



# Department of Environmental Protection

Lawton Chiles  
Governor

Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400  
Notice of Permit Amendment

Virginia B. Wetherell  
Secretary

In the Matter of an  
Application for Permit Amendment

DEP File No. AC 50-269980  
PSD-FL-197A  
County: Palm Beach

Mr. S. Don Schaberg  
General Manager  
Osceola Power Limited Partnership  
Post Office Box 679  
Pahokee, Florida 33476

Enclosed is a letter that amends Permit Number AC 50-269980/PSD-FL-197A. The amendment authorizes additional time for simultaneous operation of the existing bagasse boilers at the adjacent sugar mill and the new biomass cogeneration boilers while technical problems with the new boilers and bagasse feed systems are being corrected. This permit amendment is issued pursuant to Section 403, Florida Statutes.

Any party to this Order (permit) has the right to seek judicial review of the permit pursuant to Section 120.68, Florida Statutes, by filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, 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 14 days from the date this Notice is filed with the Clerk of the Department.

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

C. H. Fancy, P.E., Chief  
Bureau of Air Regulation  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400  
904-488-1344

## CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this NOTICE OF PERMIT AMENDMENT and all copies were mailed before the close of business on 6-14-96 to the listed persons.

Clerk Stamp

## FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to §120.52(11), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

  
Clerk

6-14-96  
Date

Copies furnished to:

David Knowles, SD  
James Stormer, PBCHU  
John Bunyak, NPS  
David Dee, Landers & Parsons

Isidore Goldman, SED  
Jewell Harper, EPA  
David Buff, KBN

P 339 251 107

US Postal Service

# Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to	S. Don Schaberg
Street & Number	Osceola Power
Post Office, State, & ZIP Code	Palmdale, 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	AC50-269980 6-18-96 P30-FI-197A 14 Palmdale Bch

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, and 4a & b.
- 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.

### 3. Article Addressed to:

Mr. S. Don Schaberg, G.7K.  
Osceola Power, LP  
PO Box 679  
Palmdale, FL 33476

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

- ☐ Addressee's Address
- ☐ Restricted Delivery

Consult postmaster for fee.

### 4a. Article Number

P 339 251 107

### 4b. Service Type

- |   |   |
|---|---|
| <input type="checkbox"/> Registered           | <input type="checkbox"/> Insured                        |
| <input checked="" type="checkbox"/> Certified | <input type="checkbox"/> COD                            |
| <input type="checkbox"/> Express Mail         | <input type="checkbox"/> Return Receipt for Merchandise |

### 7. Date of Delivery

6-18-96

### 5. Signature (Addressee)

### 6. Signature (Agent)

Calvin B. Bissie

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

PS Form 3811, December 1991 ★U.S. GPO: 1993-352-714

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.

FINAL DETERMINATION

Osceola & Okeelanta Power L.P.  
AC 50-269980/PSD-FL-197A  
AC 50-219413/PSD-FL-196

The Intent to Issue construction permit amendments to Osceola & Okeelanta Power L.P. for their cogeneration facilities constructed adjacent to sugar mills in Palm Beach County was distributed on May 8, 1996. The Notice of Intent to Issue Permit was published in the Palm Beach Post on May 20, 1996. Copies of the evaluation were available for public inspection at the Department offices in West Palm Beach, Ft. Myers, and Tallahassee and at the Palm Beach County Health Unit in West Palm Beach.

Comments on the Department's Intent were submitted by the applicant. The applicant requested that the permit amendments be issued to the General Managers of each facility instead of the Vice President for both facilities. This request is acceptable to the Department.

The final action of the Department will be to issue letters amending the referenced construction permits as proposed except for the change noted above.



# Department of Environmental Protection

Lawton Chiles  
Governor

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

Virginia B. Wetherell  
Secretary

June 12, 1996

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. S. Don Schaberg, General Manager  
Osceola Power Limited Partnership  
Post Office Box 679  
Pahokee, Florida 33476

Dear Mr. Schaberg:

Re: Amendment of Permit  
AC 50-269980/PSD-FL-197A

The Department has reviewed KBN's April 16 letter requesting that the referenced permit be amended to allow additional time for the simultaneous operation of Osceola Farm's existing sugar mill bagasse boilers and the new cogeneration boilers at the facilities located near Pahokee, Palm Beach County, Florida. This request is acceptable and the referenced permit is amended as follows:

FROM:

17. During the first three years of commercial cogeneration facility operation, the existing Boilers Nos. 2, 3, 4, 5, and 6 (Permit Nos. AC 50-203679, 165813, 203680, 165626, and 165814, respectively) may be retained for standby operation provided their operating permits are valid.

During the period from initial firing to commercial operation, both cogeneration boilers can be operated simultaneously with the existing boilers. Only biomass and No. 2 fuel oil may be used in the cogeneration boilers during this period. If more than 570,000 lb/hr steam, (24-hour average) is generated in the cogeneration boilers, steam in excess of 570,000 lb/hr (24-hour average) must be sent to the Osceola sugar mill, and the existing boiler's steam production reduced by an equivalent amount. This period shall not exceed a total duration of 12 months. During this 12-month period, simultaneous operation of the existing boilers and the cogeneration boilers shall not occur on more than a total of 120 calendar days.

Mr. S. Don Schaberg  
Page Two  
June 12, 1996

After the first year of cogeneration facility operation, the existing boilers may be operated only when both new cogeneration boilers are shutdown. During operation, the existing boilers must meet all requirements in the most recent construction and operation permits for the boilers. The existing boilers shall be shutdown and rendered incapable of operation within three (3) years of commercial startup of the cogeneration facility, but no later than January 1, 1999.


TO:

17. During the first three years of commercial cogeneration facility operation, the existing Boilers Nos. 2, 3, 4, 5, and 6 (Permit Nos. AC 50-203679, 165813, 203680, 165626, and 165814, respectively) may be retained for standby operation provided their operating permits are valid.

During the period from initial firing **through April 1, 1997**, both cogeneration boilers can be operated simultaneously with the existing boilers. Only biomass and No. 2 fuel oil may be used in the cogeneration boilers during this period. If more than 570,000 lb/hr steam, (24-hour average) is generated in the cogeneration boilers, steam in excess of 570,000 lb/hr (24-hour average) must be sent to the Osceola sugar mill, and the existing boiler's steam production reduced by an equivalent amount. **After April 1, 1997**, the existing boilers may be operated only when both new cogeneration boilers are shutdown **or in the process of immediately shutting down**. During operation, the existing **sugar mill** boilers must meet all requirements in the most recent construction and operation permits for the boilers. The existing **sugar mill** boilers shall be shutdown and rendered incapable of operation within three (3) years of commercial startup of the cogeneration facility, but no later than January 1, 1999.

A copy of this letter shall be attached to the referenced permit and shall become a condition of that permit.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

  
Howard L. Rhodes, Director  
Division of Air Resources  
Management

Mr. S. Don Schaberg  
Page Three  
June 12, 1996

**CERTIFICATE OF SERVICE**

The undersigned duly designated deputy clerk hereby certifies that all copies of this INTENT TO ISSUE PERMIT AMENDMENT all copies were mailed by certified mail before the close of business on 6-14-96 to the listed persons.

Clerk Stamp

**FILING AND ACKNOWLEDGMENT**

**FILED**, on this date, pursuant to §120.52(11), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Lynn D. Ober      6-14-96  
Clerk                                  Date

HLR/wh/t

Attachment: KBN's April 16, 1996 letter

Copies furnished to:

David Knowles, SD  
Isidore Goldman, SED  
James Stormer, PBCHD  
Jewell Harper, EPA  
John Bunyak, NPS  
David Buff, KBN  
David Dee, Landers & Parsons



099033 /  
Rogers  
**RECEIVED**

April 16, 1996

APR 17 1996

BUREAU OF  
AIR REGULATION

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

Re: Osceola Power Limited Partnership Cogeneration Facility

Dear Mr. Fancy:

Osceola Power Limited Partnership was permitted to construct a 60 megawatt (MW) cogeneration facility in 1993 under air construction permit AC50-219795; PSD-FL-197. Construction of the facility began a short time later. The air construction permit was subsequently revised in September 1995 to incorporate certain changes in the facility design, including increasing the electrical generation capacity to 74 MW (AC50-269980; PSD-FL-197A). The facility began debugging tests in October 1995.

On behalf of Osceola Power, the purpose of this letter is to request an amendment of the construction permit as described below.

#### The Construction Permit

Specific Condition 17 of the amended PSD permit addresses simultaneous operation of the cogeneration facility boilers and the existing Osceola Farms sugar mill boilers. This condition allows the existing sugar mill boilers (Boiler Nos. 2, 3, 4, 5 and 6) to be retained for standby operation during the first three years of commercial operation of the cogeneration facility. During this three year period, the following conditions apply:

#### 1. Simultaneous Operation of Cogen and Sugar Mill Boilers

- A. This period is limited to the time from initial firing to commercial operation of the cogeneration boilers, but shall not exceed a total duration of 12 months.
- B. Both cogeneration boilers can be operated simultaneously with the existing mill boilers.
- C. Only biomass or No. 2 fuel oil can be fired in the cogeneration boilers during such periods.
- D. Simultaneous operation is limited to 120 calendar days.

16102A/1

6241 Northwest 23rd Street  
Suite 500  
Gainesville, Florida 32553-1500  
352-336-5600 FAX 352-336-6603

5406 West Cypress Street  
Suite 215  
Tampa, Florida 33607  
813-287-1717 FAX 813-287-1716

1801 Clint Moore Road  
Suite 105  
Boca Raton, Florida 33487  
407-994-0910 FAX 407-994-9393

7755 Baymeadows Way  
Suite 105  
Jacksonville, Florida 32256  
904-739-5600 FAX 904-739-7777

1616 P Street NW  
Suite 350  
Washington, DC 20036  
202-462-1100 FAX 202-462-2270



## 2. Standby Operation of the Existing Sugar Mill Boilers

- A. After the first year of cogeneration facility operations, the existing sugar mill boilers may only be operated when both cogeneration boilers are shutdown.
- B. The existing mill boilers must be permanently shutdown within three years of commercial startup of the cogeneration facility, but no later than January 1, 1999.

### Conditions During Initial Tests

The cogeneration facility first fired fuel in the two boilers in November 1995. From this time through early February 1996, the cogen facility was isolated from the sugar mill, while debugging and testing of the cogen facility was being conducted. Beginning in mid-February 1996 and continuing through March, connections were attempted between the cogen facility and sugar mill. However, these connection attempts were not successful. The sugar mill ended its crop season on March 21, 1996, and no further connections can be attempted until the next crop season which will begin around October 16, 1996.

Due to the technical problems in the startup of the cogen facility, and the unsuccessful attempts at connecting to the sugar mill during the 1995-1996 crop season, Osceola Power needs an extension in the length of time allowed in the construction permit for simultaneous operation of the cogen boilers and existing boilers.

During the 1995-1996 crop season, technical problems in the cogeneration plant, unrelated to connections with the sugar mill, hindered the performance of the cogeneration plant. Because of these problems, there was not enough time for connections with the sugar mill to be debugged. The impact and difficulty of using many fuel combinations in the cogeneration facility (i.e., wood chips, clean wood from C&D debris, bagasse, etc.) were underestimated. Osceola Power currently is trying to determine whether improvements or changes are needed in certain plant components. The use of bagasse fuel also has presented unanticipated problems with the new boilers and associated fuel feed systems.

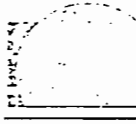
The bagasse conveying and feeder system, and boiler performance when burning bagasse, can only be debugged during the crop season, when bagasse is available and the mill is consuming steam under actual operating conditions.

### Request for Extension of Time

Osceola Power has a significant incentive to successfully connect to the sugar mill in the shortest possible time. Operation of the existing sugar mill boilers, with associated manpower and operating costs, results in a significant economic penalty to the sugar mill. Continued technical difficulties in connecting with the sugar mill also result in economic penalties to the cogeneration facility. Therefore, Osceola Power will make every effort to limit the time needed for simultaneous operation of the cogen and sugar mill boilers.

However, Osceola Power cannot predict how quickly all of these technical problems can be resolved. It is estimated that during the next crop season, 25 to 30 connection trials may be needed to debug and





increase the reliability of the complete cogen-sugar mill system that will replace the existing sugar mill boiler operation. Osceola Power hopes to start and conclude these tests as expeditiously as possible, but cannot predict when these tests will be conducted during the Osceola crop season or how long they will take.

In the light of the problems it experienced this crop year, and to maintain flexibility for testing next crop year, Osceola Power is requesting that the time for simultaneous operation be extended through the next crop season (October 16, 1996 through April 1, 1997). During simultaneous operation, Osceola Power will continue to fire only biomass or No. 2 fuel oil. The cogen facility will continue to comply with all other provisions of the current construction permit. The sugar mill will comply with all of the applicable permit limits for its boilers.

Ambient and Other Impacts

The air quality impacts associated with simultaneous operation of the Osceola Power cogeneration boilers and the Osceola Farms sugar mill boilers were addressed in the previous air construction permit applications and permitting process. The impacts associated with simultaneous operation remain the same as previously presented. As previously noted, the simultaneous operation of the cogen facility and sugar mill will not cause or contribute to a violation of any ambient air quality standard or PSD increment. The current request only extends the time during which such impacts may occur.

Your prompt consideration of this request for a permit amendment is greatly appreciated. Enclosed is a check no. 19707, in the amount of \$250 to cover the Department's processing fee for this permit amendment. Please call me if you have any question concerning this request.

Sincerely,

David A. Buff, P.E.  
Principal Engineer

cc: Carlos Rionda  
Jorge Cabrera  
Bill Tarr  
Don Schaberg  
David Dee  
James Stormer  
Willard Hanks

DB/mlb

Memorandum

Florida Department of  
Environmental Protection



To: Howard L. Rhodes  
Thru: Clair Fancy *cc for CHT*  
A. A. Linero *A. A. Linero*  
From: Willard Hanks  
Date: June 12, 1996  
Subject: Amendment of Permit  
Osceola & Okeelanta Power L.P.

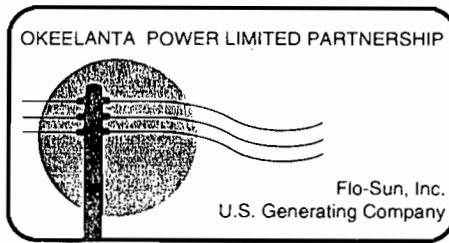
Attached for your approval and signature are letters that will amend the construction permits for Osceola and Okeelanta Power L.P. cogeneration facilities which are located at sugar mills in Palm Beach County. The amendment will allow additional time, until April 1, 1997, for operation of the existing sugar mill boilers while the technical problems with the new boilers and bagasse feed systems are corrected. The facilities shall comply with all other provisions of the construction permits.

The only comments submitted in response to the Notice of Intent were from the applicants. They requested that the permit amendment letters be issued to the General Manager of each facility instead of the Vice President of the facilities. The Department accepts this request.

I recommend your approval and signature for the attached two letters amending the construction permits for these facilities.

WH/t

Attachment



May 28, 1996

Mr. Clair Fancy  
 Department of Environmental Protection  
 Bureau of Air Regulation  
 2600 Blair Stone Road, MS 5505  
 Twin Towers Office Building  
 Tallahassee, Florida 32399

**RECEIVED**

JUN 4 1996

BUREAU OF  
 AIR REGULATION

Re: Proof of Publication  
 Okeelanta Power Limited Partnership  
 AC 50-219413/PSD-FL-196  
 Osceola Power Limited Partnership  
 AC 50-269980/PSD-FL-197A

Dear Mr. Fancy:

Pursuant to Section 403.815, F.S., and Rule 62-103.150, F.A.C., the Okeelanta and Osceola Power Limited Partnerships published the "Notice of Intent to Issue Permit Amendment" in the Palm Beach Post on Monday, May 20, 1996. This amendment would allow for simultaneous operation of the cogeneration plant boilers and sugar mill boilers until April 1, 1997. Please find the attached "Proof of Publication" for that notice.

If you have any questions please contact me at (407) 993-1003.

Sincerely,

James M. Meriwether  
 Environmental, Health  
 and Safety Representative

cc: Ajaya K. Satyal - HRS/PBCo  
 David M. Knowles - FDEP/Ft. Myers  
 D. Space - OkPLP  
 D. Schaberg - OsPLP  
 C. Rionda - Osceola Farms  
 M. Capone - Okeelanta Corp.  
 B. Tarr - Flo-Sun, Inc.

## THE PALM BEACH POST

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

## PROOF OF PUBLICATION

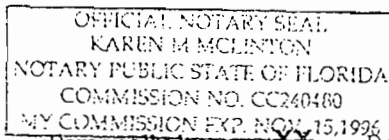
STATE OF FLORIDA  
COUNTY OF PALM BEACH

Before the undersigned authority personally appeared Chris Bull  
who on oath says that she/he is Class Adv Mgr of The Palm Beach Post,  
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  
in the --- Court, was published in said newspaper in  
the issues of May 20, 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 21 day of May A.D. 19 96



*Karen M. McLinton*  
Karen M. McLinton, Notary Public

Personally known XX or Produced Identification ---

Type of Identification Produced ---

publication of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 60Q-2.010, Florida Administrative Code. The application/request is available for public inspection during normal business hours, 8:00 am. to 5:00 pm., Monday through Friday, except legal holidays, at: 111 S. Magnolia Drive, Suite 4, Tallahassee, FL 32301; 2295 Victoria Ave., Suite 364, Ft. Myers, FL 33901; 400 N. Congress Ave., West Palm Beach, FL 33401; and at the Palm Beach County Public Health Unit located at: 901 E. Evernia, West Palm Beach, FL 33402-0029. Any person may send written comments on the proposed action to the Administrator, New Source Review Section, at the Department's Tallahassee address. All comments received within 30 days of the publication of this notice will be considered in the Department's final determination. PUB: The Palm Beach Post May 20, 1996

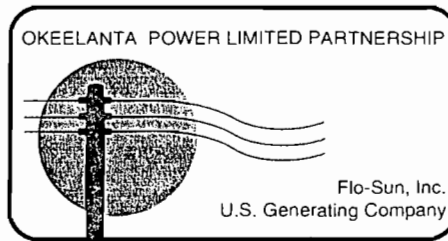
RECEIVED

MAY 28 1996

OPLP

No. 138629  
LEGAL NOTICE  
STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
NOTICE OF INTENT  
TO ISSUE PERMIT  
AC 50-219413/PSD-FL-196  
AC 50-269980/PSD-FL-187A  
The Department of Environmental Protection (Department) gives notice of its intent to amend the air construction permits issued to Okeelanta Power and Osceola Power Limited Partnerships, Post Office Box 86, South Bay, Florida 33493, for the cogeneration facilities located at the Okeelanta and Osceola Farms sugar mills near South Bay and Pahokee, Palm Beach County, Florida. The amendments will allow additional time, until April 1, 1997, for the simultaneous operation of existing sugar mill boilers with the new cogeneration facility boilers when they are firing biomass or No. 2 fuel oil while the technical problems with the new boilers and bagasse feed systems are corrected. The existing sugar mill Boilers Nos. 4, 5, 6, 10, 11, 12, 14, and 15 at Okeelanta and Boilers Nos. 2, 3, 4, 5, and 6 at Osceola Farms will be permanently shutdown within three years of commercial startup of the cogeneration plants, but no later than January 1, 1999. The facilities shall comply with all other emissions or ambient concentrations of any air pollutant is authorized by these amendments. These amendments do not require new Best Available Control Technology (BACT) determinations. A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes (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 at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within 14 days of publication of this notice. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, F.S.  
The Petition shall contain the following information: (a) the name, address, and telephone number of each petitioner, the applicant's name and address, the Department 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 of which rules or statutes 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 petitioner wants the Department to take with respect to the Department's action or proposed action.  
If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, 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 decision of the Department with regard to the application have the right to be heard and to become parties to the proceeding. Persons who wish to conform to the requirements specified above and to file (received) within 14 days of

May 21, 1996



**RECEIVED**

**MAY 23 1996**

**BUREAU OF  
AIR REGULATION**

Mr. Clair Fancy  
Department of Environmental Protection  
Bureau of Air Regulation  
2600 Blair Stone Road, MS 5505  
Twin Towers Office Building  
Tallahassee, Florida 32399

Re: Okeelanta Power Limited Partnership  
AC 50-219413/PSD-FL-196  
Osceola Power Limited Partnership  
AC 50-269980/PSD-FL-197A

Dear Mr. Fancy:

In reference to the notice of intent to issue permit amendments to allow for simultaneous operation of the cogeneration plant and sugar mill boilers until April 1, 1997 please make the following permanent changes to the facility addressee's for all future correspondence.

Mr. Dennis V. Space  
General Manager  
Okeelanta Power Limited Partnership  
P.O. Box 8  
South Bay, Florida 33493

Mr. S. Don Schaberg  
General Manager  
Osceola Power Limited Partnership  
P. O. Box 679  
Pahokee, Florida 33476

If you have any questions please contact me at (407) 993-1003.

Sincerely,

A handwritten signature in dark ink, appearing to read "J. M. Meriwether".

James M. Meriwether  
Environmental, Health  
and Safety Representative

cc: D. Space - OkPLP D. Schaberg - OsPLP

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

CERTIFIED MAIL

In the Matter of an  
Application for Permit Amendment

DEP File Nos.  
AC 50-219413/PSD-FL-196  
AC 50-269980/PSD-FL-197A  
County: Palm Beach

Mr. Gus R. Cepero, Vice President  
Okeelanta Power Limited Partnership  
Osceola Power Limited Partnership  
Post Office Box 86  
South Bay, Florida 33493

INTENT TO ISSUE

The Department of Environmental Protection gives notice of its intent to issue permit amendments (copies attached) for the applicant's facilities as detailed in the requests specified above for the reasons stated below.

The applicant, Okeelanta Power and Osceola Power Limited Partnerships, requested on April 17, 1996, that the existing air construction permits be amended to authorize additional time for simultaneous operation of the existing bagasse boilers at the adjoining sugar mills and the new biomass cogeneration boilers while technical problems with the new boilers and bagasse feed systems are being corrected.

The Department has permitting jurisdiction under the provisions of Chapter 403, Florida Statutes (F.S.), and Chapters 62-212 and 62-4, Florida Administrative Code (F.A.C.). The project is not exempt from permitting procedures. The Department has determined that a permit amendment is required for the proposed change.

Pursuant to Section 403.815, F.S., and Rule 62-103.150, F.A.C., you (the applicant) are required to publish at your own expense the enclosed Notice of Intent to Issue Permit Amendment. The notice shall be published one time only within 30 days in the legal ad section of a newspaper of general circulation in the area affected. For the purpose of this rule, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper

Mr. Gus R. Cepero  
Page Two  
Intent to Issue

meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. The applicant shall provide proof of publication to the Department's Bureau of Air Regulation, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within seven days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit amendment.

The Department will issue the permit amendment with the attached conditions unless a petition for an administrative proceeding (hearing) is filed pursuant to the provisions of Section 120.57, F.S.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 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 at 3900 Commonwealth Blvd., MS 35, Tallahassee, Florida 32399-3000. Petitions filed by the permit applicant and the parties listed below must be filed within 14 days of receipt of this intent. Petitions filed by other persons must be filed within 14 days of publication of the public notice or within 14 days of their receipt of this intent, whichever first occurs. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, F.S.

The Petition shall contain the following information;

- (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department 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 of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and,

Mr. Gus R. Cepero  
Page Four  
June XX, 1996

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that all copies of this INTENT TO ISSUE PERMIT AMENDMENT all copies were mailed by certified mail before the close of business on 5-8-96 to the listed persons.

Clerk Stamp

**FILING AND ACKNOWLEDGMENT**

FILED, on this date, pursuant to §120.52(11), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Kyri Joben      5-8-96  
Clerk                      Date

HLR/wh/t

Attachment: Okeelanta Power L.P. April 17, 1996 letter

Copies furnished to:

David Knowles, SD  
Isidore Goldman, SED  
James Stormer, PBCHD  
Jewell Harper, EPA  
John Bunyak, NPS  
David Buff, KBN  
David Dee, Landers & Parsons



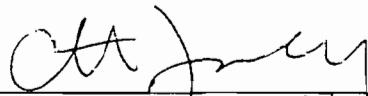
Mr. Gus R. Cepero  
Page Three  
Intent to Issue

(g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this intent. Persons whose substantial interests will be affected by any decision of the Department with regard to the application/request have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of receipt of this intent in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 60Q-2.010, F.A.C.

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION



C. H. Fancy, P.E., Chief  
Bureau of Air Regulation  
2600 Blair Stone Road  
Tallahassee, Florida 32399  
904-488-1344

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
NOTICE OF INTENT TO ISSUE PERMIT

AC 50-219413/PSD-FL-196  
AC 50-269980/PSD-FL-197A

The Department of Environmental Protection (Department) gives notice of its intent to amend the air construction permits issued to Okeelanta Power and Osceola Power Limited Partnerships, Post Office Box 86, South Bay, Florida 33493, for the cogeneration facilities located at the Okeelanta and Osceola Farms sugar mills near South Bay and Pahokee, Palm Beach County, Florida. The amendments will allow additional time, until April 1, 1997, for the simultaneous operation of existing sugar mill boilers with the new cogeneration facility boilers when they are firing biomass or No. 2 fuel oil while the technical problems with the new boilers and bagasse feed systems are corrected. The existing sugar mill Boilers Nos. 4, 5, 6, 10, 11, 12, 14, and 15 at Okeelanta and Boilers Nos. 2, 3, 4, 5, and 6 at Osceola Farms will be permanently shutdown within three years of commercial startup of the cogeneration plants, but no later than January 1, 1999. The facilities shall comply with all other provisions of the construction permits. No increase in allowable emissions or ambient concentrations of any air pollutant is authorized by these amendments. These amendments do not require new Best Available Control Technology (BACT) determinations.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes (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 at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within 14 days of publication of this notice. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, F.S.

The Petition shall contain the following information; (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department 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 of which rules or statutes 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 petitioner wants the Department to take with respect to the Department's action or proposed action.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, 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 decision of the Department with regard to the application/request have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of publication of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 60Q-2.010, Florida Administrative Code.

The application/request 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 offices located at:

111 S. Magnolia Drive, Suite 4, Tallahassee, FL 32301  
2295 Victoria Ave., Suite 364, Ft. Myers, FL 33901  
400 N. Congress Ave., West Palm Beach, FL 33401

and at the Palm Beach County Public Health Unit located at:

901 Evenia, West Palm Beach, FL 33402-0029

Any person may send written comments on the proposed action to the Administrator, New Source Review Section, at the Department's Tallahassee address. All comments received within 30 days of the publication of this notice will be considered in the Department's final determination.

**DRAFT**

DRAFT

June XX, 1996

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Gus R. Cepero, Vice President  
Osceola Power Limited Partnership  
Post Office Box 86  
South Bay, Florida 33493

Dear Mr. Cepero:

Re: Amendment of Permit  
AC 50-269980/PSD-FL-197A

The Department has reviewed your April 17 letter requesting that the referenced permit be amended to allow additional time for the simultaneous operation of Osceola Farm's existing sugar mill bagasse boilers and the new cogeneration boilers at the facilities located near Pahokee, Palm Beach County, Florida. This request is acceptable and the referenced permit is amended as follows:

FROM:

17. During the first three years of commercial cogeneration facility operation, the existing Boilers Nos. 2, 3, 4, 5, and 6 (Permit Nos. AC 50-203679, 165813, 203680, 165626, and 165814, respectively) may be retained for standby operation provided their operating permits are valid.

During the period from initial firing to commercial operation, both cogeneration boilers can be operated simultaneously with the existing boilers. Only biomass and No. 2 fuel oil may be used in the cogeneration boilers during this period. If more than 570,000 lb/hr steam, (24-hour average) is generated in the cogeneration boilers, steam in excess of 570,000 lb/hr (24-hour average) must be sent to the Osceola sugar mill, and the existing boiler's steam production reduced by an equivalent amount. This period shall not exceed a total duration of 12 months. During this 12-month period, simultaneous operation of the existing boilers and the cogeneration boilers shall not occur on more than a total of 120 calendar days. After the first year of cogeneration facility operation, the existing boilers may be operated only when both new cogeneration boilers are shutdown. During operation, the existing boilers must

Mr. Gus Cepero  
Page Two  
June XX, 1996

**DRAFT**

meet all requirements in the most recent construction and operation permits for the boilers. The existing boilers shall be shutdown and rendered incapable of operation within three (3) years of commercial startup of the cogeneration facility, but no later than January 1, 1999.

TO:

17. During the first three years of commercial cogeneration facility operation, the existing Boilers Nos. 2, 3, 4, 5, and 6 (Permit Nos. AC 50-203679, 165813, 203680, 165626, and 165814, respectively) may be retained for standby operation provided their operating permits are valid.

During the period from initial firing through April 1, 1997, both cogeneration boilers can be operated simultaneously with the existing boilers. Only biomass and No. 2 fuel oil may be used in the cogeneration boilers during this period. If more than 570,000 lb/hr steam, (24-hour average) is generated in the cogeneration boilers, steam in excess of 570,000 lb/hr (24-hour average) must be sent to the Osceola sugar mill, and the existing boiler's steam production reduced by an equivalent amount. After April 1, 1997, the existing boilers may be operated only when both new cogeneration boilers are shutdown or in the process of immediately shutting down. During operation, the existing sugar mill boilers must meet all requirements in the most recent construction and operation permits for the boilers. The existing sugar mill boilers shall be shutdown and rendered incapable of operation within three (3) years of commercial startup of the cogeneration facility, but no later than January 1, 1999.

A copy of this letter shall be attached to the referenced permit and shall become a condition of that permit.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

Howard L. Rhodes, Director  
Division of Air Resources  
Management

**DRAFT**

Mr. Gus R. Cepero  
Page Three  
June XX, 1996

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that all copies of this INTENT TO ISSUE PERMIT AMENDMENT all copies were mailed by certified mail before the close of business on \_\_\_\_\_ to the listed persons.

Clerk Stamp

**FILING AND ACKNOWLEDGMENT**

FILED, on this date, pursuant to §120.52(11), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Date

HLR/wh/h

Attachment: Okeelanta Power L.P. April 17, 1996 letter

Copies furnished to:

David Knowles, SD  
Isidore Goldman, SED  
James Stormer, PBCHD  
Jewell Harper, EPA  
John Bunyak, NPS  
David Buff, KBN  
David Dee, Landers & Parsons

Memorandum

Florida Department of  
Environmental Protection

---

To: Clair Fancy  
Thru: A. A. Linero *A. A. Linero 5/7*  
From: Willard Hanks *Wmh*  
Date: May 6, 1996  
Subject: Amendment of Permit  
Okeelanta Power L.P.  
Osceola Power L.P.

Attached for your approval and signature are proposed amendments to the construction permits for the referenced facilities. The amendments will allow additional time for simultaneous operation of the existing sugar mill boilers and the new cogeneration boilers while technical problems with the new boilers and bagasse feed systems are corrected.

I recommend your approval of this proposal.

WH/wh/h

Attachment

Z 127 633 207



# Receipt for Certified Mail

No Insurance Coverage Provided  
Do not use for International Mail  
(See Reverse)

PS Form 3800, March 1993

Sender's Name <i>Mr. Cepero</i>	
City <i>Orlando</i>	
State and Zip Code <i>Florida</i>	
Postage <i>South Bay, FL</i>	
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date <i>5-8-96</i> <i>AL50-219413-PSD-196</i> <i>AL50-26990-PSD-197A</i>	

Is your RETURN ADDRESS completed on the reverse side?

## SENDER:

- Complete item 3.
- Complete items 3, 4, and 4a & b.
- 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.

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

- ☐ Addressee's Address
- ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:  
*Mr. R. Cepero, VP*  
*Orlando Power CP*  
*Orlando Power CP*  
*P.O. BOX 86*  
*South Bay, FL 33493*

4a. Article Number  
*Z 127 633 207*

4b. Service Type  
☐ Registered ☐ Insured  
☒ Certified ☐ COD  
☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery  
*5/10/96*

5. Signature (Addressee)

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

6. Signature (Agent)  
*[Signature]*

Thank you for using Return Receipt Service.



File

LANDERS & PARSONS

ATTORNEYS AT LAW

CINDY L. BARTIN  
DAVID S. DEE  
JOSEPH W. LANDERS, JR.  
JOHN T. LAVIA, III  
RICHARD A. LOTSPEICH  
FRED A. McCORMACK  
PHILIP S. PARSONS  
ROBERT SCHEFFEL WRIGHT

HOWELL L. FERGUSON  
OF COUNSEL

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

310 WEST COLLEGE AVENUE  
POST OFFICE BOX 271  
TALLAHASSEE, FLORIDA 32302  
TELEPHONE (904) 681-0311  
TELECOPY (904) 224-5595

April 26, 1996

Willard Hanks  
Department of Environmental  
Protection  
Bureau of Air Regulation  
2600 Blair Stone Road  
Twin Towers Office Building  
Tallahassee, Florida 32399

Re: Permit Amendment for Okeelanta  
and Osceola Cogeneration Facilities

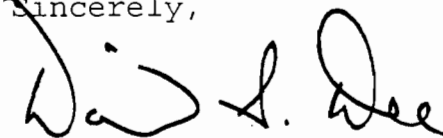
Dear Willard:

As you know, Okeelanta Power Limited Partnership (Okeelanta Power) and Osceola Power Limited Partnership (Osceola Power) requested permit amendments to allow the simultaneous operation of their cogeneration facilities and the related sugar mills during the 1996-97 crop season. To supplement their requests for permit amendments, I have identified the specific changes that should be made to the Okeelanta Power and Osceola Power permits. My recommended language for the permit amendments is attached to this letter.

For your convenience, I have also attached a computer diskette which contains: (a) the current permit language for each cogeneration facility; (b) the proposed permit changes, which are shown with underlining and strike-throughs; and (c) a "clean" version of each permit, as amended. The permit conditions are presented in WordPerfect 6.0 format.

I hope this information is helpful to you. Please call me if you have any questions.

Sincerely,



David S. Dee

RECEIVED  
APR 26 1996  
BUREAU OF  
AIR REGULATION

ORIGINAL VERSION

SPECIFIC CONDITIONS FOR OSCEOLA PERMIT:

17. During the first three years of commercial cogeneration facility operation, the existing Boilers Nos. 2, 3, 4, 5, and 6 (Permit Nos. AC 50-203679, 165813, 203680, 165626, and 165814, respectively), may be retained for standby operation provided their operating permits are valid.

During the period from initial firing to commercial operation, both cogeneration boilers can be operated simultaneously with the existing boilers. Only biomass and No. 2 fuel oil may be used in the cogeneration boilers during this period. If more than 570,000 lb/hr steam, (24-hour average) is generated in the cogeneration boilers, steam in excess of 570,000 lb/hr (24-hour average) must be sent to the Osceola sugar mill, and the existing boiler's steam production reduced by an equivalent amount. This period shall not exceed a total duration of 12 months. During this 12 month period, simultaneous operation of the existing boilers and the cogeneration boilers shall not occur on more than a total of 120 calendar days. After the first year of cogeneration facility operation, the existing boilers may be operated only when both new cogeneration boilers are shutdown. During operation, the existing boilers must meet all requirements in the most recent construction and operation permits for the boilers. These existing boilers shall be shutdown and rendered incapable of operation within three (3) years of commercial startup of the cogeneration facility, but no later than January 1, 1999.

/OSCE1

VERSION WITH UNDERLINING AND ~~STRIKE THROUGH~~

SPECIFIC CONDITIONS FOR OSCEOLA PERMIT:

17. During the first three years of commercial cogeneration facility operation, the existing Boilers Nos. 2, 3, 4, 5, and 6 (Permit Nos. AC 50-203679, 165813, 203680, 165626, and 165814, respectively), may be retained for standby operation provided their operating permits are valid.

During the period from initial firing through April 1, 1997 ~~to commercial operation~~, both cogeneration boilers can be operated simultaneously with the existing boilers. Only biomass and No. 2 fuel oil may be used in the cogeneration boilers during this period. If more than 570,000 lb/hr steam, (24-hour average) is generated in the cogeneration boilers, steam in excess of 570,000 lb/hr (24-hour average) must be sent to the Osceola sugar mill, and the existing boiler's steam production reduced by an equivalent amount. ~~This period shall not exceed a total duration of 12 months. During this 12 month period, simultaneous operation of the existing boilers and the cogeneration boilers shall not occur on more than a total of 120 calendar days. After April 1, 1997 the first year of cogeneration facility operation,~~ the existing boilers may be operated only when both new cogeneration boilers are shutdown or in the process of shutting down. During operation, the existing sugar mill boilers must meet all requirements in the most recent construction and operation permits for the boilers. These existing sugar mill boilers shall be shutdown and rendered incapable of operation within three (3) years of commercial startup of the cogeneration facility, but no later than January 1, 1999.

/OSCE1B

"CLEAN" VERSION

SPECIFIC CONDITIONS FOR OSCEOLA PERMIT:

17. During the first three years of commercial cogeneration facility operation, the existing Boilers Nos. 2, 3, 4, 5, and 6 (Permit Nos. AC 50-203679, 165813, 203680, 165626, and 165814, respectively), may be retained for standby operation provided their operating permits are valid.

During the period from initial firing through April 1, 1997, both cogeneration boilers can be operated simultaneously with the existing boilers. Only biomass and No. 2 fuel oil may be used in the cogeneration boilers during this period. If more than 570,000 lb/hr steam (24-hour average) is generated in the cogeneration boilers, steam in excess of 570,000 lb/hr (24-hour average) must be sent to the Osceola sugar mill, and the existing boiler's steam production reduced by an equivalent amount. After April 1, 1997, the existing boilers may be operated only when both new cogeneration boilers are shutdown or in the process of shutting down. During operation, the existing sugar mill boilers must meet all requirements in the most recent construction and operation permits for the boilers. These existing sugar mill boilers shall be shutdown and rendered incapable of operation within three (3) years of commercial startup of the cogeneration facility, but no later than January 1, 1999.

/OSCE2



April 16, 1996

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

RECEIVED  
 APR 17 1996  
 BUREAU OF  
 AIR REGULATION

Re: Osceola Power Limited Partnership Cogeneration Facility

Dear Mr. Fancy:

Osceola Power Limited Partnership was permitted to construct a 60 megawatt (MW) cogeneration facility in 1993 under air construction permit AC50-219795; PSD-FL-197. Construction of the facility began a short time later. The air construction permit was subsequently revised in September 1995 to incorporate certain changes in the facility design, including increasing the electrical generation capacity to 74 MW (AC50-269980; PSD-FL-197A). The facility began debugging tests in October 1995.

On behalf of Osceola Power, the purpose of this letter is to request an amendment of the construction permit as described below.

#### The Construction Permit

Specific Condition 17 of the amended PSD permit addresses simultaneous operation of the cogeneration facility boilers and the existing Osceola Farms sugar mill boilers. This condition allows the existing sugar mill boilers (Boiler Nos. 2, 3, 4, 5 and 6) to be retained for standby operation during the first three years of commercial operation of the cogeneration facility. During this three year period, the following conditions apply:

#### 1. Simultaneous Operation of Cogen and Sugar Mill Boilers

- A. This period is limited to the time from initial firing to commercial operation of the cogeneration boilers, but shall not exceed a total duration of 12 months.
- B. Both cogeneration boilers can be operated simultaneously with the existing mill boilers.
- C. Only biomass or No. 2 fuel oil can be fired in the cogeneration boilers during such periods.
- D. Simultaneous operation is limited to 120 calendar days.

16102A/1

6241 Northwest 23rd Street  
 Suite 500  
 Gainesville, Florida 32653-1500  
 352-336-5600 FAX 352-336-6603

5405 West Cypress Street  
 Suite 215  
 Tampa, Florida 33607  
 813-287-1717 FAX 813-287-1716

1801 Clint Moore Road  
 Suite 105  
 Boca Raton, Florida 33487  
 407-994-9910 FAX 407-994-9393

7785 Baymeadows Way  
 Suite 105  
 Jacksonville, Florida 32256  
 904-739-5600 FAX 904-739-7777

1616 'P' Street NW  
 Suite 350  
 Washington, DC 20036  
 202-462-1100 FAX 202-462-2270



## 2. Standby Operation of the Existing Sugar Mill Boilers

- A. After the first year of cogeneration facility operations, the existing sugar mill boilers may only be operated when both cogeneration boilers are shutdown.
- B. The existing mill boilers must be permanently shutdown within three years of commercial startup of the cogeneration facility, but no later than January 1, 1999.

### Conditions During Initial Tests

The cogeneration facility first fired fuel in the two boilers in November 1995. From this time through early February 1996, the cogen facility was isolated from the sugar mill, while debugging and testing of the cogen facility was being conducted. Beginning in mid-February 1996 and continuing through March, connections were attempted between the cogen facility and sugar mill. However, these connection attempts were not successful. The sugar mill ended its crop season on March 21, 1996, and no further connections can be attempted until the next crop season which will begin around October 16, 1996.

Due to the technical problems in the startup of the cogen facility, and the unsuccessful attempts at connecting to the sugar mill during the 1995-1996 crop season, Osceola Power needs an extension in the length of time allowed in the construction permit for simultaneous operation of the cogen boilers and existing boilers.

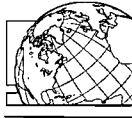
During the 1995-1996 crop season, technical problems in the cogeneration plant, unrelated to connections with the sugar mill, hindered the performance of the cogeneration plant. Because of these problems, there was not enough time for connections with the sugar mill to be debugged. . The impact and difficulty of using many fuel combinations in the cogeneration facility (i.e., wood chips, clean wood from C&D debris, bagasse, etc.) were underestimated. Osceola Power currently is trying to determine whether improvements or changes are needed in certain plant components. The use of bagasse fuel also has presented unanticipated problems with the new boilers and associated fuel feed systems.

The bagasse conveying and feeder system, and boiler performance when burning bagasse, can only be debugged during the crop season, when bagasse is available and the mill is consuming steam under actual operating conditions.

### Request for Extension of Time

Osceola Power has a significant incentive to successfully connect to the sugar mill in the shortest possible time. Operation of the existing sugar mill boilers, with associated manpower and operating costs, results in a significant economic penalty to the sugar mill. Continued technical difficulties in connecting with the sugar mill also result in economic penalties to the cogeneration facility. Therefore, Osceola Power will make every effort to limit the time needed for simultaneous operation of the cogen and sugar mill boilers.

However, Osceola Power cannot predict how quickly all of these technical problems can be resolved. It is estimated that during the next crop season, 25 to 30 connection trials may be needed to debug and



increase the reliability of the complete cogen-sugar mill system that will replace the existing sugar mill boiler operation. Osceola Power hopes to start and conclude these tests as expeditiously as possible, but cannot predict when these tests will be conducted during the Osceola crop season or how long they will take.

In the light of the problems it experienced this crop year, and to maintain flexibility for testing next crop year, Osceola Power is requesting that the time for simultaneous operation be extended through the next crop season (October 16, 1996 through April 1, 1997). During simultaneous operation, Osceola Power will continue to fire only biomass or No. 2 fuel oil. The cogen facility will continue to comply with all other provisions of the current construction permit. The sugar mill will comply with all of the applicable permit limits for its boilers.

Ambient and Other Impacts

The air quality impacts associated with simultaneous operation of the Osceola Power cogeneration boilers and the Osceola Farms sugar mill boilers were addressed in the previous air construction permit applications and permitting process. The impacts associated with simultaneous operation remain the same as previously presented. As previously noted, the simultaneous operation of the cogen facility and sugar mill will not cause or contribute to a violation of any ambient air quality standard or PSD increment. The current request only extends the time during which such impacts may occur.

Your prompt consideration of this request for a permit amendment is greatly appreciated. Enclosed is a check no. 19707, in the amount of \$250 to cover the Department's processing fee for this permit amendment. Please call me if you have any question concerning this request.

Sincerely,

David A. Buff, P.E.  
Principal Engineer

cc: Carlos Rionda  
Jorge Cabrera  
Bill Tarr  
Don Schaberg  
David Dee  
James Stormer  
Willard Hanks

DB/mlb

INVOICE NUMBER	DATE		VOUCHER NO.	AMOUNT
	4/16/96	Osceola Energy Permit		250.00

**KBN** Engineering and Applied Sciences, Inc.  
GENERAL DISBURSEMENT ACCOUNT  
PH. 904-336-5600  
6241 N.W. 23RD ST., SUITE 500  
GAINESVILLE, FL 32653-1500

First Union National Bank  
of Florida  
Gainesville, Florida 32605 63-2/630  
Branch 311

019707

April 16 1996

PAY \*\*\*\*\*250\*\*\*\*\* DOLLARS AND 00 CENTS \*\*250.00

TO THE FDEP  
ORDER  
OF

KBN ENGINEERING AND APPLIED SCIENCES, INC.

David A. Bill  
AUTHORIZED SIGNATURE

ON THE REVERSE SIDE OF THIS DOCUMENT INCLUDES AN ARTIFICIAL WATERMARK. HOLD AT AN ANGLE TO VIEW.



P 339 251 107

US Postal Service  
**Receipt for Certified Mail**

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to	
3. Don Schaberg	
Street & Number	
Osceola Power	
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	
AC50-269980 6-18-96 P30-F1-197A 14 Palm Bch	

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, and 4a & b.
- 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:

Mr. S. Don Schaberg, Sr.  
Osceola Power, LP  
PO Box 679  
Pahokee, FL 33476

4a. Article Number

P 339 251 107

4b. Service Type

- |   |   |
|---|---|
| <input type="checkbox"/> Registered           | <input type="checkbox"/> Insured                        |
| <input checked="" type="checkbox"/> Certified | <input type="checkbox"/> COD                            |
| <input type="checkbox"/> Express Mail         | <input type="checkbox"/> Return Receipt for Merchandise |

7. Date of Delivery

6-18-96

5. Signature (Addressee)

6. Signature (Agent)

Salvador Briscoe

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

PS Form 3811, December 1991

☆U.S. GPO: 1993-352-714

**DOMESTIC RETURN RECEIPT**

Thank you for using Return Receipt Service.