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EW  
into memo

May 8, 1998

State of Florida  
Department of Environmental Protection  
Twin Towers Office Building  
2600 Blair Stone Road, MS #5505  
Tallahassee, Florida 32399-2400

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

Re: Osceola Cogeneration Facility  
Draft Permit Modification No. 0990331-007-AC  
(PSD-FL-197)

Dear Mr. Linero:

Please find enclosed the original copy of the Proof of Publication for the "Public Notice of Intent to Issue Air Construction Permit Modification". The Notice was published in the Palm Beach Post on May 1, 1998. If you have any questions please contact me at (561) 993-1003.

Sincerely,

James M. Meriwether  
Environmental Manager

cc: Carlos Rionda  
Bill Tarr  
David Dee

cc: W. Hanks, BAR

SD

palm Bch Co.

D. Thompson, BDES

EPA  
NPS

**BEST AVAILABLE COPY**  
**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 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, being a Notice in the matter of Intent to Issue Air Construction Permit Modification -- Court, was published in said newspaper in the issues of May 1, 1998.

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 1 day of May A.D. 1998

*[Signature]*

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 & Bonding Co.  
~~~~~

Department of Environmental  
Protection  
South Florida District  
2295 Victoria Avenue,  
Suite 364  
Fort Myers, Florida 33901  
Telephone: 941/332-6975  
Division of Environmental  
Science and Engineering  
Palm Beach County  
Health Unit  
901 Evernia Street  
West Palm Beach, Florida  
33401  
Telephone: 561/355-3070  
Department of Environmental  
Protection  
Southeast District  
400 N. Congress Avenue  
Reception 2nd Floor  
West Palm Beach, Florida  
33416  
Telephone: 561-661-6600  
The complete project file in-  
cludes the Draft Permit Modifi-  
cation, the request, and the in-  
formation submitted by the  
responsible official, exclusive  
of confidential records under  
Section 403.111, F.S. Interest-  
ed persons may contact the  
Administrator, New Resource  
Review Section at 111 South  
Magnolia Drive, Suite 4, Tal-  
lahassee, Florida 32301, or call  
850/488-1344, for additional  
information.  
PUB: The Palm Beach Post  
May 1, 1998

of the Florida Administrative  
Code. Mediation is not avail-  
able for this action.

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 pro-  
ject is proposed; (b) A state-  
ment of how and when each  
petitioner received notice of  
the Department's action or  
proposed action; (c) A state-  
ment of how each petitioner's  
substantial interests are af-  
fected 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 con-  
tends warrant reversal or  
modification of the Depart-  
ment's action or proposed ac-  
tion; (f) A statement identify-  
ing the rules or statutes that  
the petitioner contends re-  
quire reversal or modification  
of the Department's action or  
proposed action; and (g) A  
statement of the relief sought  
by the petitioner, stating pre-  
cisely the action that the pe-  
titioner wants the Department  
to take with respect to the ac-  
tion or proposed action.  
Because the administrative  
hearing process is designed  
to formulate final agency ac-  
tion, 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. Per-  
sons whose substantial inter-  
ests will be affected by any  
such final decision of the De-  
partment on the application  
have the right to petition to  
become a party to the pro-  
ceeding, in accordance with  
the requirements set forth  
above.

A complete project file is  
available for public inspection  
during normal business hours,  
8:00 a.m. to 5:00 p.m., Mon-  
day through Friday, except le-  
gal holidays, at:  
Department of Environmental  
Protection  
Bureau of Air Regulation  
111 S. Magnolia Drive, Suite 4  
Tallahassee, Florida 32301  
Telephone: 850/488-1344

TO ISSUE AIR CONSTRUCTION  
PERMIT MODIFICATION  
STATE OF FLORIDA  
DEPARTMENT  
OF ENVIRONMENTAL  
PROTECTION  
DRAFT Permit Modification  
No. 0990331-007-AC,  
PSD-FL-197  
Osceola Power  
Limited Partnership  
Palm Beach County

The Department of Environ-  
mental Protection (Depart-  
ment) gives notice of its intent  
to issue an air construction  
permit modification to Osceola  
Power Limited Partnership for  
the cogeneration plant lo-  
cated near Pahokee, Palm  
Beach County. A Best Avail-  
able Control Technology  
(BACT) determination was not  
required for this modification  
pursuant to Rule 62-212.400,  
F.A.C. and 40 CFR 52.21, Pre-  
vention of Significant Deterio-  
ration (PSD). The modification  
will not result in an increase in  
allowable emissions from the  
cogeneration facility, and 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 Limited Partnership,  
P.O. Box 606, Pahokee, FL  
33476.

The modification will allow an  
additional two years for con-  
current operation of the Osceola  
Farms' existing boilers and  
the new cogeneration boilers  
while problems with the inter-  
connections between the two  
plants are being resolved.

The Department will issue the  
FINAL Permit Modification, in  
accordance with the condi-  
tions of the DRAFT Permit  
Modification unless a re-  
sponse received in ac-  
cordance with the following pro-  
cedures results in a different  
decision or significant change  
of terms or conditions.

The Department will accept  
written comments concerning  
the proposed DRAFT Permit  
Modification issuance action  
for a period of 30 (thirty) days  
from the date of publication of  
this Notice. Any written com-  
ments 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 Modifi-  
cation, the Department shall  
issue a Revised DRAFT Permit  
Modification and require, if ap-  
plicable, another Public No-  
tice.

The Department will issue Fi-  
NAL Permit Modification with  
the conditions of the DRAFT  
Permit Modification unless a  
timely petition for an adminis-  
trative hearing is filed pursu-  
ant to Sections 120.569 and  
120.57, F.S. The procedures  
for petitioning for a hearing  
are set forth below. Mediation  
is not available for this action.  
A person whose substantial in-  
terests are affected by this  
permit amendment may peti-  
tion for an administrative hear-  
ing in accordance with Sec-  
tions 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 Com-  
monwealth Boulevard, Mail  
Station #35, Tallahassee,  
Florida 32399-3000, Tele-  
phone: 850/488-9790, fax:  
850/487-4938. 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  
filing. The failure of any per-  
son 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 interven-  
tion will be only at the approv-  
al of the presiding officer  
upon the filing of a motion in  
compliance with Rule 28-5.207