 1999, which was later extended to April 1, 2001. The applicant requested an additional two-year extension with the capability of simultaneous operation of the sugar mill boilers with the cogeneration boilers. The proposed draft permit extends emergency standby operation of sugar mill Boiler Nos. 4, 5, 6, 10, 11, 12, 14, and 15 for an additional two years, but only for the case of electrical or mechanical failure of all three cogeneration boilers. The draft permit prohibits simultaneous operation of any of these sugar mill boilers with any of the cogeneration boilers. In addition, these boilers must be shut down and rendered incapable of operation no later than October 1, 2002. In accordance with the original PSD permit, the draft permit allows sugar mill Boiler No. 16 to operate as a standby unit if one or more of the cogeneration boilers is shutdown. The authorized representative of Okeelanta Power Limited Partnership, Mr. Gus Cepero, can be reached at the following mailing address: P.O. Box 9, South Bay, FL 33493. Because simultaneous operation of the sugar mill boilers with the cogeneration boilers is restricted, there are no changes to the previous modeling impacts that were relied upon to permit the existing sugar mill boilers or to permit the cogeneration plant. The Department will issue the Final Permit with the attached conditions unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions. The Department will accept written comments and requests for public meetings concerning the proposed permit issuance action for a period of 30 (thirty) days from the date of publication of this Public Notice of Intent to Issue Air Construction Permit. Written comments and requests for public meetings 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 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 in-

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: 850/922-8979 Department of Environmental Protection South District Office - Air Resources 2295 Victoria Avenue, Suite 364 Ft. Myers, FL 33901-3381 Telephone: 407/894-7555 Fax: 407/897-5963 Palm Beach County Health Department EHE - Air Pollution Control Section 901 Evernia Street West Palm Beach, FL 33401 Telephone: 561/355-3136 Fax: 561/355-2442 The complete project file includes the application, technical evaluations, Draft Permit, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact Al Linero, Administrator of the New Source Review Section, or the Department's reviewing engineer for this project, Jeff Koerner, at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/488-0114, for additional information. PUB: The Palm Beach Post September 30, 2000

terests 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, Mall 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, 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 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 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.

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