



Orange Cogeneration, L.P.  
1901 Clear Springs Road  
P.O. Box 782  
Bartow, FL 33831

RECEIVED

OCT 10 2007

BUREAU OF AIR REGULATION

October 9, 2007

Mr. Bruce Mitchell  
Department of Environmental Protection  
Division of Air Resource Management  
Bureau of Air Regulation  
2600 Blair Stone Road, MS #5505  
Tallahassee, Florida 32399-0114

Re: Affidavit of Publication – Title V Permit Renewal  
Orange Cogeneration Facility – ID # 1050231

Dear Mr. Mitchell,

Per the Public Notice requirements please find attached the Affidavit of Publication for our Title V renewal permit for the above referenced facility. If you have any questions please contact me at 863-534-1141, ext. 22.

Sincerely,

A handwritten signature in cursive script that reads "Gwynne Johnson".

Gwynne Johnson  
Alternate Designated Representative

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 Shirley J. Whitaker, who on oath says that he or she is Classified Manager of The Polk County Democrat, a newspaper published at Bartow in Polk County, Florida; that the attached copy of advertisement, being a V Air Operation Permit Renewal in the matter of Department of Environmental Protection Project No. 1050231-004-AV, was published in said newspaper in the issues of Sept. 27, 2007.

Affiant further says that The Polk County Democrat is a newspaper published at Bartow, in said Polk County, Florida, and that the said newspaper has heretofore been continuously published in said Polk County, Florida, each Monday and Thursday and has been entered as periodicals matter at the post office in Bartow, in said Polk County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she 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.

Signed

Sworn to and subscribed before me this 3rd. day of Oct., 2007, by Shirley J. Whitaker, who is personally known to me.

(Signature of Notary Public)

Jenna Kerby  
Notary Public



# 3246

DEPARTMENT OF ENVIRONMENTAL  
PROTECTION  
Project No. 1050231-004-AV  
DRAFT Title V Air Operation Permit  
Renewal  
Orange Cogeneration Facility  
Polk County

**Applicant:** The applicant for this project is Northern Star General Services, LLC, Orange Cogeneration Facility, 2929 Allen Parkway, Suite 2200, Houston, Texas 77019. The applicant's responsible official is Mr. Allen Czerkiewicz, Plant Manager, Orange Cogeneration Facility.

**Project:** On July 5, 2007, the Northern Star Generation Services Company, LLC, applied to the permitting authority to renew the Title V Air Operation Permit for the Orange Cogeneration Facility. This facility consists of two combustion turbines (CT) that each exhaust through a heat recovery steam generator (HRSG) and associated stack. The CTs are natural gas and biogas fired and neither HRSG is auxiliary fuel fired or equipped with duct burners. The facility also includes an auxiliary boiler with its own stack and fires natural gas and biogas. Also included in this permit are miscellaneous and insignificant emissions units and/or activities.

**Permitting Authority:** Applications for Title V Permit is subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.), and Chapters 62-4, 62-210, 62-213 and 62-214, Florida Administration Code (F.A.C.). The proposed project is not exempt from air permitting requirements and a Permit is required to operate the facility. The Florida Department of Environmental Protection's Bureau of Air Regulation is the Permitting Authority responsible for making a Permit determination regarding this project. The Permitting Authority's physical address is: 111 South MacDill Drive, Suite 4, Tallahassee, Florida 32301. The Permitting Authority's mailing address is: 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400. The Bureau of Air Regulation's telephone number is: 850/488-0114; and, the facsimile number is 850/922-6979.

**Project File:** A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m. Monday through Friday (except legal holidays), at the address indicated above for the Permitting Authority. The complete project file includes the DRAFT Title V Air Operation Permit (DRAFT Permit), the Statement of Basis, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111. Interested persons may view the DRAFT Permit by visiting the following website: <http://www.dep.state.fl.us/air/eproducts/ars/>

**Notice of Intent to Issue An Air Permit:** The Permitting Authority gives notice of its intent to concurrently issue an Air Construction permit and a Title V Air Operation Permit Revision to the applicant for the project described above. The applicant has provided reasonable assurance that operation of the facility will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-04, 62-210, 62-212, 62-213, 62-214, 62-256, 62-257, 62-281, 62-296, and 62-297, F.A.C. The Permitting Authority will issue a PROPOSED Title V Air Operation Permit and subsequent FINAL Air Construction and Title V Air Operation Permits in accordance with the conditions of the DRAFT Permits unless a response received in accordance with the following procedures results in a different decision or a significant change of terms or conditions.

**Comments:** The Permitting Authority will accept written comments concerning the DRAFT Permit for a period of 30 days from the date of publication of this Public Notice of Intent to Issue a Title V Air Operation Permit Renewal. Written comments must be post-marked, and all e-mail or facsimile comments must be received by the close of business (5 pm), on or before the end of the 14-day or 30-day periods by the Permitting Authority at the above address, e-mail or facsimile. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location on the Department's official web site for notices at <http://law.dos.state.fl.us/> and in a newspaper of general circulation in the area affected by the permitting action. But for additional information, contact the Permitting Authority at the above address or phone number. If written comments or comments received at a public meeting result in significant change to the DRAFT Permits, the Permitting Authority shall issue a Revised DRAFT Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

**Petitions:** A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57 of the 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 of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida, 32399-3000, Telephone: 850/245-2242, Fax: 850/245-2303. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within fourteen days of publication of the public notice of intent, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the permitting authority for notice of agency action may file a petition within fourteen days of receipt of that notice, regardless of the date of the publication. A petitioner shall mail a copy of the petition to the application at the address indicated above, at the time of filing. The failure of any person to file a petition within the applicable time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Section 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, F.A.C.

A petition that disputes the material facts on which the Permitting Authority'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 num-

ber 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 the 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 that 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 permitting authority's final action may be different from the position taken by it in this notice of intent. Persons whose substantial interests will be affected by any such final decision of the permitting authority on the application(s) have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

**Objections:** Finally, pursuant to 42 United States Codes (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 (sixty) days of the expiration of the Administrator's 45 (forty-five) day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to issuance of any permit. Any petition shall be based only on objections to the permit that were raised with reasonable specificity during the 30 (thirty) day public comment period provided in this notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460. For more information regarding objections, visit the EPA Region 4 web site at

<http://epa.gov/region4/air/permits/Florida.htm>

Sept. 27, 2007-3246