



UTILITIES ADMINISTRATION

1900 2ND Avenue North · Lake Worth, Florida 33461 · Phone: 561-586-1665 · Fax: 561-586-1702

July 8, 2008

Mr. Scott Sheplak
Florida Department of Environmental Regulation
Bureau of Air Regulation
2600 Blair Stone Road, MS 5505
Tallahassee, FL 32399

RECEIVED

JUL 11 2008

BUREAU OF AIR REGULATION

Subject: Title V Permit 0990045-005-AV ORIS 0673
Tom G. Smith Municipal Power Plant, Lake Worth, FL
Public Notice of Permit Revision for CAIR

Mr. Sheplak:

Enclosed is an original of the Proof of Publication for the Notice of Intent to Issue a Title V Permit Revision to the Tom G. Smith Municipal Power Plant for the Clean Air Interstate Rule. If you have any questions, please contact me at 561-533-7384 mjohnstone@lakeworth.org or Dave Mulvay at dmulvay@lakeworth.org.

Respectfully Submitted,
CITY OF LAKE WORTH UTILITIES

A handwritten signature in cursive script that reads "M. Johnstone".

Margaret Johnstone
Environmental Compliance Officer

cc: Dave Mulvay, Power Plant Manager/Responsible Official
Mike Ridge, Power Plant Environmental Specialist

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 **Wendy Elliott**, who on oath says that she is **Classified Advertising Manager** 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 for a **Notice** in the matter of **DEP Permit #0990045-006-AV** was published in said newspaper in the issues of **July 6, 2008**. 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. Also published in Martin and St. Lucie Counties.

Wendy Elliott

Sworn to and subscribed before 7th day of July, A.D. 2008

Richard H. Martin

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



Karen M. McLinton
Commission # DD359566
Expires: NOV. 15, 2008
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JUL 11 2008

BUREAU OF AIR REGULATION

NO. 2949179
PUBLIC NOTICE OF
INTENT TO ISSUE TITLE V
AIR OPERATION PERMIT
REVISION
Florida Department of
Environmental Protection
Division of Air Resource
Management, Bureau of Air
Regulation
Draft/Proposed Air Permit
No. 0990045-006-AV
City of Lake Worth Utilities
Tom G. Smith Power Plant
Palm Beach County, Florida
Applicant: The applicant for
this project is the City of
Lake Worth Utilities. The
applicant's authorized repre-
sentative and mailing
address is: Mr. David L.
Mulvey, Power Plant Man-
ager, City of Lake Worth
Utilities, Utilities Administra-
tion, 1900 2nd Avenue
North, Lake Worth, Florida
33461.
Facility Location: The City of
Lake Worth Utilities oper-
ates the existing Tom G.
Smith Power Plant, which is
located at 117 College
Street, Lake Worth, Florida.
Project: The applicant has
submitted a complete and
certified Clean Air Interstate
Rule (CAIR) Part Form and
has requested its incorpora-
tion into the existing Title V
air operation permit.
This existing facility is an
electric power generating
plant and an adjacent
potable water treatment
facility and consists of: Five
2000 kilowatt (kW) diesel
engine generators; one
Fossil Fuel Steam Gener-
ating Unit 3 (S-3); one
simple cycle Gas Turbine #
1, (GT-1); and one Com-
bined Cycle Gas Turbine
Unit, (GT-2/S-5). The com-
bined cycle unit consists of
a gas turbine nominally
rated at 20 megawatt (MW)
and a heat recovery steam
generator (S-5) nominally
rated at 10 MW. Unit 3
began commercial opera-
tion in 1966 and Gas Tur-
bine # 1 began commercial
operation in 1976. The com-
bined cycle unit began
commercial operation in
1978.
Permitting Authority: Applica-
tions for Title V air opera-
tion permits are subject to
review in accordance with
the provisions of Chapter
403, Florida Statutes (F.S.)
and Chapters 62-4, 62-210,
62-213 and 62-296.470 of
the Florida Administrative
Code (F.A.C.). The pro-
posed project is not exempt
from air permitting require-
ments and a Title V air
operation permit is required
to operate the facility. The
Bureau of Air Regulation is
the Permitting Authority
responsible for making a
permit determination for this
project. The Permitting
Authority's physical address
is: 111 South Magnolia
Drive, Suite #4, Tallahas-
see, Florida. The Permitting
Authority's mailing address
is: 2600 Blair Stone Road,
MS #5505, Tallahassee,
Florida 32399-2400. The
Permitting Authority's tele-
phone number is 850/488-
0114.
Project File: A complete
project file is available for
public inspection during the
normal business hours of
8:00 a.m. to 5:00 p.m., Mon-
day through Friday (except
legal holidays), at the
address indicated above for
the Permitting Authority.
The complete project file
includes the Draft/Proposed
Permit, the Statement of
Basis, the application, and
the information submitted by
the applicant, exclusive of
confidential records under
Section 403.111, F.S. Inter-
ested persons may view the
Draft/Proposed Permit by
visiting the following web-
site: <http://www.dep.state.fl.us/air/eproducts/apds/default.asp> and entering the
permit number shown
above.

Interested persons may contact the Permitting Authority's project review engineer for additional information at the address or phone number listed above.

Notice of Intent to Issue Air Permit: The Permitting Authority gives notice of its intent to issue an air permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of proposed equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-296 and 62-297, F.A.C. The Permitting Authority will issue a Final Permit in accordance with the conditions of the proposed Draft/Proposed Permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or, unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

Comments: The Permitting Authority will accept written comments concerning the Draft/Proposed Title V air operation Permit for a period of 30 days from the date of publication of this Public Notice. Written comments must be received by the close of business (5:00 p.m.), on or before the end of this 30-day period by the Permitting Authority at the above address. 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 official web site for notices at Florida Administrative Weekly (FAW) at <http://law.dos.state.fl.us/> 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/Proposed Permit, the Permitting Authority shall issue a Revised Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

Petitions: 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 be filed with (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S. must be filed within 14 days of publication of this Public Notice or receipt of a written notice, 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 14 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 (in a proceeding initiated by another party)

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; the name and 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 rights will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency action or proposed decision; (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, 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 including an explanation of how the alleged facts relate to the specific rules or statutes; and, (g) A statement of the relief sought by the petitioner, stating precisely the action the 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 28-106.301, 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 Public Notice of Intent to Issue Air Permit. 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: Mediation is not available for this proceeding.

EPA Review: EPA has agreed to treat the Draft/Proposed Title V air operation permit as a Proposed Title V air operation permit and to perform its 45-day review provided by the law and regulations concurrently with the public comment period. Although EPA's 45-day review period will be performed concurrently with the public comment period, the deadline for submitting a citizen petition to object to the EPA Administrator will be determined as if EPA's 45-day review period is performed after the public comment period has ended. The Final Title V air operation permit will be issued after the conclusion of the 45-day EPA review period so long as no adverse comments are received that results in a different decision or significant change of terms or conditions. The status regarding EPA's 45-day review of this project and the deadline for submitting a citizen petition can be found at the following website address: <http://www.epa.gov/region4/air/permits/Florida.htm>.

Objections: Finally, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 days of the expiration of the Administrator's 45-day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to the issuance of any Title V air operation permit. Any petition shall be based only on objections to the Permit that were raised with reasonable specificity during the 30-day public comment period provided in the Public 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 62213, 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. For more information regarding EPA review and objections, visit EPA's Region 4 web site at <http://www.epa.gov/region4/air/permits/Florida.htm>.
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