

Indiantown Cogeneration, L.P.

RECEIVED

SEP 15 1998

BUREAU OF
AIR REGULATION

Indiantown Cogeneration, L.P.
P.O. Box 1799
19140 SW Warfield Blvd.
Indiantown, FL 34956

Tel: 561.597.6500
Fax: 561.597.6210

September 11, 1998

Scott M. Sheplah, PE
Department of Environmental Protection
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, FL 32399-2400

VIA FACSIMILE

Re: Draft Title V Permit No.: 0850102-001-AV Indiantown Generating Plant

Dear Mr. Sheplah:

Pursuant to the referenced subject attached please find a copy of proof of publication, i.e., newspaper affidavit, of public notice of intent to issue Title V Air Operation Permit, in the matter of, Indiantown Cogeneration L.P., published in the "*Stuart News*" and the "*Port Saint Lucie News*" in the September 4, 1998 issue.

Please contact David Burrage, Environmental Manager, at 561-597-6500 ext. 19 with any questions.

Sincerely,



Stephen A. Sorrentino
General Manager

jl

Enclosure: 1

cc: D. Burrage
M. Golden
Doc. Control No.: 982126
Project File: 6.3.1.2



The Stuart News and The Port St. Lucie News

(an edition of The Stuart News)

STATE OF FLORIDA
COUNTY OF MARTIN: COUNTY OF ST. LUCIE:

Before the undersigned authority appeared KATHLEEN N. PRITCHARD who on oath says that he/she ACCOUNTS RECEIVABLE 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, being a

PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATOR PERMIT
in the matter of INDIANTOWN COGENERATION, LP.

in the _____ Court, was Published in The Stuart News and The Port St. Lucie News in the issues of SEPTEMBER 4, 1998

Affiant further says that the said The Stuart News and The Port St. Lucie News is a newspaper published at Stuart, in said Martin County, Florida with offices and paid circulation in Martin County, Florida, and St. Lucie County, Florida and that the said newspapers have heretofore been continuously published in said Martin County, Florida and distributed in Martin County, Florida 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 he/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 Stuart News has been entered as second class matter at the post office 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.

Sworn to and subscribed before me
this 9th day of September

A.D. 1998

(Seal) _____ Notary Public

PUBLIC NOTICE OF INTENT TO ISSUE TITLE V
AIR OPERATION PERMIT
STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Title V DRAFT PERMIT NO.: 0850102-001-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 to Indiantown Cogeneration, LLP, for the Indiantown Cogeneration Plant located at 19140 SW Warfield Boulevard, Indiantown, Martin County. The applicant's name and address are: Indiantown Cogeneration, L.P., P.O. Box 1620, Indiantown, Florida 34956.

The permitting authority will issue the Title V PROPOSED Permit, and subsequent Title V FINAL Permit, in accordance with the conditions of the Title V 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 Title V 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: 850/488-9730; Fax: 850/487-4938). 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 entitled petitioner to relief; and (f) A demand for relief.

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 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 62-273, 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: 850/488-1344
Fax: 850/922-6979

Affected District Program:
Department of Environmental
Protection
Southeast District
400 North Congress Avenue
West Palm Beach, Florida
33416-5425
Telephone: 561/681-6600
Fax: 561/681-6755

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.

Pub.: Sept. 4, 1998

 *** ACTIVITY REPORT ***

TRANSMISSION OK

TX/RX NO. 8237
 CONNECTION TEL 18509226979
 CONNECTION ID
 START TIME 09/11 15:03
 USAGE TIME 01'56
 PAGES 4
 RESULT OK



**U.S. Generating
 Company**

Indiantown Generating Plant

Fax Message

Date: September 11, 1998

To: Scott M. Sheplah, PE

Facsimile No.: 850-922-6979

Phone No.: 850-921-9526

Company: Florida Department of
 Environmental Protection

No. of Pages: 4

(including this one)

City/State: Tallahassee, Florida

From: Steve Sorrentino

Phone No.: (561) 597-6500-40

Special Instructions: _____

If transmittal is incomplete or illegible, please call Joncien Lee at (561) 597-6500 ext. 11.

Message:

Date: 8/27/98 10:46:34 AM
From: Mary Fillingim TAL
Subject: New Posting #0850102
To: See Below

There is a new posting on Florida's website.

0850102001AV
INDIANTOWN COGENERATION, L.P.

Draft

If you have any questions, please feel free to contact me.

Thanks,
Mary

To: adams yolanda
To: pierce carla
To: Barbara Boutwell TAL
To: Scott Sheplak TAL
To: Terry Knowles TAL
To: danois gracy
To: Elizabeth Walker TAL
CC: Tom Cascio TAL