

**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

October 8, 2004

RECEIVED

OCT 11 2004

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

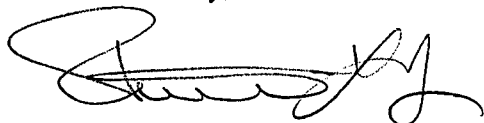
**VIA FEDERAL EXPRESS**

**Re: INTENT TO ISSUE TITLE V AIR OPERATION PERMIT RENEWAL  
PERMIT # 0850102-007-AV (INDIANTOWN COGENERATION PLANT)**

Dear Barbara:

Pursuant to Rule 62-110.106(11), FAC, please find attached proof of publication of "Public Notice of Intent to Issue Title V Air Operation Permit Renewal" in the Stuart News on October 4<sup>th</sup>, 2004. If you have any questions, please contact Nick Laryea at 772-597-6500, extension 19.

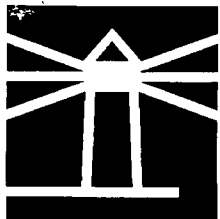
Sincerely,



Rick Grubb  
General Manager

Enclosure

cc: N Laryea  
T. Fromm  
Tom Casio  
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 Mailing, 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.

<u>Customer</u>	<u>Ad Number</u>	<u>Pub Date</u>	<u>Copyline</u>	<u>PO #</u>
INDIANTOWN COGENERAT	779041	10/4/2004	DEP AIR PERMIT	

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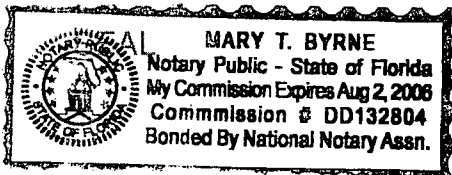
Subscribed and sworn to me before this date:

October 04, 2004

*S. Darlene Mailing*

*Mary T Byrne*

Notary Public



PUBLIC NOTICE OF INTENT TO ISSUE TITLE V  
AIR OPERATION PERMIT RENEWAL  
STATE OF FLORIDA  
DEPARTMENT OF  
ENVIRONMENTAL PROTECTION  
DRAFT Permit Project No. 0850102-007-AV  
Indiantown Cogeneration Plant  
Martin County

The Department of Environmental Protection (permitting authority) gives notice of its intent to issue a Title V Air Operation Permit Renewal to Indiantown Cogeneration, L.P., for the Indiantown Cogeneration Plant, located at 13303 SW Silver Fox Lane, Indiantown, Martin County. The applicant's name and address are: Mr. Rick Grubb, Responsible Official, Indiantown Cogeneration, L.P., P.O. Box 1799, Indiantown, FL 34956.

The facility includes a pulverized coal-fired boiler and steam turbine that produces approximately 330 megawatts of electricity. Steam is exported to the adjacent Louis Dreyfus Citrus Processing Plant. Pollution control equipment includes: a selective catalytic reduction (SCR) system for nitrogen oxides control; and a lime spray dryer and baghouse for particulate matter and sulfur dioxide control. The present renewal includes a Compliance Assurance Monitoring (CAM) Plan that describes measures to be undertaken whenever plume opacity exceeds 6 percent.

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.).

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.

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 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:  
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 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 the Program Administrator, Permitting South Section, at the above address, or call 850/488-0114, for additional information. The draft permit and the CAM plan may be viewed using facility ID number 0850102 at <http://www.dep.state.fl.us/air/eproducts/airpermit/AirSearch.asp>

Publish: October 4, 2004

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