



Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

December 5, 1994

Mr. Robert Anders, AICP
Planning Director
Polk County Planning Division
P. O. Box 1969
Bartow, Florida 33830

RE: Panda/Kathleen Cogeneration Facility
Air Construction Permit Application

Dear Mr. Anders:

Enclosed please find a completed Polk County Notice of Interested Party and Notice of Participation form for the above referenced project. An Intent to Issue was mailed to Linda Novak of the Polk County Air Quality Program on October 11, 1994. On October 21, 1994, the public notice appeared in the Lakeland Ledger, and the public comment period expired on November 21, 1994.

The Department will issue the final permit in the near future and will send you a copy of the permit at that time. If you have any questions, please call me at (904)488-1344 (SunCom 278-1344) or write to me at the above address.

Sincerely,

Patricia G. Adams
Planner
Bureau of Air Regulation

/pa

Enclosure



Board of County Commissioners

NOV 9 94

P.O. Box 1969
330 W. Church St.
Bartow, FL 33830
(813) 534-6084
SUNCOM 569-6084
FAX (813) 534-6021

Planning Division

Bureau of
Air Regulation

November 7, 1994

Mr. Clair Fancy
Bureau of Air Regulation
Florida Department of Environmental Protection
Mail Stop 5500
Twin Towners Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

RE: Panda Cogeneration Facility
Permit Application

Dear Mr. Fancy:

This letter is to inform you that Polk County is an interested party in the permitting process for the following project:

Applicant: Panda/Kathleen Cogeneration Limited Partnership
Non-Certified Electric Generating Facility

Plant Location: Section 20, Township 28, Range 23
The site is located on McCue Road, north of west US 92/New Tampa Highway, south of I-4, and west of Lakeland, in Polk County, Florida

Please notify us of all meetings and review deadlines as pertains to the permit application for the above facility. Under provisions of Florida Statutes, we would like to comment as it relates to local issues. If this permit has already been granted or if an intent to issue has been noticed, please mail use copies of the permit/NOI.

Thank you for your cooperation in this matter.

Sincerely,

Robert Anders, AICP
Planning Director

xc: chron file, case file-SA 94-01--permits
file name: p:\u\p\cmd\power\ncertpp\dep-air.2

Robert D. Anders, AICP
Planning Director
Polk County Planning Division
P.O. Box 1969
Bartow, Florida 33831

RE: Panda/Kathleen Cogeneration Facility

I have received the permit application pursuant to the above referenced project as well as Polk County's Notice of Interested Party and Notice of Participation. We will keep you informed of all proceedings and decisions in regards to this project.

AGENCY:
Florida Department of Environmental Protection
Bureau of Air Regulation

Syed Arif

(Signature of Permit Reviewer)

Nov. 10, 1994

(date)

SYED ARIF

(Print Name)

2600 BLAIRSTONE ROAD

TALLAHASSEE, FL. 32399
(Address)

(904) 488-1344

(Phone)

(to be retained in Planning's Case/SA File)



Environmental Consulting & Technology, Inc.

RECEIVED

NOV 2 1994

Bureau of
Air Regulation

November 1, 1994

SENT BY OVERNIGHT MAIL ON 11/01/94

ECT No. 94007-0200-1100

Mr. Syed Arif
Florida Department of
Environmental Protection
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Re: Panda-Kathleen Cogeneration Project
Public Notice Affidavit

Dear Mr. Arif:

The original affidavit of publication from the Lakeland Ledger for the above referenced project is attached for your records.

Please call me at (904) 332-0444 if you have any questions.

Sincerely,

ENVIRONMENTAL CONSULTING & TECHNOLOGY, INC.

Thomas W. Davis, P.E.
Senior Engineer

Attachment

TWD/tw

cc: K. Woodruff, Panda

S. Arif
K. Zhang
G. Kump, EPA
G. Bunnick, NPS
G. Kissel, SWP Inst
J. Novak, Palh Co.

3701 Northwest
98th Street
Gainesville, FL
32606

(904)
332-0444

FAX (904)
332-6722

AFFIDAVIT OF PUBLICATION

THE LEDGER Lakeland, Polk County, Florida

Case No.....

STATE OF FLORIDA)
COUNTY OF POLK)

Before the undersigned authority personally appeared Robert Lee, who on oath says that he is Classified Manager of The Ledger, a daily newspaper published in Polk County, Florida; that the attached copy of advertisement, being a

...Notice of Intent to issue permit.....

in the matter of

...Panda-Kathleen.....

in the

Court, was published in said newspaper in the issues of

...October 21;.....

...1994.....

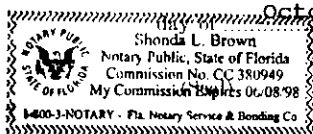
Affiant further says that said The Ledger is a newspaper published at Lakeland, in said Polk County, Florida, and that the said newspaper has heretofore been continuously published in said Polk County, Florida, daily, and has been entered as second class matter at the post office in Lakeland, in said Polk County, Florida, for a period of one year next preceding 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 the said newspaper.

Signed *RL*
.....
Classified Advertising Manager

by Robert E. Lee who is personally known to me

Sworn to and subscribed before me this 21st

Day of October A.D. 19 1994



Shonda L. Brown
Notary Public

My Commission Expires *Shonda L. Brown*
ECT
Acct #21563

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION NOTICE OF INTENT TO ISSUE PERMIT AC53-251898 PSD-FL-216

The Department of Environmental Protection gives notice of its intent to issue a permit to Panda Kathleen, L.P., 4100 Spring Valley Suite 1001, Dallas, TX 75244, to construct a 115 MW cogeneration facility consisting of one combined cycle gas turbine generator and associated steam cycle, also, steam will be supplied to a host manufacturing operation, which will produce industrial grade distilled water. The proposed facility will be located near Lakeland, Polk County, Florida. A determination of Best Available Control Technology was required. Modeling results show that increases in ground-level concentrations are less than Prevention of Significant Deterioration (PSD) significant impact levels for PM/PM₁₀ and NO_x in both the Class II and Class I areas surrounding the plant. These emissions will not cause or contribute to a violation of any ambient air quality standard or PSD increment. The Department is issuing this intent to issue for the reasons stated in the revised Technical Evaluation and Preliminary Determination.

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 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 28-5.207, Florida Administrative Code.

The application 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

Department of Environmental Protection
Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619-8218

Any person may send written comments on the proposed action to Mr. John Brown at the Department of Environmental Protection, Bureau of Air Regulation, Mail Station 5505, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. All comments received within 14 days of the publication of this notice will be considered in the Department's final determination.

Further, a public hearing can be requested by any person(s). Such requests must be submitted within 30 days of this notice.