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April 25, 2001

VIA HAND DELIVERY

Mr. Jeffery F. Koerner, P.E.
New Source Review Section
Florida Department of Environmental
Protection
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

RECEIVED

APR 27 2001

BUREAU OF AIR REGULATION

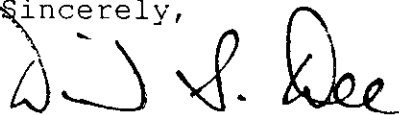
Re: Okeelanta Power Limited Partnership
Intent to Issue Air Construction Permit Modification
Project No. 0990332-015-AC
Draft Permit PSD-FL-196N

Dear Mr. Koerner:

Attached for your file is a copy of the Proof of Publication for the public notice that was published on April 18, 2001, for DEP's Intent to Issue Air Construction Permit Modification in the above-referenced case. This notice was published in The Palm Beach Post, in Palm Beach County, Florida.

Please let me know if you have any questions.

Sincerely,



David S. Dee

Attachment

cc: Bill Tarr
Clair Fancy (w/o attachment)

J. Steiner, PBCHD
B. Owen
D. Blackburn, SD
J. Worley, EPA
A. Dwyer, NPS

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 Tyler Dixon who on oath says that she is Classified Advertising Manager, Inside Sales 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 -- in the Court, was published in said newspaper in the issues of April 18, 2001.

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.

Sworn to and subscribed before this 18 day of April A.D. 2001.

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



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APR 27 2001

BUREAU OF AIR REGULATION

NO. 319916
PUBLIC NOTICE OF INTENT
TO ISSUE AIR CONSTRUCTION
PERMIT MODIFICATION
STATE OF FLORIDA
DEPARTMENT
OF ENVIRONMENTAL
PROTECTION
Project No. 0990332-018-AC
Draft Air Permit No.
PSD-F-196H
Okeelanta Power L.P.
Cogeneration Plant
Palm Beach County
The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit modification to Okeelanta Power L.P. for the cogeneration plant located near Highway 27, approximately 8 miles south of South Bay in Palm Beach County, Florida. The applicant's authorized representative is Ricardo Lima, Vice President and General Manager of Okeelanta Power L.P. The mailing address is 8001 U.S. Highway 27 South, South Bay, Florida 33493.
The applicant requests a revision of the restriction on the electrical generating capacity of the cogeneration plant from 74.9 MW (gross) output to 74.9 MW (net) output. Some electricity would be generated and used within the facility and only net production sold to the electrical power grid would count against the existing limit. The change will not alter control equipment, emissions standards, heat input capacity, monitoring conditions or other requirements associated with emissions or previous determinations of the Best Available Control Technology. The Department will approve the request and issue the final permit with the attached conditions unless a response received in accordance with the following procedure results in a different decision or significant change of terms or conditions. The Department will accept written comments concerning the proposed permit issuance action for a period of fourteen (14) days from the date of publication of this Public Notice of Intent to Issue Air Construction Permit Modification. Written comments should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station #505, Tallahassee, FL 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the proposed permit and require, if applicable, another Public Notice.
The Department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57 of the Florida Statutes (F.S.), before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below. Mediation is not available in this proceeding. A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under 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 at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen (14) days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within fourteen (14) days of publication of the public notice or within fourteen (14) days of receipt of this notice of intent, whichever occurs first. Under section 120.60(3), F.S., however, any person who asked the Department for notice of agency action may file a petition within fourteen (14) days of receipt of that notice, regardless of the date of publication. A sub-

tioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205 of the Florida Administrative Code (F.A.C.).

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner, the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination; (c) A statement of how and when petitioner received notice of the agency action or proposed action; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts upon which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the 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 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 complete project file 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:

Dept. of Environmental Protection
Bureau of Air Regulation
New Source Review Section
Suite 4, 111 S. Magnolia Drive
Tallahassee, Florida 32301
Telephone: 850/488-0114
Dept. of Environmental Protection
South District Office
Air Resources Section

2295 Victoria Avenue,
Suite 364
Fort Myers, Florida
33901-3381
Telephone: 941/332-6975
Palm Beach County
Health Dept.
Air Pollution Control Section
301 Evernia Street
West Palm Beach,
Florida 33401
Telephone: 561/355-3136

The complete project file includes the application, technical evaluations, draft permit modification, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Administrator of the New Source Review Section at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/488-0114, for additional information.

PUB: The Palm Beach Post
April 18, 2001