



REC'D

DEC 02 1999

BUREAU OF AIR REGULATIO

December 1, 1999

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

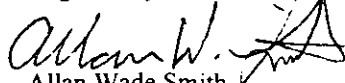
Re: DEP File No. (PSD-FL-206C)
Orange Cogeneration / Polk County

Dear Mr. Linero:

I have enclosed an affidavit from The Polk County Democrat showing that the PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT MODIFICATION for the Orange Cogeneration Facility located near Bartow, Florida was published in their paper on November 25, 1999.

If you have any questions please call me at 941-682-6338.

Sincerely,
Orange Cogeneration Limited Partnership
by Orange Cogeneration GP, Inc.
its general partner


Allan Wade Smith
General Manager

enclosure

cc: M. Halpern, BAR
EPA
NPS
SWD

PUBLIC NOTICE OF INTENT
TO ISSUE AIR CONSTRUCTION
PERMIT
MODIFICATION
STATE OF FLORIDA
DEPARTMENT OF
ENVIRONMENTAL
PROTECTION
Orange Cogeneration
Limited
Partnership, Orange
Cogeneration Facility
DEP File No. PSD-FL-206C,
1050231-005-AC
Polk County

The Department of Environmental Protection (Department) gives notice of its intent to issue a modification of a Prevention of Significant Deterioration (PSD) Permit to Orange Cogeneration Limited Partnership (OCLP) for its Orange Cogeneration Facility located in Polk County. A Best Available Control Technology (BACT) determination was not required for this modification pursuant to Rule 62-212.400, F.A.C., Prevention of Significant Deterioration (PSD). The applicant's name and address are: Orange Cogeneration Limited Partnership, 1125 U.S. 98 South, Suite 100, Lakeland, Florida 33801.

This is an existing facility consisting of two nominal 40 Megawatt combined cycle combustion turbines (Units 1 and 2). Both units fire natural gas and biogas with heat inputs of 368.3 MMBtu/hr each (at an ambient temperature of 47°F). These units have a Title V permit (1050231-001-AV) issued by the State of Florida.

The permitted emission rate of nitrogen oxides (NOx) for Units 1 and 2 while firing natural gas or biogas is 25 ppm. On an annual basis the permitted tons per year (TPY) of potential NOx emissions are 168.6 each. Effective January 1, 2000 the permitted NOx emission rate for each unit decreases to 15 ppm while firing natural gas or biogas firing, causing the potential TPY of NOx to equal to 101.2 (a reduction of 67.4 TPY for each unit).

OCLP requests that the aforementioned NOx emission rates for each unit remain at 25 ppm, for a period of time adequate to allow for the installations and testing of wet technologies. OCLP has determined that an extension of 20 months (through August 2001) will allow adequate time for the units to be capable of achieving the lower (15 ppm) limits through the application of this technology. No other emission limit increases are requested.

It is noted that emissions from each unit have ranged from 52.5 to 61.1 tons per year of NOx over a 3-year period. This reflects the intermediate loading duty of these units. It is expected that each unit will typically operate in a similar manner in the future.

The Department will issue the final permit with the attached conditions unless a response received in accordance with the following procedures results in a different or significant change of terms or conditions.

AFFIDAVIT OF PUBLICATION

The Polk County Democrat

Published Semi-Weekly
Bartow, Polk County, Florida

Case No. _____

STATE OF FLORIDA
COUNTY OF POLK

Before the undersigned authority personally appeared _____
Mary G. Frisbie _____, who on oath says that (s)he is
Treasurer _____ of The Polk County Democrat, a newspaper
published at Bartow, Polk County, Florida; that the attached copy of advertisement,
being a Public Notice of Intent _____ in the
matter of Issue Air Construction Permit Modification _____
#1050231-005-AC _____
in the _____ Court, was published in said newspaper in the issues
of Nov. 25, 1999 _____

Affiant further says that The Polk County Democrat is a newspaper published at Bartow, in said Polk County, Florida, and that said newspaper has heretofore been continuously published in said Polk County, Florida, each Monday and Thursday, and has been entered as second class matter at the post office in Bartow, in said Polk County, Florida, for a period of one year next preceeding the first publication of the attached copy of advertisement; and affiant further says that 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 said newspaper.

Signed Mary G. Frisbie

Sworn to and subscribed before me this 29th day of Nov., 19 99.

by Mary G. Frisbie

who is personally known to me.

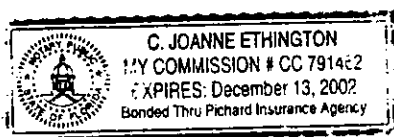
C. Joanne Ethington
(Signature of Notary Public)

C. Joanne Ethington

(Printed or typed name of Notary Public)

Notary Public

My Commission Expires:



The Department will accept written comments concerning the proposed permit issuance action for a period of 14 (fourteen) days from the date of publication of "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 #5505, 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 modification with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, 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 days of receipt of this notice of intent. Petitioners filed by any persons other than those entitled to written notice under Section 120.60(3) F.S. of the State of Florida, must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under Section 120.60(3) however, any person who asked the Department for notice of agency action may file a petition within fourteen days of receipt of that notice, regardless of the date of publication. A petitioner 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, Florida Administrative Code.

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 are or 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, as well as the rules and statutes which entitle the petitioner to relief; and A demand for relief.

A petition that does not dispute the material facts on 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.

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:
Department of Environmental Protection
Bureau of Air Regulation
111 S. Magnolia Drive, Suite 4
Tallahassee, Florida 32301
Telephone: 850/488-0114
Fax: 850/922-6979
Department of Environmental Protection
Southwest District Office
3804 Coconut Palm Drive
Tampa, Florida 33619-8218
Telephone: 813/744-6100
Fax: 813/744-6084

The complete project file includes the Draft Permit modification, 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 New Resource Review Section at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/488-0114, for additional information.

Nov. 25, 1999-3731