



Department of Environmental Protection

Lawton Chiles
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Virginia B. Wetherell
Secretary

May 19, 1997

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Don Schaberg, General Manager
Osceola Power Limited Partnership
Post Office Box 606
Pahokee, Florida 33476

Re: Completion Date Extension - TDF Tests
Permit AC50-269980/PSD-FL-197
File No. 0990331-003-AC

Dear Mr. Schaberg:

The Department has reviewed Golder Associates' April 23 letter requesting extension of the time provided in the Amendment dated January 22 to conduct tests while burning tire derived fuel at your cogeneration boilers located near Pahokee in Palm Beach County. This request is acceptable and the construction permit expiration date is also amended consistent with the recent extension of time for use of the existing boilers at the sugar mill as follows:

Specific Condition No. 11 of Letter Amendment

FROM:

The existing construction permit is extended until July 1, 1997 to allow time to complete the performance test. If additional time is needed, the permittee shall request an extension of time and provide the Department with documentation of the progress accomplished to date and shall identify the work required to complete the performance test.

TO:

The existing construction permit is extended until April 1, 1998. The tire derived fuel performance test shall be completed by August 31, 1997. If additional time is needed, the permittee shall request an extension of time and provide the Department with documentation of the progress accomplished to date and shall identify the work required to complete the performance test.

A person whose substantial interests are affected by this permit amendment 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, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, telephone: 904/488-9730, fax: 904/487-4938. Petitions must be filed within fourteen days of receipt of this permit amendment. A petitioner must mail a copy of the petition to the applicant at the address indicated above, at the time of

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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 28-5.207 of the Florida Administrative Code.

A petition must contain the following information: (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Permit File Number and the county in which the project is proposed; (b) A statement of how and when each petitioner received notice of the Department's action or proposed action; (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action; (d) A statement of the material facts disputed by petitioner, if any; (e) A statement of the facts that the petitioner contends warrant reversal or modification of the Department's action or proposed action; (f) A statement identifying the rules or statutes that the petitioner contends require reversal or modification of the Department's action or proposed action; and (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the Department to take with respect to the action or proposed action.

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 permit amendment. 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.

This permit amendment is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition and conforms to Rule 62-103.070, F.A.C. Upon timely filing of a petition or a request for an extension of time this permit amendment will not be effective until further order of the Department.

When the Order (Permit Amendment) is final, any party to the Order has the right to seek judicial review of the Order pursuant to Section 120.68, Florida Statutes, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Legal Office; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of appeal must be filed within 30 (thirty) days from the date this Notice is filed with the Clerk of the Department.

A copy of this letter shall be filed with the referenced permit and shall become part of the permit.

Sincerely,



Howard L. Rhodes, Director
Division of Air Resources
Management

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HLR/wh

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this AMENDMENT was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on 5-19-97 to the person(s) listed:

Mr. Don Schaberg, Osceola Power L.P. *
Mr. David Knowles, SD
Mr. James Stormer, PBCPHU

Clerk Stamp

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to §120.52(7), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Kym Jober
(Clerk)

5-19-97
(Date)

P 265 659 218

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to	
Don Schaberg	
Street & Number	
Oceola Power, LP	
Post Office, State, & ZIP Code	
Pahokee, FL	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	
5-19-97	
0990331-003-AE	
PSD-FL-197	

PS Form 3800, April 1995

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- ☐ Addressee's Address
- ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Don Schaberg, Gen. Mgr.
Oceola Power, LP
PO Box 606
Pahokee, FL 33476

4a. Article Number

P 265 659 218

4b. Service Type

- ☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

5-19-97

5. Received By: (Print Name)

Anthony MSPhee

6. Signature: (Addressee or Agent)

X

8. Addressee's Address (Only if requested and fee is paid)

Thank you for using Return Receipt Service.

Memorandum

Florida Department of Environmental Protection

TO: Howard L. Rhodes

THRU: Clair Fancy
Al Linero

FROM: Willard Hanks

DATE: May 13, 1997

SUBJECT: Osceola Power LP
TDF Test Burn Amendment

Attached for your approval and signature is a letter that will amend the construction permit for Osceola Power's cogeneration plant located near Pahokee in Palm Beach County. The amendment changes the approved schedule for the tire derived fuel test burn at this facility. The requested test completion date is August 31, 1997.

The facility's construction permit was extended by rule which then allows operation while the Title V permit application is considered. Activities related to startup, shakedown, etc. continue at the facility. Therefore, we are extending the construction permit to conform to the recent extensions we granted allowing continued operation of the old sugar mill boilers until the cogen plant becomes fully operational.

I recommend your signature and approval.

CHF/wh

Attachment

RECEIVED

MAY 19 1997

BUREAU OF
AIR REGULATION