

Jeb Bush
Governor

File

Department of Environmental Protection

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

David B. Struhs
Secretary

March 23, 2000

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Jason M. Goodwin, P.E.
Senior Engineer, Air Resources Division
Environmental Department Wholesale Group
Reliant Energy
Post Office Box 4567
Houston, Texas 77210-3000

Ms. Denise M. Scarlett
Director of Environmental Affairs
Orlando Utilities Commission
500 South Orange Avenue
Orlando, Florida 32801

Dear Mr. Goodwin and Ms. Scarlett:

RE: Request for Separate Title V Source Designation
Indian River Electrical Power Generating Facility
Brevard County

The Department has evaluated your November 1, 1999 request for separate Title V Source designation, which will occur at the existing Title V source of the Orlando Utilities Commission's Indian River Electrical Power Generating Facility. It is our understanding that Reliant Energy (RE) will own and operate the facility except for the four (4) combustion turbines, which will remain the property of and operated by, or at the direction of, the Orlando Utilities Commission (OUC). Based on a review of the documentation, the Department finds the request acceptable. However, if anything changes at the facility from what was presented and evaluated, notification is expected immediately and the decision regarding the designation may be changed.

The initial Title V operation permit has already been issued for the existing Title V source. Therefore, OUC's Responsible Official (R.O.) for the existing Title V source shall submit an application for a "revision" to the initial Title V operation permit, which has to be sealed by a Registered Professional Engineer in Florida, and shall identify and address the emission units/activities that are to be included and deleted in the subsequent Title V Operation Permit Revision. For the proposed new Title V source for RE, an approved R.O. needs to submit an application for a Title V Operation Permit, which also has to be sealed by a Registered

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Letter to Mr. Jason M. Goodwin and Ms. Denise M. Scarlett
Request for Separate Title V Source Designation
Indian River Electrical Power Generating Facility
March 23, 2000
Page 2 of 2


Professional Engineer in Florida, and shall identify and address the emission units/activities that will be included in the new Title V Operation Permit. All of the applications are to be submitted to the Department's Bureau of Air Regulation office for processing. The form shall be DEP Form 62-210.900(1), F.A.C. In addition and due to the emissions units at the existing facility also being designated as "Acid Rain Units", the application packages need to include the U.S. EPA document approving the "Designated Representative".

As for the existing PSD permit, the OUC and RE representatives shall each be required to submit an application request to the Department's Bureau of Air Regulation for the emissions units that will be owned and operated by them. The applications must be sealed by a Registered Professional Engineer in Florida and include the appropriate processing fee. The form shall be DEP Form 62-210.900(1), F.A.C. A PSD permit amendment reflecting the affected emissions units will be issued to OUC; and, a PSD permit reflecting a change in ownership and affected emissions units will be issued to RE.

If desired, the application for the Title V permit and the PSD permit can be one and the same. However, the applications must include all of the Title V application requirements (Chapter 62-213, F.A.C.) if they are to be combined. If so, then we will issue the two combined draft PSD/DRAFT Title V permits with a combined Public Notice for each facility. These applications must be completed and filed within 180 days of the transfer (presumed to have been October 5, 1999). If separate PSD/Title V permits are desired, then the request for separation needs to be made at the time of application submittal.

If you have any questions, please call Bruce Mitchell at (850)921-9506, or write to me at the letterhead address.

Sincerely,


C. H. Fancy, P.E.
Chief,
Bureau of Air Regulation

CHF/rbm

cc: Scott M. Sheplak, Title V Section
Len Kozlov, CD
Patricia Comer, Esq., DEP
Gary Early, Esq., ASE
Steve Smallwood, P.E.

Z 210 660 425

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Mr. Jason M. Goodwin, P.E.
Reliant Energy
Air Resources Division
Environmental Dept. Wholesale Group
P.O. Box 4567
Houston, TX 77210-3000

PS Form 3800, April 1995

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Return Receipt Showing to Whom, Date, & Addressee's Address	
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Ms. Denise M. Scarlett
Director of Environmental Affairs
Orlando Utilities Commission
500 South Orange Ave.
Orlando, FL 32801

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TOTAL Postage & Fees	\$
Postmark or Date	03-27-00 <i>sgk</i>

Sandra,

Please fax the OUC/Reliant letter claim just
signed to Gary Early. I don't see his fax #, you'll
have to call him.

Thank you,
SJA ☺

(850) 222-8628

AKERMAN, SENTERFITT & EIDSON, P.A.

ATTORNEYS AT LAW

301 SOUTH BRONOUGH STREET
SUITE 200
TALLAHASSEE, FLORIDA 32301-1722
(850) 222-3471
TELECOPY (850) 222-8828

E. GARY EARLY
E-mail gearly@akerman.com

October 11, 1999

Scott M. Sheplak
Title V Coordinator
Division of Air Resource Management
Department of Environmental Protection
Twin Towers Office Building, MS 5505
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

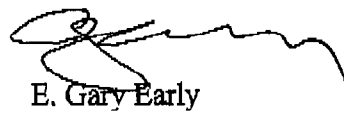
Re: Sale of Indian River Power Plant

Scott
Dear ~~Mr. Sheplak~~,

On Friday, October 8, 1999, Jason Goodwin and I spoke with you regarding the completion of the sale of a portion of the Indian River Power Plant from the Orlando Utilities Commission (OUC) to Reliant Energy Indian River, LLC. During our discussion, you indicated that you would like to have copies of the Asset Sale Agreement and the Power Purchase Agreement to use in your review of the Title V "common control" issue. I have been in communication with a representative of Reliant Energy who has advised that Reliant Energy must have a written request for those documents before they can be released. Therefore, if you would forward such a request to me at the above address, I will get the process started to get those documents to you.

If you have any questions, please contact me.

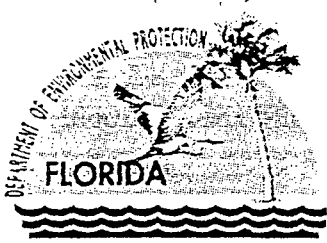
Sincerely


E. Gary Early

EGE/mcd

cc: Jason Goodwin

TL003207;1



Department of Environmental Protection

Jeb Bush
Governor

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

David B. Scruhs
Secretary

FAX TRANSMITTAL SHEET

TO: Gary Early, Esquire

DATE: 03-²⁷~~24~~-00 PHONE: (850) 222-8628

TOTAL NUMBER OF PAGES, INCLUDING COVER PAGE: 3

FROM: Scott Sheplak
DIVISION OF AIR RESOURCES MANAGEMENT

COMMENTS: This was faxed to you Friday afternoon, and this morning we received notice that you did not get the fax. We will try again.

PHONE: (850) 413-9198 / ^{Sandy} Knight FAX NUMBER: 904/922-6979

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David Struhs
Secretary

F A X T R A N S M I T T A L S H E E T

DATE: 3/23/00

TO: Jaym M. Gordinin

PHONE: 713-945-7167

FAX: 713-945-7598

FROM: Scott Sheplak

PHONE: (850) 921-9532

Division of Air Resources Management

FAX: 850.922.6979

RE: _____

CC: _____

Total number of pages including cover sheet: 3

Message

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David Struhs
Secretary

F A X T R A N S M I T T A L S H E E T

DATE: 3/23/00

TO: Denise Scarlett

PHONE: 407-423-9141

FAX: 407-236-9616

FROM: Scott Sheplak

PHONE: (850) 921-9532

Division of Air Resources Management

FAX: 850.922.6979

RE: _____

CC: _____

Total number of pages including cover sheet: 3

Message

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