

H. D. KING POWER PLANT

311 North Indian River Drive
Fort Pierce, Florida 34950

(772) 464-5792

RECEIVED

OCT 15 2002

BUREAU OF AIR REGULATION

October 10, 2002

Mr. Ed Svec
Department of Environmental Protection
Bureau of Air Regulation
Twin Towers Office Building
2600 Blair Stone Road
Mail Station 5505
Tallahassee, FL 32399-2400

Subject: Title V Permit for H. D. King Power Plant
Fort Pierce Utilities Authority
Permit No. 1110003-005-AV

Dear Mr. Svec:

Enclosed is a copy of the public notice of intent to issue Title V Permit renewal.

Fort Pierce Utilities Authority is requesting two (2) corrections to Permit No. 111003-005-AV.

- 1) Correct D.1. Permitted capacity for Unit No. 8 from 611 to 644.0 MMBtu/hr. heat input for both natural gas and No. 2 fuel oil.
- 2) Remove from Appendix I-1, Items 2, 3 and 4, as these tanks have been removed from service and demolished.

If there are questions concerning the requested corrections, please feel free to contact me at (772) 466-1600, ext. 5220.

Sincerely,

A handwritten signature in black ink, appearing to read "George Miller".

George Miller
Environmental Specialist



**SCRIPPS TREASURE COAST
PUBLISHING COMPANY**
Fort Pierce Tribune
Port St. Lucie Tribune

600 Edwards Road, Fort Pierce, FL 34982

AFFIDAVIT OF PUBLICATION

STATE OF FLORIDA
COUNTY OF ST. LUCIE

Before the undersigned authority personally appeared, S. Darlene Mailing, who on oath says that she is Classified Inside Sales Manager of the Fort Pierce Tribune and the Port St. Lucie Tribune, a daily newspaper published at Fort Pierce in St. Lucie County, Florida; that the attached copy of advertisement was published in the Fort Pierce/Port St. Lucie Tribune in the following issues below. Affiant further says that the said Fort Pierce/Port St. Lucie Tribune is a newspaper published in Fort Pierce in said St. Lucie County, Florida, and that said newspaper has heretofore been continuously published in said St. Lucie County, Florida daily and distributed in St. Lucie 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 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. The Fort Pierce Tribune has been entered as second class matter at the Post Office in Fort Pierce, St. Lucie County, Florida and has been for a period of one year next preceding the first publication of the attached copy of advertisement.

<u>Ad #</u>	<u>Customer Name</u>	<u>Pub Date</u>	<u>Copyline</u>	<u>PO #</u>
2535349	CITY OF FORT PIERCE/Legal	10/04/2002	Notice of Intent	

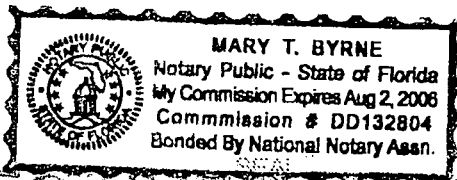
Subscribed and sworn to me before this date:

10/04/2002

S. Darlene Mailing

Mary T. Byrne

Notary Public



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OCT 15 2002

BUREAU OF AIR REGULATION

PUBLIC NOTICE OF INTENT TO ISSUE
TITLE V AIR OPERATION PERMIT RENEWAL

Department of Environmental Protection

Title V Air Operation Permit Renewal
DRAFT Permit No.: 1110003-005-AV

Ft. Pierce Utilities Authority
St. Lucie County

The Department of Environmental Protection (permitting authority) gives notice of its intent to issue a Title V Air Operation Permit Renewal to Ft. Pierce Utilities Authority for the H. D. King Power Plant located at 311 North Indian River Drive, Ft. Pierce, St. Lucie County. This is a renewal to Title V Air Operation Permit No. 1110003-003-AV. The applicant's name and address are: Ft. Pierce Utilities Authority, Thomas W. Richards, Director of Operations, P. O. Box 3191, Ft. Pierce, Florida 34948.

The permitting authority will issue the PROPOSED Permit, and subsequent FINAL Permit, in accordance with the conditions of the DRAFT Permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The permitting authority will accept written comments concerning the proposed DRAFT Permit issuance action for a period of 30 (thirty) days from the date of publication of this Notice. Written comments should be provided to the Department's Bureau of Air Regulation, 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this DRAFT Permit, the permitting authority shall issue a Revised DRAFT Permit and require, if applicable, another Public Notice.

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, 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: 850/488-9730; Fax: 850/487-4938)). Petition filed by any persons other than those entitled to write notice under Section 120.60(3), F.S., must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of the 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 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 applicable 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 (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 or each agency's file or identification number, if known;
- (b) The name, address and telephone number of the petitioner; name, address and telephone number of the petitioner's representative, if any, which shall be the address of service purposes during the course of the proceeding; or an explanation of how petitioner's substantial rights 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. There are none, the petition must so state;
- (e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle petitioner to relief;
- (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency 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 permitting authority'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 does not prevent the permitting authority's final action. Petitioners should be aware 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 have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation is not available for this proceeding.

Mediation is not available for this proceeding.

In addition to the above, pursuant to 42 United States Code (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 renewal. Any petition shall be based only on objections to the permit renewal 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.

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
Southeast District Office
400 North Congress Avenue
West Palm Beach, Florida 33416-5425
Telephone: 407/681-6600
Fax: 407/681-6755

The complete project file includes the DRAFT Permit, the application, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact Scott M. Sheplak, P.E., at the above address, or call 850/921-9532, for additional information.

Publish: October 4, 2002
2535349