

*Indiantown Cogeneration, L.P.*

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

772.597.6500  
Fax: 772.597.8210

March 4, 2003

Trina Vielhauer, Chief,  
Bureau of Air Regulations  
Department of Environmental Protection  
Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

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MAR 05 2003

BUREAU OF AIR REGULATION

*VIA FEDERAL EXPRESS*

*Re: DEP File No. PA 90-31, PSD-FL-168  
Indiantown Cogeneration Facility Temporary Boiler Installation  
Public Notice of Intent to Issue PSD Permit Modification*

Dear Ms. Vielhauer:

Pursuant to your written request of February 13, 2003, and the requirements of Chapter 50 Florida Statutes, please find attached proof of publication of Public Notice of Intent to Issue Specific Exemption, State of Florida Department of Environmental Protection DEP File No. PA 90-31, PSD-FL-168, Indiantown Cogeneration, L.P., Indiantown Cogeneration Plant, Martin County, printed February 20, 2003 in the Stuart News. Please contact Nicholas Laryea at 772-597-6500, extension 19, if you have any questions.

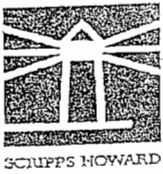
Sincerely,



George K. "Chip" Allen  
General Manager

Enclosure

cc: A. A. Linero  
Mike Halpin, DEP  
Buck Owen, DEP  
File



# SCRIPPS TREASURE COAST PUBLISHING COMPANY

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 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 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>Ad #</u>	<u>Customer Name</u>	<u>Pub Date</u>	<u>Copyline</u>	<u>PO #</u>
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Subscribed and sworn to me before this date:

02/20/2003

*S. Darlene Mailing*  
\_\_\_\_\_  
*Linda Rufo*  
\_\_\_\_\_  
Notary Public



Linda Rufo  
Commission # CC 967202  
Expires Oct. 22, 2004  
Bonded Thru  
Atlantic Bonding Co., Inc.

SEAL

PUBLIC NOTICE OF INTENT TO ISSUE SPECIFIC EXEMPTION  
STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
DEP File No. 0650102  
Indiantown Cogeneration Facility  
Indiantown, Martin County

The Department of Environmental Protection (Department) gives notice of its intent to issue an exemption to air construction permitting to Indiantown Cogeneration, L.P. for the Indiantown Cogeneration Facility located at 13301 SW Silver Fox Lane, Indiantown, Martin County. The exemption allows the temporary installation of a small package boiler (less than 100 MMBtu/hr) at the existing facility, for the purpose of providing steam to the adjacent citrus processing facility. A Best Available Control Technology (BACT) determination was not required pursuant to Rule 62-212.400, F.A.C. and 40 CFR 52.21, Prevention of Significant Deterioration (PSD). The applicant's mailing address is: Indiantown Cogeneration, L.P., P.O. Box 1799, Indiantown, Florida 34956.

The temporary package boiler will be authorized for use up to 60 days per calendar year, and may be physically on-site for up to 90 days per calendar year. The exemption is subject to a number of conditions, in order to ensure that a PSD review and BACT determination are unnecessary. Of particular importance, the temporary package boiler will fire natural gas or propane only and cannot be utilized if either the main boiler or both auxiliary boilers are available. This requirement will satisfy the Department's small boiler SACT rule, 62-296.406, F.A.C. An air quality impact analysis was not required, nor conducted, as previously authorized facility-wide emissions will not increase. The Department will issue the Specific Exemption with the attached conditions 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 concerning the proposed exemption issuance action for a period of 14 (fourteen) days from the date of publication of this Public Notice of Intent to Issue Specific Exemption. Written comments should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, FL 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 exemption and require, if applicable, another Public Notice.

The Department will issue the exemption with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to sections 120.569 and 120.57 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 of the Florida Statutes. 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 fourteen days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under section 120.6(3) of the Florida Statutes must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under section 120.60(3), however, any person who asked the Department 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 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 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.

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, the 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 purpose 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 action or proposed action; (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; 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.

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: 850-922-6979

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 information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Administrator, New Source Review Section, at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850-488-0114, for additional information.  
Published: February 20, 2003 2636486

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