

RECEIVED

APR 08 2004

BUREAU OF AIR REGULATION

March 18, 2004

Mr. Frank W. Cox
Director of Utilities and Responsible Official
G.W. Ivey Power Plant
Homestead City Utilities
675 North Flagler Avenue
Homestead, FL 33030

Re: Title V Air Operation Permit Renewal Application
G.W. Ivey Power Plant
DRAFT Permit Renewal No. 0250013-002-AV
Facility ID: 0250013

Dear Mr. Cox:

One copy of the DRAFT Permit for the renewal of a Title V Air Operation Permit for the G.W. Ivey Power Plant, located at 660 NE 1 Road, Homestead, Dade County, is enclosed. The permitting authority's "INTENT TO ISSUE TITLE V AIR OPERATION PERMIT RENEWAL" and the "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT RENEWAL" are also included.

Electronic versions of these documents have been posted on the Division of Air Resource Management's world wide web site for the United States Environmental Protection Agency (U.S. EPA) Region 4 office's review. The web site address is:

<http://www.dep.state.fl.us/air/permitting/airpermits>

The "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT RENEWAL" must be published as soon as possible. **Proof of publication**, i.e., newspaper affidavit, must be provided to the permitting authority's office within 7 (seven) days of publication pursuant to Rule 62-110.106(5), F.A.C. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit pursuant to Rule 62-110.106(11), F.A.C.

Please submit any written comments you wish to have considered concerning the permitting authority's proposed action to A. A. Linero, P.E., at the above letterhead address. If you have any other questions, please contact Tom Cascio at 850/921-9526.

Sincerely,

Trina L. Vielhauer, Chief
Bureau of Air Regulation

Enclosures

RECEIVED

APR 08 2004

BUREAU OF AIR REGULATION

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 766id(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:

Permitting Authority: Department of Environmental Protection Bureau of Air Regulation 111 South Magnolia Drive Suite 4 Tallahassee, Florida 32301 Telephone: 850/488-0114 Fax: 850/922-6979

Affected District/Local Program: Dade County Department of Environmental Resources Management Suite 900 33 Southwest Second Avenue

Miami, Florida 33130-1540 Telephone: 305/372-6925 Fax: 305/372-6954

The complete project file includes the DRAFT Permit Renewal, the application for renewal, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact A.A. Linero, P.E., at the above address, or call 850/921-9523, for additional information.

March 30, 2004

- (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 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 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 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.

In addition to the above, pursuant to 42 United States Code (U.S.C.) Section 766id(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 766id(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 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 is-

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 of the 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 and 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 for service purposes during the course of the proceeding; and 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. If there are none, the petition must so state;
(e) A concise statement of the ultimate relief sought.

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

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

DRAFT Permit Project No. 0250013-002-AV G.W. Ivey Power Plant Dade County

The Department of Environmental protection (permitting authority) gives notice of its intent to issue a Title V Air Operation Permit Renewal to the Homestead City Utilities for the G.W. Ivey Power Plant, located at 660 NE 1 Road, Homestead, Dade County. The applicant's name and address are: Mr. Frank W. Cox, Director of Utilities, Homestead City Utilities, 675 North Flagler Avenue, Homestead, FL 33030.

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 Section 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)

STATE OF FLORIDA,

COUNTY OF DADE,

Personally appeared before me the undersigned authority, Glenn Martin, to me well known who being duly sworn deposes and says that he is the General Manager of the South Dade News Leader, a newspaper of general circulation, published at Homestead, Dade County, Florida. Affiant further says that the above named newspaper continuously published in Dade County, Florida, for more than one year immediately preceding the first publication of said Legal Notice or Advertisement and was during all such time and now is entered as second class mail matter in the United States Post Office in Homestead, Dade County, Florida, and that the Legal Notice or Advertisements, a true copy of which is hereto attached, was published in the

SOUTH DADE NEWS LEADER

on the following days:

MARCH 30, 2004

Signed

Sworn to and subscribed before me this 30

day of, MAR 2004 A.D.

H. Lawrence Wiggins III

Notary Public State of Florida at Large

My commission expires

OFFICIAL NOTARY SEAL H LAWRENCE WIGGINS III NOTARY PUBLIC STATE OF FLORIDA COMMISSION NO. CC976639 MY COMMISSION EXP. NOV. 19 2004

IN

.....

MIAMI-DADE COUNTY, FLORIDA

No.

.....

vs.

.....

PROOF OF PUBLICATION

SOUTH DADE

NEWS LEADER

HOMESTEAD NEWSPAPERS INC.
HOMESTEAD, FLORIDA

Power Plant Administrative Secretary
675 N Flagler Ave
Homestead, Fla 33030
305-224-4751
305-224-4769 Fax



Fax

From: The Desk of Maria Medina

To: Bureau of Air Regulation

Fax: 850/922-6979 **Pages:** 3

Phone: **Date:** 04/05/04

Re: Proof of Publication **CC:**

Urgent For Review Please Comment Please Reply Please Recycle

Please note the attached proof of publication of PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT RENEWAL for G.W. Ivey Power Plant, Permit Renewal No. 0250013-002-AV
 Facility ID 0250013.



BEST AVAILABLE COPY

March 18, 2004

Mr. Frank W. Cox
Director of Utilities and Responsible Official
G.W. Ivey Power Plant
Homestead City Utilities
675 North Flagler Avenue
Homestead, FL 33030

Re: Title V Air Operation Permit Renewal Application
G.W. Ivey Power Plant
DRAFT Permit Renewal No. 0250013-002-AV
Facility ID: 0250013

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<http://www.dep.state.fl.us/air/permitting/airpermits>

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Please submit any written comments you wish to have considered concerning the permitting authority's proposed action to A. A. J. Inero, P.E., at the above letterhead address. If you have any other questions, please contact Tom Cascio at 850/921-9526.

Sincerely,

Trina L. Vielhauer, Chief
Bureau of Air Regulation

Enclosures

BEST AVAILABLE COPY

The Miami Herald

www.herald.com
www.elherald.com

PUBLISHED DAILY
MIAMI-DADE-FLORIDA

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

Before the undersigned authority personally
appeared:

KAREL MONTES

who on oath says that he/she is

CUSTODIAN OF RECORDS

of The Miami Herald, a daily newspaper published at
Miami in Miami-Dade County, Florida; that the
attached copy of advertisement was published in said
newspaper in the issues of:

March 31, 2004

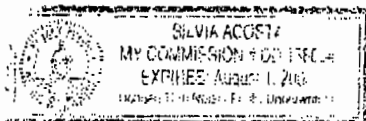
Affiant further says that the said The Miami Herald
is a newspaper published at Miami, in the said
Miami-Dade County, Florida and that the said
newspaper has heretofore been continuously published
in said Miami-Dade County, Florida each day and has
been entered as second class mail matter at the post
office in Miami, in said Miami-Dade 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
newspapers(s).

Handwritten signature of Karel Montes

Sworn to and subscribed before me this
31st day of March, 2004

My Commission
Expires: August 1, 2006
Silvia Acosta

Handwritten signature of Silvia Acosta
Notary



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

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DRAFT Permit Project No. 0250013-002-AV
G.W. Ivey Power Plant
Dade County

The Department of Environmental Protection (permitting authority) gives notice of
its intent to issue a Title V Air Operation Permit Renewal to the Homestead City Utilities
for the G.W. Ivey Power Plant, located at 680 NE 1 Road, Homestead, Dade County. The
applicant's name and address are: Mr. Frank W. Cox, Director of Utilities, Homestead City
Utilities, 675 North Flagler Avenue, Homestead, FL 33030.

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 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: 850/245-2300).
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 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 of the 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 and 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 for
service purposes during the course of the proceeding; and 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. If 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'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.
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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 28-106.201,
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 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.
In addition to the above, pursuant to 42 United States Code (U.S.C.) Section
7661(d)(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 7661(d)(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

Handy Person
TECHNICAL SERVICE
24hrs/7days/ChildCare
Handy Person
TECHNICAL SERVICE
24hrs/7days/ChildCare

The Miami Herald

www.herald.com
www.elherald.com

PUBLISHED DAILY
MIAMI-DADE-FLORIDA

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

Before the undersigned authority personally
appeared:

KAREL MONTES

who on oath says that he/she is

CUSTODIAN OF RECORDS

of The Miami Herald, a daily newspaper published at
Miami in Miami-Dade County, Florida; that the
attached copy of advertisement was published in said
newspaper in the issues of:

March 31, 2004

Affiant further says that the said The Miami Herald
is a newspaper published at Miami, in the said
Miami-Dade County, Florida and that the said
newspaper has heretofore been continuously published
in said Miami-Dade County, Florida each day and has
been entered as second class mail matter at the post
office in Miami, in said Miami-Dade 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
newspapers(s).

Karel Montes

Sworn to and subscribed before me this
_31st day of __ March, 2004

My Commission

Expires: __ August 1, 2006

Silvia Acosta

Silvia Acosta
Notary



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

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

DRAFT Permit Project No. 0250013-002-AV
G.W. Ivey Power Plant
Dade County

The Department of Environmental Protection (permitting authority) gives notice of its intent to issue a Title V Air Operation Permit Renewal to the Homestead City Utilities for the G.W. Ivey Power Plant, located at 660 NE 1 Road, Homestead, Dade County. The applicant's name and address are: Mr. Frank W. Cox, Director of Utilities, Homestead City Utilities, 675 North Flagler Avenue, Homestead, FL 33030.

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 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 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 of the Florida Administrative Code (F.A.C.).

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- A statement of how and when the petitioner received notice of the agency action, or proposed action;
- A statement of all disputed issues of material fact. If there are none, the petition must so state;
- A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle petitioner to relief;
- A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and
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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. 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.

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:

Permitting Authority:
Department of
Environmental Protection
Bureau of Air Regulation
111 South Magnolia Drive, Suite 4
Tallahassee, Florida 32301
Telephone: 850/488-0114
Fax: 850/922-6979

Affected District/Local Program:
Dade County Department of
Environmental Resources Management
Suite 900
33 Southwest Second Avenue
Miami, Florida 33130-1540
Telephone: 305/372-6925
Fax: 305/372-6954

The complete project file includes the DRAFT Permit Renewal, the application for renewal, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact A.A. Linero, P.E., at the above address, or call 850/921-9523, for additional information.

Power Plant Administrative Secretary
675 N Flagler Ave
Homestead, Fla 33030
305-224-4751
305-224-4769 Fax



Fax

From: The Desk of Maria Medina

To: Bureau of Air Regulation			
Fax: 850/922-6979	Pages: 6		
Phone:	Date: 04/02/04		
Re: Proof of Publication	CC:		

Urgent
 For Review
 Please Comment
 Please Reply
 Please Recycle

Please note the attached proof of publication of PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT RENEWAL for G.W. Ivey Power Plant, Permit Renewal No. **0250013-002-AV**, Facility ID **0250013**.



In the Matter of an
Application for Permit Renewal by:

Homestead City Utilities
675 North Flagler Avenue
Homestead, FL 33030

DRAFT Permit No. **0250013-002-AV**
G.W. Ivey Power Plant
Dade County

INTENT TO ISSUE TITLE V AIR OPERATION PERMIT RENEWAL

The Department of Environmental Protection (permitting authority) gives notice of its intent to issue a Title V Air Operation Permit Renewal (copy of DRAFT Permit attached) for the Title V source detailed in the application specified above, for the reasons stated below.

The applicant, Homestead City Utilities, applied on March 8, 2004, to the permitting authority for a Title V Air Operation Permit Renewal for the G.W. Ivey Power Plant, located at 660 NE 1 Road, Homestead, Dade County. The permitting authority has permitting jurisdiction under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, and 62-213. This source is not exempt from Title V permitting procedures. The permitting authority has determined that a Title V Air Operation Permit Renewal is required to commence or continue operations at the described facility.

The permitting authority intends to issue this Title V Air Operation Permit Renewal based on the belief that reasonable assurances have been provided to indicate that operation of the source will not adversely impact air quality, and the source will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-256, 62-257, 62-281, 62-296, and 62-297, F.A.C.

Pursuant to Sections 403.815 and 403.087, F.S., and Rules 62-110.106 and 62-210.350(3), F.A.C., you (the applicant) are required to publish at your own expense the enclosed "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT RENEWAL." The notice shall be published one time only as soon as possible in the legal advertisement section of a newspaper of general circulation in the area affected. For the purpose of these rules, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. If you are uncertain that a newspaper meets these requirements, please contact the permitting authority at the address or telephone number listed below. The applicant shall provide proof of publication to the Department's Bureau of Air Regulation, 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400 (Telephone: 850/488-0114; Fax: 850/922-6979, within 7 (seven) days of publication pursuant to Rule 62-110.106(5), F.A.C. Failure to publish the notice and provide proof of publication may result in the denial of the permit pursuant to Rule 62-110.106(11), F.A.C.

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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, F.S. The petition

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IN

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MIAMI-DADE COUNTY, FLORIDA

No.

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.....

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VS.

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PROOF OF PUBLICATION

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=====

SOUTH DADE

NEWS LEADER

HOMESTEAD NEWSPAPERS INC.

HOMESTEAD, FLORIDA

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

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

DRAFT Permit Project
0250013-002-AV
Hwy Power Plant
Dade County

The Department of Environmental Protection (permitting authority) gives notice of its intent to issue a Title V Air Operation Permit Renewal to the Homestead City Utilities for the G.W. Hwy Power Plant located at 800 NE 1st St., Homestead, Dade County. The applicant's name and address are: G.W. Hwy Power Plant, Director of Utilities, Homestead City Utilities, 875 North Flamingo Avenue, Homestead, FL 33030.

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 of 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, 2800 Blair Stone Road, Mail Station 85808, Tallahassee, Florida 32388-2400. Any written comments received shall be made available for public inspection. If written comments received result in a significant change in the 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 Section 220.309 and 220.317 of the Florida Statutes (F.S.). The petition must contain the information set forth below and must be filed (received) at the Bureau of General Counsel, Department of Environmental Protection, 3000 Commonwealth Boulevard, Mail Station 835, Tallahassee, Florida 32386-0860.

STATE OF FLORIDA,
COUNTY OF DADE,

Personally appeared before me the undersigned authority, Glenn Martin, to me well known who being duly sworn deposes and says that he is the General Manager of the South Dade News Leader, a newspaper of general circulation, published at Homestead, Dade County, Florida. Affiant further says that the above named newspaper continuously published in Dade County, Florida, for more than one year immediately preceding the first publication of said Legal Notice or Advertisement and was during all such time and now is entered as second class mail matter in the United States Post Office in Homestead, Dade County, Florida, and that the Legal Notice or Advertisements, a true copy of which is hereto attached, was published in the

..... SOUTH DADE NEWS LEADER

on the following days:
..... MARCH 30, 2004

Signed

Sworn to and subscribed before me this 30 day of MARCH 2004, A.D.
..... H. Lawrence Wiggins III

Notary Public State of Florida at Large

My commission expires
OFFICIAL NOTARY SEAL
H. LAWRENCE WIGGINS III
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CC976639
MY COMMISSION EXP. NOV. 19, 2004

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

**STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION**
DRAFT Permit Project No. 0250813-002-AV
G.W. Ivey Power Plant
Dade County

The Department of Environmental Protection (permitting authority) gives notice of its intent to issue a Title V Air Operation Permit Renewal to the Homestead City Utilities for the G.W. Ivey Power Plant, located at 660 NE 1 Road, Homestead, Dade County. The applicant's name and address are: Mr. Frank W. Cox, Director of Utilities, Homestead City Utilities, 675 North Flamingo Avenue, Homestead, FL 33030.

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, 2609 Blair Stone Road, Mail Station 85505, Tallahassee, Florida 32319-2400. 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 Section 120.568 and 120.57 of the Florida Statutes (F.S.). The petition must contain the information set forth herein and must be filed (received) in the Office of General Counsel of the Department of Environ-

Legal Notices

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 28-195.295 of the 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 and 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 for service purposes during the course of the proceeding; and 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. If 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's proposed action; and,
- (g) A statement of the relief sought by the petitioner, stating precisely the action peti-

In addition to the above, pursuant to 42 United States Code (U.S.C.) Section 7606(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 7606(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 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 7606(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, 9:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays at:

Permitting Authority:
Department of Environmental Protection
Bureau of Air Regulation
111 South Magnolia Drive
Suite 4
Tallahassee, Florida 32301
Telephone: 850-488-0114
Fax: 850-922-6972

Affected District/Local Entities:
Dade County Department of Environmental Resources Management
Suite 800
33 Southwest Second Avenue

Miami, Florida 33130-1540
Telephone: 305-372-8928
Fax: 305-372-8854

BEST AVAILABLE COPY

P. 6/6

TO: 18509226979

APR-02-2004 15:56 FROM: HOMSTEAD ENERGY SVCS 3052244769

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 four-
 teen 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 appli-
 cable time period shall
 constitute a waiver of
 that person's right to
 request an administrative
 determination (hearing)
 under Sections 120.669
 and 120.67, F.S., or to

the agency's pro-
 posed 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 other-
 wise shall contain the
 same information as set
 forth above, as required
 by Rule 28-105.361, F.A.C.

Because the adminis-
 trative hearing process is
 designed to formulate
 final agency action, the
 filing of a petition means
 that the permitting au-
 thority's final action may
 be different from the
 position taken by it in this
 notice of intent. Persons
 whose substantial inter-
 ests 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 accord-
 ance with the require-
 ments set forth above.

Mediation is not
 available for this proceed-
 ing.