

**Golder Associates Inc.**

6241 NW 23rd Street, Suite 500  
Gainesville, FL 32653-1500  
Telephone (352) 336-5600  
Fax (352) 336-6603



January 17, 1997

Mr. Clair Fancy, P.E.  
Chief, Bureau of Air Regulation  
Florida Department of Environmental Protection  
2600 Blair Stone Road  
Tallahassee, FL 32399-2400

RECEIVED  
JAN 21 1997  
BUREAU OF  
AIR REGULATION

Re: Draft Permit Amendment No. 0990331-003-AC (PSD-FL-197C)  
Osceola Power Limited Partnership (OsPLP) Cogeneration Facility  
Tire-Derived Fuel Project

Dear Mr. Fancy:

OsPLP has received the draft permit amendment to allow a test burn of tire-derived fuel (TDF) at one boiler located at either OsPLP or the Okeelanta Power Limited Partnership (OkPLP) cogeneration facility. OsPLP is in agreement with the draft permit amendment conditions, but would like to add further clarification in a few areas.

The first point concerns the wording in the second paragraph of the amendment letter, preceding the specific conditions. The wording states that OsPLP is authorized to conduct performance tests on one boiler. However, we would like to clarify that, due to the common fuel feed system for both boilers at the OsPLP facility, the wood waste/TDF blend will be fired in both boilers during the testing, although only one boiler will be performance tested. OsPLP is evaluating the fuel feed system to determine if it is feasible to fire only one boiler with the TDF blend. If this becomes feasible, OsPLP will fire only one boiler with the TDF blend during the performance testing. However, at present we would like to keep the options open in the event that both boilers must be fired with the TDF blend.

In regards to Kathy Anderson's proposed rewording of Specific Condition 4 of the draft amendment letter, the rewording is acceptable except in regards to duplicate analysis of the ash for organics and PCDD/PCDF [conditions 4(c) and 4(d)]. This duplicate analysis is considered unnecessary, particularly considering that organic constituents and PCDD/PCDF are not expected in the ash in high concentrations, and the extremely high cost of performing PCDD/PCDF analysis (\$1,500 per sample). Therefore, we request that only one sample of each the bottom ash and fly ash be analyzed. In order to alleviate concerns over an invalid test result with only one sample, composite sample material will be retained for additional analysis. If the initial analysis results are considered to be invalid for some reason, an additional analysis can then be performed.

The last point is in regards to Specific Conditions 9 and 13 of the draft letter, which relates to calculating emissions changes for rule applicability. It is my understanding, based on Florida rules (i.e., definition of modification), that if the test burn demonstrates that the current permit limits for OsPLP are not exceeded, then a modification would not be triggered, and PSD review would not apply. Based on Florida rules, since the facility is under a construction permit and has not begun normal operations (i.e., no 2-year operating history), actual emissions would equal potential

9651026A/01

Mr. Clair Fancy, P.E.

Page 2

January 17, 1997

(permitted) emissions. Therefore, if permitted emissions are not increased, then there will be no increase in actual emissions.

Thank you for consideration of these comments. Please call if you have any questions concerning this request.

Sincerely,

*David A. Buff*

David A. Buff, P.E.

Principal Engineer

Florida P.E. #19011

SEAL

DB/vjp

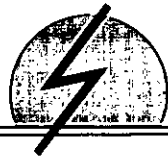
cc: James Meriwether

File (2)

cc: W. Hawks, BAR

SED

Palm Beach Co



**OSCEOLA POWER**

**RECEIVED**

**JAN 21 1997**

**BUREAU OF  
AIR REGULATION**

January 13, 1997

State of Florida  
Department of Environmental Protection  
Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Attn: Mr. A. A. Linero, P.E.  
Administrator  
New Source Review Section

Re: Osceola Power Limited Partnership  
Tire Derived Fuel Project

Dear Mr. Linero:

The "Public Notice of Intent to Issue Air Construction Permit Amendment" (Draft Permit Amendment No. 0990331-003-AC) was published in The Palm Beach Post on December 24, 1996. On January 2, 1997 a copy of the "Proof of Publication" from that newspaper was submitted to the Department. As per your request please find enclosed the original copy of the "Proof of Publication".

If you have any questions please contact me at (561) 924-9000.

Sincerely,

James M. Meriwether  
Environmental Manager

cc: (w/o enclosure)  
D. Schaberg  
M. Keegan  
L. Martos

# 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 Chris Bull  
Class Adv Mgr  
who on oath says that she/he is \_\_\_\_\_ 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 Permit/Osceola  
in the \_\_\_\_\_ Court, was published in said newspaper in  
the issues of December 24, 1996

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.

*Chris Bull*

Sworn to and subscribed before me this 24 day of December A.D. 1996



Karen McLinton  
Notary Public, State of Florida  
Commission No. CC 591337  
My Commission Exp. 11/15/2000

*Karen McLinton*

Karen M. McLinton, Notary Public

Personally known XX or Produced Identification \_\_\_\_\_

Type of Identification Produced \_\_\_\_\_

No. 272384  
LEGAL NOTICE  
PUBLIC NOTICE OF  
INTENT TO ISSUE  
AIR CONSTRUCTION PERMIT  
AMENDMENT  
STATE OF FLORIDA  
DEPARTMENT OF  
ENVIRONMENTAL  
PROTECTION  
DRAFT Permit Amendment  
No: 0990331-003-AC, (PSD-FL-  
197C)  
Osceola  
Cogeneration Plant  
Palm Beach County  
The Department of Environ-  
mental Protection (Depart-  
ment) gives notice of its in-  
tent to issue an air  
construction permit amend-  
ment to Osceola Power Lim-  
ited Partnership to conduct a  
sixty (60) day performance  
test while burning a blend of  
Tire Derived Fuel (TDF) with  
bagasse and/or wood wastes  
at the Cogeneration Plant lo-  
cated near Pahokee, Palm  
Beach County, A Best Avail-  
able Control Technology  
(BACT) determination was not  
required for any pollutants  
pursuant to Rule 62-212.400,  
F.A.C., and 40 CFR 52.21, Pre-  
vention of Significant Deterio-  
ration (PSD). The amendment  
will not cause a violation of  
any state or federal ambient  
air quality standards or incre-  
ments. The applicant's name  
and address are: Osceola  
Power LP, Post Office Box  
606, Pahokee, Florida 33476.  
The plant is already permitted  
to burn bagasse and wood  
wastes as well as coal. Burn-  
ing TDF as planned is not ex-  
pected to significantly in-  
crease emissions compared  
with burning coal as permit-  
ted. Emission controls consist  
of electrostatic precipitators  
for control of particulate mat-  
ter, selective non-catalytic re-  
duction for nitrogen oxides  
and carbon injection for mer-  
cury. The test may provide the  
Department with reasonable  
assurance that the plant can  
burn TDF without contraven-  
ing Department standards,  
rules or permit conditions. The  
Department will consider the  
results of the test burn in eval-  
uating whether to issue a fu-  
ture permit modification to  
Osceola Power LP. Any such  
action will require another  
public notice.  
The Department will issue the  
FINAL Permit Amendment, in  
accordance with the condi-  
tions of the DRAFT Permit  
Amendment unless a response  
received in accordance with  
the following procedures re-  
sults in a different decision or  
significant change of terms or  
conditions.  
The Department will accept  
written comments concerning  
the proposed DRAFT Permit  
Amendment issuance action  
for a period of 14 (fourteen)  
days from the date of publica-  
tion 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 com-  
ments filed shall be made  
available for public inspection.  
If written comments received  
result in a significant change  
in this DRAFT Permit Amend-  
ment, the Department shall is-  
sue a Revised DRAFT Permit  
Amendment and require, if ap-  
plicable, another Public No-  
tice.  
The Department will issue Fi-  
NAL Permit Amendment with  
the conditions of the DRAFT  
Permit Amendment unless a  
timely petition for an adminis-  
trative hearing is filed pursu-  
ant to Sections 120.569 and  
120.57 F.S. or a party re-  
quests mediation as an alter-  
native remedy under Section  
120.573 before the deadline  
for filing a petition. Choosing  
mediation will not adversely  
affect the right to a hearing if  
mediation does not result in a  
settlement. The procedures  
for petitioning for a hearing  
are set forth below, followed  
by the procedures for request-  
ing mediation.  
A person whose substantial in-  
terests are affected by the De-  
partment's proposed permit-  
ting decision may petition for  
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: 904/488-8370, fax: 904/487-4938. Petitions must be filed within (14) days of receipt of this 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 (or a request for mediation, as discussed below) 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 shall 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 facts which 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 petitioner, stating precisely the action that the petitioner wants the Department to take with respect to the action or proposed action addressed in this notice of intent.

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 of intent. 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.

A person whose substantial interests are affected by the Department's proposed permitting decision, may elect to pursue mediation by asking all parties to the proceeding to agree to such mediation and by filing with the Department a request for mediation and the written agreement of all such parties to mediate the dispute. The request and agreement must be filed in (received by) the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, by the same deadline as set forth above for the filing of a petition.

A request for mediation must contain the following information: (a) The name, address, and telephone number of the person requesting mediation and that person's representative, if any; (b) A statement of the preliminary agency action; (c) A statement of the relief sought; and (d) Either an explanation of how the requester's substantial interests will be affected by the action or proposed action addressed in this notice of intent or a statement clearly identifying the petition for hearing that the requester has already filed, and incorporating it by reference.

The agreement to mediate must include the following: (a) The names, addresses, and telephone numbers of any persons who may attend the mediation; (b) The name, address, and telephone number of the mediator selected by the parties, or a provision for selecting a mediator within a specified time; (c) The agreed allocation of the costs and fees associated with the mediation; (d) The agreement of the parties on the confidentiality of discussions and documents introduced during mediation; (e) The date, time, and place of the first mediation session, or a deadline for holding the first session, if no mediator has yet been chosen; (f) The name of each party's representative who shall have authority to settle or recommend settlement; and (g) The signatures of all parties or their authorized representatives.

As provided in section 120.573 F.S., the timely agreement of all parties to mediate will toll the time limitations imposed by sections 120.569 and 120.57 for requesting and holding an administrative hearing. Unless otherwise agreed by the parties, the mediation must be concluded within sixty days of execution of the agreement. If mediation results in settlement of the administrative dispute, the Department must enter a final order incorporating the agreement of the parties. Persons whose substantial interests will be affected by such a modified final decision of the Department have a right to petition for a hearing only in accordance with the requirements for such petitions set forth above. If mediation terminates without settlement of the dispute, the Department shall notify all parties in writing that the administrative hearing processes under sections 120.569 and 120.57 F.S. remain available for disposition of the dispute, and the notice will specify the deadlines that then will apply for challenging the agency action and electing remedies under those two statutes.

A complete project file is available for public inspection during the normal business hours of 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: 904/488-1344  
Fax: 904/922-6979  
Department of Environmental Protection  
South District  
2295 Victoria Avenue,  
Suite 364  
Ft. Myers, Florida 33901  
Telephone: 941/332-6975  
Fax: 941/332-6969  
Palm Beach County  
Public Health Unit  
901 Evernia Street  
West Palm Beach, Florida  
33402-0029; Phone No.:  
407/355-3070  
Fax: 407/355-2442  
(561)355-3435.

The complete project file includes the Draft Permit Amendment, the application, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Administrator, New Resource Review Section at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 904/488-1344, for additional information.  
PUB: The Palm Beach Post  
December 24, 1996

*Oscula*



**RECEIVED**  
JAN 03 1997  
BUREAU OF  
AIR REGULATION

January 2, 1997

State of Florida  
Department of Environmental Protection  
Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Attn: Mr. A.A. Linero, P.E.  
Administrator  
New Source Review Section

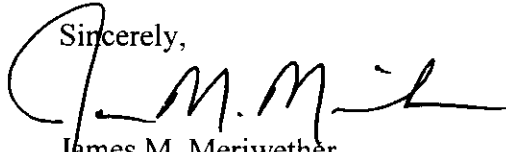
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Dear Mr. Linero:

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If you have any questions please contact me at (561) 924-9000.

Sincerely,



James M. Meriwether  
Environmental Manager

cc: D. Schaberg  
H. Sturm  
G. Cepero  
M. Keegan  
L. Martos  
D. Buff  
D. Dee

cc: S. Ariz  
W. Hanks

# 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 Chris Bull  
who on oath says that she/he is Class Adv Mgr of The Palm Beach Post,  
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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  
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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.

*Chris Bull*

Sworn to and subscribed before me this 24 day of December A.D. 1996



Karen McLinton  
Notary Public, State of Florida  
Commission No. CC 591337  
My Commission Exp. 11/15/2000

1-800-4-NOTARY Fla. Notary Service & Bonding Co.

*Karen McLinton*

Karen M. McLinton, Notary Public

Personally known XX or Produced Identification \_\_\_\_\_

Type of Identification Produced \_\_\_\_\_

No. 272384  
LEGAL NOTICE  
PUBLIC NOTICE OF  
INTENT TO ISSUE  
AIR CONSTRUCTION PERMIT  
AMENDMENT  
STATE OF FLORIDA  
DEPARTMENT OF  
ENVIRONMENTAL  
PROTECTION  
DRAFT Permit Amendment  
No: 0990331-003-AC, (PSD-FL-  
197C)

Osceola  
Cogeneration Plant  
Palm Beach County  
The Department of Environ-  
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and address are: Osceola  
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508, Pahokee, Florida 33476.  
The plant is already permitted  
to burn bagasse and wood  
wastes as well as coal. Burn-  
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pected to significantly in-  
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with burning coal as permit-  
ted. Emission controls consist  
of electrostatic precipitators  
for control of particulate mat-  
ter, selective non-catalytic re-  
duction for nitrogen oxides  
and carbon injection for mer-  
cury. The test may provide the  
Department with reasonable  
assurance that the plant can  
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suant to Sections 120.569 and  
120.57 F.S. or a party re-  
quests mediation as an alter-  
native remedy under Section  
120.573 before the deadline  
for filing a petition. Choosing  
mediation will not adversely  
affect the right to a hearing if  
mediation does not result in a  
settlement. The rules of proce-  
dure for mediation are set forth  
in the Department's Mediation  
Rules, which are available for  
inspection at the Department's  
Bureau of Air Regulation.

ing mediation. A person whose substantial interests are affected by the Department's 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, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Telephone: 904/488-6370; Fax: 904/487-4938. Petitions must be filed within (14) days of receipt of this 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 (or a request for mediation, as discussed below) 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.

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- (e) A statement of facts which 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 petitioner, stating precisely the action that the petitioner wants the Department to take with respect to the action or proposed action addressed in this notice of intent.

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A person whose substantial interests are affected by the Department's proposed permitting decision, may elect to pursue mediation by asking all parties to the proceeding to agree to such mediation and by filing with the Department a request for mediation and the written agreement of all such parties to mediate the dispute. The request and agreement must be filed in (received by) the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, by the same deadline as set forth above for the filing of a petition.

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Filed in the Office of Clerk of Circuit Court

19

Clerk

By \_\_\_\_\_ D.C.

Complainant's Solicitor.



tion: (a) The name, address, and telephone number of the person requesting mediation; and that person's representative, if any; (b) A statement of the preliminary agency action; (c) A statement of the relief sought; and (d) Either an explanation of how the requester's substantial interests will be affected by the action or proposed action addressed in this notice of intent or a statement clearly identifying the petition for hearing that the requester has already filed, and incorporating it by reference.

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As provided in section 120.573 F.S., the timely agreement of all parties to mediate will toll the time limitations imposed by sections 120.569 and 120.57 for requesting and holding an administrative hearing. Unless otherwise agreed by the parties, the mediation must be concluded within sixty days of execution of the agreement. If mediation results in settlement of the administrative dispute, the Department must enter a final order incorporating the agreement of the parties. Persons whose substantial interests will be affected by such a modified final decision of the Department have a right to petition for a hearing only in accordance with the requirements for such petitions set forth above. If mediation terminates without settlement of the dispute, the Department shall notify all parties in writing that the administrative hearing processes under sections 120.569 and 120.57 F.S. remain available for disposition of the dispute, and the notice will specify the deadlines that then will apply for challenging the agency action and electing remedies under those two statutes.

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Department of Environmental Protection

Bureau of Air Regulation  
111 S. Magnolia Drive, Suite 4  
Tallahassee, Florida 32301

Telephone: 904/488-1344

Fax: 904/922-6979

Department of Environmental Protection

South District

2295 Victoria Avenue,

Suite 364

Fl. Myers, Florida 33901

Telephone: 941/332-6975

Fax: 941/332-6969

Palm Beach County

Public Health Unit,

901 Evernia Street

West Palm Beach, Florida

33402-0029; Phone No.:

407/355-3070

Fax: 407/355-2442

(561)355-3435.

The complete project file includes the Draft Permit Amendment, the application, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Administrator/Lead Resource Review Section at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 904/488-1344.