

**Indiantown Cogeneration, L.P.**

Indiantown Cogeneration, L.P.  
P.O. Box 1799  
13303 SW Silver Fox Lane  
Indiantown, FL 34956

772.597.6500  
Fax: 772.597.6210

May 31, 2007

RECEIVED

JUN 01 2007

Barbara Friday  
Department of Environmental Protection  
Bureau of Air Regulations  
2600 Blair Stone Road, Mail Station # 5505  
Tallahassee, FL 32399-2400

BUREAU OF AIR REGULATION

**VIA FEDERAL EXPRESS**

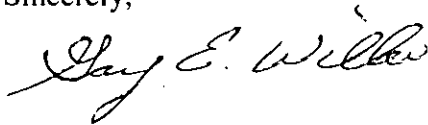
**Re: INTENT TO ISSUE AIR CONSTRUCTION PERMIT**  
**PERMIT # 0850102-009-A (INDIANTOWN COGENERATION PLANT)**

Dear Barbara:

Pursuant to the requirement of Chapter 50, Florida Statutes, attached please find proof of publication, i.e., newspaper affidavit for "Public Notice of Intent to Issue Air Construction Permit" in the Stuart News on May 29<sup>th</sup>, 2007.

If you have any questions, please contact Nick Laryea at 772-597-6500, extension 19.

Sincerely,



Gary E. Willer  
General Manager

Enclosure

cc: N Laryea  
M. Halpin  
T. Cascio  
L. Billheimer  
File



SCRIPPS HOWARD

# SCRIPPS TREASURE COAST NEWSPAPERS

The Stuart News  
The Port St. Lucie News

1939 S. Federal Highway, Stuart, FL 34994

## AFFIDAVIT OF PUBLICATION

STATE OF FLORIDA

COUNTY OF MARTIN; COUNTY OF ST. LUCIE

Before the undersigned authority personally appeared, S. Darlene Broeg, who on oath says that she is Classified Inside Sales Manager of the Stuart News and the Port St. Lucie News, a daily newspaper published at Stuart in Martin County, Florida; that the attached copy of advertisement was published in the Stuart/Port St. Lucie News in the following issues below. Affiant further says that the said Stuart/Port St. Lucie News is a newspaper published in Stuart in said Martin County, Florida, with offices and paid circulation in Martin County and St. Lucie County, Florida, and that said newspapers have heretofore been continuously published in said Martin County, Florida, daily and distributed in Martin and 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 or 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 Stuart News has been entered as Periodical Matter at the Post Offices in Stuart, Martin County, Florida and Ft. 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.

Customer	Ad Number	Pub Date	Copyline	PO #
INDIANTOWN COGENERATIC	1637983	5/29/2007	NOTICE OF INTENT	0850102-0

RECEIVED

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BUREAU OF AIR REGULATION

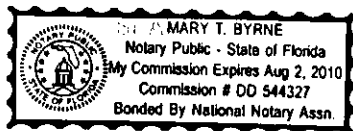
Subscribed and sworn to me before this date:

May 29, 2007

*S. Darlene Broeg*

*Mary T. Byrne*

Notary Public



PUBLIC NOTICE OF INTENT  
TO ISSUE AIR CONSTRUCTION PERMIT  
STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL  
PROTECTION  
DEP File No. 0850102-009-AC  
Indiantown Cogeneration Facility  
Modification of Lime Handling System  
Martin County.

The Department of Environmental Protection (DEP) gives notice of its intent to issue an air construction permit to Indiantown Cogeneration, L.P., to modify the lime handling system located at its facility in Martin County. A review under the rules for the Prevention of Significant Deterioration of Air Quality (PSD) and a determination of best available control technology (BACT) were not required. The applicant's name and address are Indiantown Cogeneration, L.P., 13303 SW Silver Fox Lane, Indiantown, Florida 34996.

The facility includes one high-pressure pulverized coal (PC) main boiler with electrical power output of approximately 330 megawatts, and two identical auxiliary boilers used for supplying steam to the steam host during times when the PC boiler is offline, as well as during PC boiler startup and shutdown periods. In addition, the facility has a variety of ancillary equipment needed to support operations as a coal-fired cogeneration plant.

The facility uses lime (calcium oxide) as a reactant in the PC boiler flue gas desulfurization (FGD) system.

Lime in powdered form is currently delivered to the facility by truck. The lime is then off-loaded into an existing 900-ton storage silo. Total throughput of lime into the system is approximately 100 tons per day, or 36,500 tons per year based on 365 days per year operation. This permit adds the capability for the facility to receive lime by railcar.

The new railcar lime unloading system will have a minimal effect on particulate matter (PM) emissions, and no effect on the emissions of any other air pollutants. Specifically, PM emission increases directly caused by the project would be only on the order of 1 ton per year (TPY). Further, the project will not cause or contribute to a violation of the ambient air quality standards and increment.

The Department will issue the Final Air Construction Permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments and requests for a public meeting concerning the proposed permit issuance action for a period of 14 days from the date of publication of this Public Notice of Intent to Issue Air Construction Permit. Written comments should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station #5506, 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 the proposed agency action, the Department shall revise the proposed permit and require, if applicable, another Public Notice.

The Department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to sections 120.569 and 120.57 of the Florida Statutes (F.S.) before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below. Mediation is not available in this proceeding.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57, 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 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within 14 days of receipt of this notice of intent.

Petitions filed by any persons other than those entitled to written notice under section 120.60(3), F.S., must be filed within 14 days of publication of the public notice or within 14 days of receipt of this notice of intent, whichever occurs first. Under section 120.60(3), F.S., however, any person who asked the Department for (Public Notice to be Published in the Newspaper) notice of agency action may file a petition within 14 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 appropriate 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 in a proceeding initiated by another party will be only at



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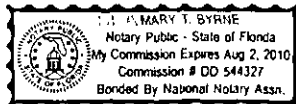
BUREAU OF AIR REGULATION

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DEP File No. 0850102-009-AC  
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A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57, 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 3900 Commonwealth Boulevard, Mail Station #36, Tallahassee, Florida 32399 2000. Petitions filed by the permit applicant or any of the parties listed below must be filed within 14 days of receipt of this notice of intent.

Petitions filed by any persons other than those entitled to written notice under section 120.569(3), F.S., must be filed within 14 days of publication of the public notice or within 14 days of receipt of the notice of intent, whichever occurs first. Under section 120.569(3), F.S., however, any person who asked the Department for (Public Notice) to be published in the Newspaper notice of agency action may file a petition within 14 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 appropriate 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 in a proceeding initiated by another party 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 Department'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, 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 petitioner received notice of the agency decision; (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 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, including an explanation of how the alleged facts relate to the specific rules or statutes; 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 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 such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

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  
Suite 4, 111 S. Magnolia Drive  
Tallahassee, Florida 32301  
Telephone: 850/488-0114  
Fax: 850/921-9533

Department of Environmental Protection  
Southeast District Office  
400 North Congress Avenue