

Friday, Barbara

9/7/07

---

**From:** Laryea, Nicholas [NicholasLaryea@cogentrix.com]  
**To:** Friday, Barbara  
**Sent:** Friday, September 07, 2007 9:19 PM  
**Subject:** Read: FINAL AC Permit No.: 0850102-014-AC - Indiantown Cogeneration Plant

Your message

To: NicholasLaryea@Cogentrix.com  
Subject:

was read on 9/7/2007 9:19 PM.

**Friday, Barbara**

---

**To:** GaryWiller@cogentrix.com; Laryea, Nicholas; Hoefert, Lee; 'dbuff@golder.com';  
'forney.kathleen@epa.gov'; little.james@epa.gov  
**Cc:** Cascio, Tom; Adams, Patty; Harvey, Mary  
**Subject:** FINAL AC Permit No.: 0850102-014-AC - Indiantown Cogeneration Plant  
**Attachments:** 0850102-014ACFinalPermit.pdf

Dear Sir/Madam:

Please send a "reply" message verifying receipt of the attached document(s); this may be done by selecting "Reply" on the menu bar of your e-mail software and then selecting "Send". We must receive verification of receipt and your reply will preclude subsequent e-mail transmissions to verify receipt of the document(s).

The document(s) may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible.

The document is in Adobe Portable Document Format (pdf). Adobe Acrobat Reader can be downloaded for free at the following internet site: <http://www.adobe.com/products/acrobat/readstep.html>.

The Bureau of Air Regulation is issuing electronic documents for permits, notices and other correspondence in lieu of hard copies through the United States Postal System, to provide greater service to the applicant and the engineering community. Please advise this office of any changes to your e-mail address or that of the Engineer-of-Record.

Thank you,

DEP, Bureau of Air Regulation

9/7/2007

## Friday, Barbara

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**From:** System Administrator  
**To:** Adams, Patty; Cascio, Tom; Harvey, Mary  
**Sent:** Friday, September 07, 2007 11:40 AM  
**Subject:** Delivered:FINAL AC Permit No.: 0850102-014-AC - Indiantown Cogeneration Plant

Your message

**To:** 'GaryWiller@cogentrix.com'; 'Laryea, Nicholas'; Hoefert, Lee; 'dbuff@golder.com'; 'forney.kathleen@epa.gov'; 'little.james@epa.gov'  
**Cc:** Cascio, Tom; Adams, Patty; Harvey, Mary  
**Subject:** FINAL AC Permit No.: 0850102-014-AC - Indiantown Cogeneration Plant  
**Sent:** 9/7/2007 11:39 AM

was delivered to the following recipient(s):

Adams, Patty on 9/7/2007 11:39 AM  
Cascio, Tom on 9/7/2007 11:39 AM  
Harvey, Mary on 9/7/2007 11:39 AM

## Friday, Barbara

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**From:** System Administrator  
**To:** Hoefert, Lee  
**Sent:** Friday, September 07, 2007 11:40 AM  
**Subject:** Delivered:FINAL AC Permit No.: 0850102-014-AC - Indiantown Cogeneration Plant

Your message

**To:** 'GaryWiller@cogentrix.com'; 'Laryea, Nicholas'; Hoefert, Lee; 'dbuff@golder.com'; 'forney.kathleen@epa.gov'; 'little.james@epa.gov'  
**Cc:** Cascio, Tom; Adams, Patty; Harvey, Mary  
**Subject:** FINAL AC Permit No.: 0850102-014-AC - Indiantown Cogeneration Plant  
**Sent:** 9/7/2007 11:39 AM

was delivered to the following recipient(s):

Hoefert, Lee on 9/7/2007 11:39 AM

**Friday, Barbara**

---

**From:** Buff, Dave [DBuff@GOLDER.com]  
**To:** undisclosed-recipients  
**Sent:** Friday, September 07, 2007 11:43 AM  
**Subject:** Read: FINAL AC Permit No.: 0850102-014-AC - Indiantown Cogeneration Plant

Your message

**To:** DBuff@GOLDER.com  
**Subject:**

was read on 9/7/2007 11:43 AM.

## Friday, Barbara

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**From:** Mail Delivery System [MAILER-DAEMON@mseive01.rtp.epa.gov]  
**Sent:** Friday, September 07, 2007 11:24 AM  
**To:** Friday, Barbara  
**Subject:** Successful Mail Delivery Report

**Attachments:** Delivery report; Message Headers



Delivery report.txt  
(692 B)

Message  
Headers.txt (2 KB)

This is the mail system at host mseive01.rtp.epa.gov.

Your message was successfully delivered to the destination(s) listed below. If the message was delivered to mailbox you will receive no further notifications. Otherwise you may still receive notifications of mail delivery errors from other systems.

The mail system

<forney.kathleen@epa.gov>: delivery via 127.0.0.1[127.0.0.1]:10025: 250 OK,  
sent 46E16D1D\_3541\_115029\_5

<little.james@epa.gov>: delivery via 127.0.0.1[127.0.0.1]:10025: 250 OK, sent  
46E16D1D\_3541\_115029\_5

## Friday, Barbara

---

**From:** Exchange Administrator  
**Sent:** Friday, September 07, 2007 11:52 AM  
**To:** Friday, Barbara  
**Subject:** Delivery Status Notification (Relay)

**Attachments:** ATT264528.txt; FINAL AC Permit No.: 0850102-014-AC - Indiantown Cogeneration Plant



ATT264528.txt  
(378 B)



FINAL AC Permit  
No.: 0850102-0...

This is an automatically generated Delivery Status Notification.

Your message has been successfully relayed to the following recipients, but the requested delivery status notifications may not be generated by the destination.

GaryWiller@cogentrix.com  
NicholasLaryea@Cogentrix.com

## Friday, Barbara

---

**From:** Hoefert, Lee  
**To:** Friday, Barbara  
**Sent:** Friday, September 07, 2007 11:53 AM  
**Subject:** Read: FINAL AC Permit No.: 0850102-014-AC - Indiantown Cogeneration Plant

Your message

**To:** 'GaryWiller@cogentrix.com'; 'Laryea, Nicholas'; Hoefert, Lee; 'dbuff@golder.com'; 'forney.kathleen@epa.gov'; 'little.james@epa.gov'  
**Cc:** Cascio, Tom; Adams, Patty; Harvey, Mary  
**Subject:** FINAL AC Permit No.: 0850102-014-AC - Indiantown Cogeneration Plant  
**Sent:** 9/7/2007 11:39 AM

was read on 9/7/2007 11:53 AM.



## Friday, Barbara

---

**From:** Hoefert, Lee  
**Sent:** Friday, September 07, 2007 11:53 AM  
**To:** Friday, Barbara  
**Subject:** RE: FINAL AC Permit No.: 0850102-014-AC - Indiantown Cogeneration Plant

Lee C. Hoefert, P.E.  
Air Program Administrator  
Florida Department of Environmental Protection  
Southeast District  
400 N. Congress Ave., Suite 200  
West Palm Beach, FL 33401  
561-681-6626(Phone), 561-681-6790(Fax)

---

**From:** Friday, Barbara  
**Sent:** Friday, September 07, 2007 11:39 AM  
**To:** 'GaryWiller@cogentrix.com'; 'Laryea, Nicholas'; Hoefert, Lee; 'dbuff@golder.com'; 'forney.kathleen@epa.gov'; 'little.james@epa.gov'  
**Cc:** Cascio, Tom; Adams, Patty; Harvey, Mary  
**Subject:** FINAL AC Permit No.: 0850102-014-AC - Indiantown Cogeneration Plant

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Thank you,

DEP, Bureau of Air Regulation

9/7/2007

## Friday, Barbara

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**From:** Cascio, Tom  
**To:** Friday, Barbara  
**Sent:** Friday, September 07, 2007 11:59 AM  
**Subject:** Read: FINAL AC Permit No.: 0850102-014-AC - Indiantown Cogeneration Plant

Your message

**To:** 'GaryWiller@cogentrix.com'; 'Laryea, Nicholas'; Hoefert, Lee; 'dbuff@golder.com'; 'forney.kathleen@epa.gov'; 'little.james@epa.gov'  
**CC:** Cascio, Tom; Adams, Patty; Harvey, Mary  
**Subject:** FINAL AC Permit No.: 0850102-014-AC - Indiantown Cogeneration Plant  
**Sent:** 9/7/2007 11:39 AM

was read on 9/7/2007 11:59 AM.

## Friday, Barbara

---

**From:** Mail Delivery System [MAILER-DAEMON@mx3.golder.com]  
**Sent:** Friday, September 07, 2007 11:39 AM  
**To:** Friday, Barbara  
**Subject:** Successful Mail Delivery Report

**Attachments:** Delivery report; Message Headers



Delivery report.txt  
(449 B)



Message  
Headers.txt (2 KB)

This is the mail system at host mx3.golder.com.

Your message was successfully delivered to the destination(s) listed below. If the message was delivered to mailbox you will receive no further notifications. Otherwise you may still receive notifications of mail delivery errors from other systems.

The mail system

<dbuff@golder.com>: delivery via 127.0.0.1[127.0.0.1]:10025: 250 OK, sent  
46E1708E\_1020\_51\_1

## MEMORANDUM

To: Joseph Kahn

From: *ccy* Trina L. Vielhauer

Subject: Indiantown Cogeneration Plant  
Air Construction Permit Modification No. 0850102-014-AC

Date: September 6, 2007

Attached is the final air construction permit modification for the subject facility. This permit modification makes some minor revisions to Air Construction Permit No. 0850102-009-AC that authorized the installation of a railcar lime unloading system as an integral part of the Lime Handling System at the Indiantown Cogeneration Plant.

The Department distributed an "Intent to Issue Permit Modification" package on August 3, 2007. The applicant published the "Public Notice of Intent to Issue Permit Modification" in the Stuart News on August 14, 2007. No petitions for administrative hearings or extensions of time to petition for an administrative hearing were filed. No comments were received from the applicant, EPA Region 4, or the public at large on the Intent to Issue the Air Construction Permit Modification package.

I recommend your signature.



# Florida Department of Environmental Protection

Bob Martinez Center  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Charlie Crist  
Governor

Jeff Kottkamp  
Lt. Governor

Michael W. Sole  
Secretary

September 7, 2007

*Electronically Sent – Received Receipt Requested*

[GaryWiller@Cogentrix.com](mailto:GaryWiller@Cogentrix.com)

Mr. Gary E. Willer, General Manager  
Indiantown Cogeneration, L.P.  
P.O. Box 1799  
13303 SW Silver Fox Lane  
Indiantown, Florida 34956

Re: DEP File No. 0850102-014-AC  
Indiantown Cogeneration Plant  
Railcar Lime Unloading System

Dear Mr. Willer:

The Florida Department of Environmental Protection has reviewed your application to make some minor modifications to Air Construction Permit No. 0850102-009-AC that authorized the installation of a railcar lime unloading system as an integral part of the Lime Handling System at the Indiantown Cogeneration Plant. This Air Construction Permit Modification (0850102-014-AC) revises the language of certain specific conditions of the previously issued permit. Specifically, this permit modification: (1) corrects the description of the surge hopper emissions control device; and (2) removes the requirement for initial particulate matter (PM) emissions testing for the emissions control devices of the railcar lime unloading system. There are no air pollution emissions increases associated with this permit modification. The current air construction permit for the railcar unloading system has not yet expired. Therefore, the changes requested will be addressed as an air construction permit modification.

## MODIFICATIONS TO AIR CONSTRUCTION PERMIT NO. 0850102-009-AC

Certain specific conditions in Air Construction Permit No. 0850102-009-AC are hereby modified as shown below.

Double-underline denotes additions and ~~strikethrough~~ indicates deletions.

Specific Conditions 2, 3, 4, 6 and 11 are modified as follows:

- Railcar Lime Unloading System: This permit authorizes the construction activities necessary to add a railcar lime unloading system to ARMS Emissions Unit 006. In general, the equipment consists of a system that allows the unloading of the gravity flow-type railcars through a dilute phase, combination vacuum and pressure pneumatic transfer system at a rate of 25 tons per hour (TPH) of lime. It is estimated that it will take approximately 4 hours to unload a 100-ton railcar.

The modified Lime Handling System includes an existing lime silo bin vent filter baghouse, a new filter receiver baghouse, and a new surge hopper baghouse cartridge filter.  
[Applicant request.]

3. Visible Emissions (VE): Visible emissions from ~~each of the three lime handling system baghouses~~ the two lime handling system baghouses and the cartridge filter shall not exceed 5% opacity. [Rule 62-297.620(4), Florida Administrative Code (F.A.C.)]
4. Particulate Matter (PM): Particulate matter emissions from each bag filter and the cartridge filter exhaust of the lime handling system shall be limited to 0.010 grains per actual cubic foot. [PSD-FL-168, Specific Condition No. 11; and Applicant request.]
6. Initial Compliance Tests: Each unit shall be tested to demonstrate initial compliance with the ~~VE and PM emissions~~ standards specified in this permit. The initial tests shall be conducted within 60 days after completing construction of the project and achieving maximum production capacity, but not later than 180 days after initial operation of the unit with the railcar lime unloading system. [Rule 62-297.310(7)(a)1., F.A.C.]
11. Particulate Matter: ~~EPA Method 5~~ A VE test using EPA Method 9 shall be used to determine initial compliance with the particulate matter emissions limitation specified in Specific Condition 4. Thereafter, the annual VE test shall serve as a surrogate for the PM emissions test. [PSD-FL-168, Specific Condition No. 19.; and Rule 62-297.620(4), F.A.C.]

A copy of this letter shall be filed with the referenced permit and shall become part of the permit. Any party to this permitting decision (order) has the right to seek judicial review of it under Section 120.68 of the Florida Statutes, by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department of Environmental Protection in the Office of General Counsel, Mail Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The notice must be filed within thirty days after this order is filed with the clerk of the Department.

Executed in Tallahassee, Florida.



Joseph Kahn, Director  
Division of Air Resource Management

**CERTIFICATE OF SERVICE**

The undersigned duly designated deputy agency clerk hereby certifies that this air construction permit modification was sent electronically (with Received Receipt) before the close of business on 9/7/07 to the person(s) listed below:

Gary E. Willer, ICLP: [GaryWiller@Cogentrix.com](mailto:GaryWiller@Cogentrix.com)

Nick Laryea, ICLP: [NicholasLaryea@Cogentrix.com](mailto:NicholasLaryea@Cogentrix.com)

Lee Hoefert, P.E., Southeast District Office: [lee.hoefert@dep.state.fl.us](mailto:lee.hoefert@dep.state.fl.us)

David A. Buff: [dbuff@golder.com](mailto:dbuff@golder.com)

Katy Forney, EPA Region 4: [forney.kathleen@epa.gov](mailto:forney.kathleen@epa.gov)

James Little, EPA Region 4: [little.james@epa.gov](mailto:little.james@epa.gov)

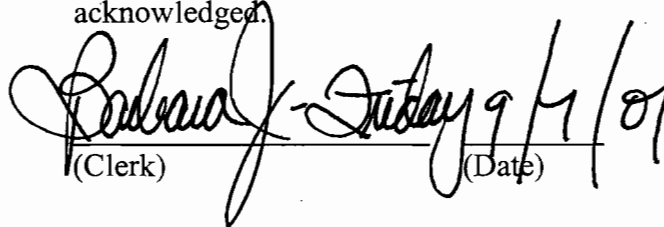
Clerk Stamp

**FILING AND ACKNOWLEDGMENT**

**FILED**, on this date, pursuant to §120.52,

Florida Statutes, with the designated

Department Clerk, receipt of which is hereby  
acknowledged.

  
(Clerk) 9/7/07 (Date)

**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

August 15, 2007

**RECEIVED**

**AUG 17 2007**

**BUREAU OF AIR REGULATION**

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

**VIA FEDERAL EXPRESS**

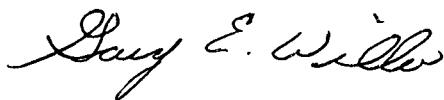
**Re: INTENT TO ISSUE AIR CONSTRUCTION PERMIT**  
**PERMIT # 0850102-014-AV (INDIANTOWN COGENERATION PLANT)**

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 August 14<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 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.

<u>Customer</u>	<u>Ad Number</u>	<u>Pub Date</u>	<u>Copyline</u>	<u>PO #</u>
INDIANTOWN COGENERATION	1687388	8/14/2007	NOTICE OF INTENT	0850102-01

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

Department of Environmental Protection  
Southeast District Office  
400 North Congress Avenue  
West Palm Beach, Florida 33401  
Telephone: 561/681-6600 Fax: 561/681-6755

The complete project file includes the permit application, draft air construction permit modification, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Department's reviewing engineer for this project, Tom Cascio at MS 5505, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, or Tom.Cascio@dep.state.fl.us, or call 850/921-9526 for additional information. Key documents may also be viewed at:

[www.dep.state.fl.us/Air/permitting/construction.htm](http://www.dep.state.fl.us/Air/permitting/construction.htm) and clicking on Indiantown Cogeneration Plant in the power plant category.  
Publish: August 14, 2007

1687388

PUBLIC NOTICE OF INTENT TO ISSUE  
AIR CONSTRUCTION PERMIT MODIFICATION  
STATE OF FLORIDA  
DEPARTMENT OF  
ENVIRONMENTAL PROTECTION  
DEP File No. 0850102-014-AC  
Indiantown Cogeneration Facility  
Modification of Lime Handling System  
Martin County

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit modification to Indiantown Cogeneration, L.P., that affects the lime handling system located at its facility in Martin County. The applicant's name and address are Indiantown Cogeneration, L.P., 13303 SW Silver Fox Lane, Indiantown, Florida 34956.

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.

Indiantown Cogeneration, L.P. applied to the Department for a modification to air construction permit 0850102-009-AC affecting the railcar lime unloading system at its facility in Indiantown, Martin County. This Air Construction Permit Modification (0850102-014-AC) revises the language of certain specific conditions of the previously issued permit. Specifically, this permit modification: (1) corrects the description of the surge hopper emissions control device; and (2) removes the requirement for initial particulate matter (PM) emissions testing for the emissions control devices of the railcar lime unloading system. There are no air pollution emissions increases associated with this permit modification.

The Department will issue the Final Air Construction Permit Modification 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 Modification. Written comments should be provided to the Department's Bureau of Air Regulation at 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 the proposed agency action, the Department shall revise the proposed permit modification and require, if applicable, another Public Notice.

The Department will issue the permit modification 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 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 time 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

Subscribed and sworn to me before this date:

August 14, 2007

*S. Darlene Broeg*

*Mary T. Byrne*

Notary Public



Harvey, Mary

8/3/07

---

**From:** Laryea, Nicholas [NicholasLaryea@cogentrix.com]  
**To:** Harvey, Mary  
**Sent:** Tuesday, August 07, 2007 10:31 AM  
**Subject:** Read: INDIANTOWN COGENERATION - PROJECT #0850102-014-AC-DRAFT

Your message

To: NicholasLaryea@Cogentrix.com  
Subject:

was read on 8/7/2007 10:31 AM.

**Harvey, Mary**

**From:** Harvey, Mary  
**Sent:** Friday, August 03, 2007 3:13 PM  
**To:** 'Gary Willer, ICLP:'; 'Nick Laryea, ICLP:'; Hoefert, Lee; 'Mr. David Buff, Golder Associates'; 'Forney.Kathleen@epamail.epa.gov'; 'Little.James@epamail.epa.gov'  
**Cc:** Cascio, Tom; Adams, Patty; Gibson, Victoria  
**Subject:** INDIANTOWN COGENERATION - PROJECT #0850102-014-AC-DRAFT  
**Attachments:** 0850102.014.AC.D\_.pdf.zip

Tracking:	Recipient	Read
✓	Gary Willer, ICLP:	
✓	Nick Laryea, ICLP:	
✓	Hoefert, Lee	Read: 8/3/2007 3:39 PM
✓	Mr. David Buff, Golder Associates	
✓	Forney.Kathleen@epamail.epa.gov	
✓	Little.James@epamail.epa.gov	
✓	Cascio, Tom	Read: 8/3/2007 3:28 PM
✓	Adams, Patty	
✓	Gibson, Victoria	Read: 8/3/2007 3:17 PM

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Thank you,

## Harvey, Mary

---

**From:** Hoefert, Lee  
**To:** Harvey, Mary  
**Sent:** Friday, August 03, 2007 3:39 PM  
**Subject:** Read: INDIANTOWN COGENERATION - PROJECT #0850102-014-AC-DRAFT

### Your message

**To:** 'Gary Willer, ICLP:>'; 'Nick Laryea, ICLP:>'; Hoefert, Lee; 'Mr. David Buff, Golder Associates'; 'Forney.Kathleen@epamail.epa.gov'; 'Little.James@epamail.epa.gov'  
**Cc:** Cascio, Tom; Adams, Patty; Gibson, Victoria  
**Subject:** INDIANTOWN COGENERATION - PROJECT #0850102-014-AC-DRAFT  
**Sent:** 8/3/2007 3:13 PM

was read on 8/3/2007 3:39 PM.

## Harvey, Mary

---

**From:** Forney.Kathleen@epamail.epa.gov  
**Sent:** Friday, August 03, 2007 3:34 PM  
**To:** Harvey, Mary  
**Cc:** Little.James@epamail.epa.gov  
**Subject:** Re: FW: INDIANTOWN COGENERATION - PROJECT #0850102-014-AC-DRAFT

Thanks. We got this one with the files. Katy

-----  
Katy R. Forney  
Air Permits Section  
EPA - Region 4  
61 Forsyth St., SW  
Atlanta, GA 30024

Phone: 404-562-9130  
Fax: 404-562-9019

"Harvey, Mary"  
<Mary.Harvey@dep  
.state.fl.us>

08/03/2007 03:14  
PM

To  
Kathleen Forney/R4/USEPA/US@EPA,  
James Little/R4/USEPA/US@EPA  
cc  
Subject  
FW: INDIANTOWN COGENERATION -  
PROJECT #0850102-014-AC-DRAFT

**From:** Harvey, Mary  
**Sent:** Friday, August 03, 2007 3:13 PM  
**To:** 'Gary Willer, ICLP: '; 'Nick Laryea, ICLP: '; Hoefert, Lee; 'Mr. David Buff, Golder Associates'; 'Forney.Kathleen@epamail.epa.gov'; 'Little.James@epamail.epa.gov'  
**Cc:** Cascio, Tom; Adams, Patty; Gibson, Victoria  
**Subject:** INDIANTOWN COGENERATION - PROJECT #0850102-014-AC-DRAFT

Dear Sir/Madam:

Please send a "reply" message verifying receipt of the attached document(s); this may be done by selecting "Reply" on the menu bar of your e-mail software and then selecting "Send". We must receive verification of receipt and your reply will preclude subsequent e-mail transmissions to verify receipt of the document(s).

The document(s) may require immediate action within a specified time frame. Please open

## Harvey, Mary

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**From:** Willer, Gary [GaryWiller@Cogentrix.com]  
**To:** Harvey, Mary  
**Sent:** Friday, August 03, 2007 3:12 PM  
**Subject:** Read: INDIANTOWN COGENERATION - PROJECT #0850102-014-AC-DRAFT

Your message

To: GaryWiller@Cogentrix.com  
Subject:

was read on 8/3/2007 3:12 PM.

## Harvey, Mary

---

**From:** Gibson, Victoria  
**To:** Harvey, Mary  
**Sent:** Friday, August 03, 2007 3:17 PM  
**Subject:** Read: INDIANTOWN COGENERATION - PROJECT #0850102-014-AC-DRAFT

Your message

**To:** 'Gary Willer, ICLP:.'; 'Nick Laryea, ICLP:.'; Hoefert, Lee; 'Mr. David Buff, Golder Associates'; 'Forney.Kathleen@epamail.epa.gov'; 'Little.James@epamail.epa.gov'  
**Cc:** Cascio, Tom; Adams, Palty; Gibson, Victoria  
**Subject:** INDIANTOWN COGENERATION - PROJECT #0850102-014-AC-DRAFT  
**Sent:** 8/3/2007 3:13 PM

was read on 8/3/2007 3:17 PM.

## Harvey, Mary

---

**From:** Cascio, Tom  
**To:** Harvey, Mary  
**Sent:** Friday, August 03, 2007 3:28 PM  
**Subject:** Read: INDIANTOWN COGENERATION - PROJECT #0850102-014-AC-DRAFT

### Your message

**To:** 'Gary Willer, ICLP:'; 'Nick Laryea, ICLP:'; Hoefert, Lee; 'Mr. David Buff, Golder Associates'; 'Forney.Kathleen@epamail.epa.gov'; 'Little.James@epamail.epa.gov'  
**Cc:** Cascio, Tom; Adams, Palty; Gibson, Victoria  
**Subject:** INDIANTOWN COGENERATION - PROJECT #0850102-014-AC-DRAFT  
**Sent:** 8/3/2007 3:13 PM

was read on 8/3/2007 3:28 PM.



## Harvey, Mary

---

**From:** Buff, Dave [DBuff@GOLDER.com]  
**To:** undisclosed-recipients  
**Sent:** Friday, August 03, 2007 5:11 PM  
**Subject:** Read: INDIANTOWN COGENERATION - PROJECT #0850102-014-AC-DRAFT

Your message

**To:** DBuff@GOLDER.com  
**Subject:**

was read on 8/3/2007 5:11 PM.

## Harvey, Mary

---

**From:** Adams, Patty  
**To:** Harvey, Mary  
**Sent:** Friday, August 03, 2007 4:20 PM  
**Subject:** Read: INDIANTOWN COGENERATION - PROJECT #0850102-014-AC-DRAFT

### Your message

**To:** 'Gary Willer, ICLP:; 'Nick Laryea, ICLP:; Hoefert, Lee; 'Mr. David Buff, Golder Associates'; 'Forney.Kathleen@epamail.epa.gov'; 'Little.James@epamail.epa.gov'  
**Cc:** Cascio, Tom; Adams, Patty; Gibson, Victoria  
**Subject:** INDIANTOWN COGENERATION - PROJECT #0850102-014-AC-DRAFT  
**Sent:** 8/3/2007 3:13 PM

was read on 8/3/2007 4:20 PM.

## MEMORANDUM

To: Trina Vielhauer  
Through: Al Linero *aal*  
From: Tom Cascio *Tom*  
Date: August 1, 2007  
Subject: Draft Air Construction Permit Modification No. **0850102-014-AC**  
**Indiantown Cogeneration Plant**

Indiantown Cogeneration, L.P. owns and operates the Indiantown Cogeneration Plant, a facility that generates electricity for sale and exports steam to the Louis Dreyfus Citrus Processing Plant. The facility includes one high-pressure pulverized coal main boiler (PC boiler).

Previously issued Air Construction Permit No. 0850102-009-AC authorized the installation of a railcar lime unloading system as an integral part of the Lime Handling System at the Plant. This Air Construction Permit Modification revises the language of certain specific conditions of the previously issued permit. Specifically, this permit modification: (1) corrects the description of the surge hopper emissions control device; and (2) removes the requirement for initial particulate matter (PM) emissions testing for the emissions control devices of the railcar lime unloading system. There are no air pollution emissions increases associated with this permit modification.

The application was received and deemed complete on July 3, 2007.

I recommend your signature and forwarding to Patty for clerking.

In the Matter of an  
Application for Permit by:

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

DEP File No. 0850102-014-AC  
Indiantown Cogeneration Facility  
Modification of Emissions Unit 006  
Railcar Lime Unloading System  
Martin County, Florida

*Authorized Representative:*

Mr. Gary Willer, General Manager

### **INTENT TO ISSUE AIR CONSTRUCTION PERMIT MODIFICATION**

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit modification, copy of Draft Air Construction Permit Modification attached, for the proposed project as detailed in the application specified above for the reasons stated below.

Indiantown Cogeneration, L.P. applied on July 3, 2007, to the Department for a modification to air construction permit 0850102-009-AC affecting the railcar lime unloading system at its facility in Indiantown, Martin County. This Air Construction Permit Modification (0850102-014-AC) revises the language of certain specific conditions of the previously issued permit. Specifically, this permit modification: (1) corrects the description of the surge hopper emissions control device; and (2) removes the requirement for initial particulate matter (PM) emissions testing for the emissions control devices of the railcar lime unloading system. There are no air pollution emissions increases associated with this permit modification.

The Department has permitting jurisdiction under the provisions of Chapter 403, Florida Statutes (F.S.), Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, and 62-212. The above actions are not exempt from permitting procedures. The Department has determined that an air construction permit is required.

The Department intends to issue this air construction permit modification based on the belief that reasonable assurances have been provided to indicate that operation of these emission units will not adversely impact air quality, and the emission units will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296 and 62-297, F.A.C.

Pursuant to Section 403.815, F.S., and Rule 62-110.106(7)(a)1., F.A.C., you (the applicant) are required to publish at your own expense the enclosed Public Notice of Intent to Issue Air Construction Permit Modification. The notice shall be published one time only in the legal advertisement section of a newspaper of general circulation in the area affected. Rule 62-110.106(7)(b), F.A.C., requires that the applicant cause the notice to be published as soon as possible after notification by the Department of its intended action. 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 Department at the address or telephone number listed below. The applicant shall provide proof of publication to the Department's Bureau of Air Regulation, at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400 (Telephone: 850/488-0114; Fax 850/921-9533). You must provide proof of publication within seven days of publication, pursuant to Rule 62-110.106(5) & (9), F.A.C. No permitting action for which published notice is required shall be granted until proof of publication of notice is made by furnishing a uniform affidavit in substantially the form prescribed in section 50.051, F.S. to the office of the Department issuing the permit. Failure to publish the notice and provide proof of publication may result in the denial of the permit pursuant to Rules 62-110.106(9) & (11), F.A.C.

The Department will issue the final permit modification 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 permit issuance action for a period of 14 days from the date of publication of the enclosed Public Notice. Written comments should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400. Any written comments filed shall be made available for public inspection. If comments received result in a change in the proposed agency action, the Department shall revise the proposed permit modification and require, if applicable, another Public Notice.

The Department will issue the permit modification 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.

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 120.60(3), F.S., must be filed within 14 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 (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, 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 when and how the 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. Mediation is not available in this proceeding.

Executed in Tallahassee, Florida.



Trina L. Vielhauer, Chief  
Bureau of Air Regulation

**CERTIFICATE OF SERVICE**

The undersigned duly designated deputy agency clerk hereby certifies that this Intent to Issue Air Construction Permit Modification (including the Public Notice and the Draft permit) and all copies were sent electronically (with Received Receipt) before the close of business on 8/3/07 to the persons listed:

Gary Willer, ICLP: [GaryWiller@Cogentrix.com](mailto:GaryWiller@Cogentrix.com)

Nick Laryea, ICLP: [NicholasLaryea@Cogentrix.com](mailto:NicholasLaryea@Cogentrix.com)

Lee Hoefert, P.E., Southeast District Office: [lee.hoefert@dep.state.fl.us](mailto:lee.hoefert@dep.state.fl.us)

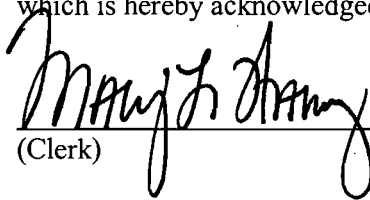
David A. Buff: [dbuff@golder.com](mailto:dbuff@golder.com)

Katy Forney, EPA Region 4: [forney.kathleen@epa.gov](mailto:forney.kathleen@epa.gov)

James Little, EPA Region 4: [little.james@epa.gov](mailto:little.james@epa.gov)

Clerk Stamp

**FILING AND ACKNOWLEDGMENT FILED,**  
on this date, pursuant to §120.52, Florida Statutes,  
with the designated Department Clerk, receipt of  
which is hereby acknowledged.

  
(Clerk)

8/3/07  
(Date)

**PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT MODIFICATION**

STATE OF FLORIDA

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DEP File No. 0850102-014-AC

Indiantown Cogeneration Facility  
Modification of Lime Handling System  
Martin County

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit modification to Indiantown Cogeneration, L.P., that affects the lime handling system located at its facility in Martin County. The applicant's name and address are Indiantown Cogeneration, L.P., 13303 SW Silver Fox Lane, Indiantown, Florida 34956.

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.

Indiantown Cogeneration, L.P. applied to the Department for a modification to air construction permit 0850102-009-AC affecting the railcar lime unloading system at its facility in Indiantown, Martin County. This Air Construction Permit Modification (0850102-014-AC) revises the language of certain specific conditions of the previously issued permit. Specifically, this permit modification: (1) corrects the description of the surge hopper emissions control device; and (2) removes the requirement for initial particulate matter (PM) emissions testing for the emissions control devices of the railcar lime unloading system. There are no air pollution emissions increases associated with this permit modification.

The Department will issue the Final Air Construction Permit Modification 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 Modification. Written comments should be provided to the Department's Bureau of Air Regulation at 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 the proposed agency action, the Department shall revise the proposed permit modification and require, if applicable, another Public Notice.

The Department will issue the permit modification 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 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

(Public Notice to be Published in the Newspaper)

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

Department of Environmental Protection  
Southeast District Office  
400 North Congress Avenue  
West Palm Beach, Florida 33401  
Telephone: 561/681-6600  
Fax: 561/681-6755

The complete project file includes the permit application, draft air construction permit modification, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Department's reviewing engineer for this project, Tom Cascio at MS 5505, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, or [Tom.Cascio@dep.state.fl.us](mailto:Tom.Cascio@dep.state.fl.us), or call 850/921-9526 for additional information. Key documents may also be viewed at: [www.dep.state.fl.us/Air/permitting/construction.htm](http://www.dep.state.fl.us/Air/permitting/construction.htm) and clicking on Indiantown Cogeneration Plant in the power plant category.





# Florida Department of Environmental Protection

Bob Martinez Center  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Charlie Crist  
Governor

Jeff Kottkamp  
Lt. Governor

Michael W. Sole  
Secretary

Month, Day, Year

*Electronically Sent – Received Receipt Requested.*

Mr. Gary E. Willer, General Manager: [GaryWiller@Cogentrix.com](mailto:GaryWiller@Cogentrix.com)  
Indiantown Cogeneration, L.P.  
P.O. Box 1799  
13303 SW Silver Fox Lane  
Indiantown, Florida 34956

Re: DEP File No. 0850102-014-AC  
Indiantown Cogeneration Plant  
Railcar Lime Unloading System

Dear Mr. Willer:

The Florida Department of Environmental Protection has reviewed your application to make some minor modifications to Air Construction Permit No. 0850102-009-AC that authorized the installation of a railcar lime unloading system as an integral part of the Lime Handling System at the Indiantown Cogeneration Plant. This Air Construction Permit Modification (0850102-014-AC) revises the language of certain specific conditions of the previously issued permit. Specifically, this permit modification: (1) corrects the description of the surge hopper emissions control device; and (2) removes the requirement for initial particulate matter (PM) emissions testing for the emissions control devices of the railcar lime unloading system. There are no air pollution emissions increases associated with this permit modification. The current air construction permit for the railcar unloading system has not yet expired. Therefore, the changes requested will be addressed as an air construction permit modification.

## MODIFICATIONS OF AIR CONSTRUCTION PERMIT NO. 0850102-009-AC

Certain specific conditions in Air Construction Permit No. 0850102-009-AC are hereby modified as shown below.

Double-underline denotes additions and ~~strikethrough~~ indicates deletions.

Specific Condition 2. is modified as follows:

Railcar Lime Unloading System: This permit authorizes the construction activities necessary to add a railcar lime unloading system to ARMS Emissions Unit 006. In general, the equipment consists of a system that allows the unloading of the gravity flow-type railcars through a dilute phase, combination vacuum and pressure pneumatic transfer system at a rate of 25 tons per hour (TPH) of lime. It is estimated that it will take approximately 4 hours to unload a 100-ton railcar.

The modified Lime Handling System includes an existing lime silo bin vent filter baghouse, a new filter receiver baghouse, and a new surge hopper ~~baghouse~~ cartridge filter. [Applicant request.]

Specific Condition 3. is modified as follows:

Visible Emissions (VE): Visible emissions from ~~each of the three lime handling system baghouses~~ the two lime handling system baghouses and the cartridge filter shall not exceed 5% opacity. [Rule 62-297.620(4), Florida Administrative Code (F.A.C.)]



# Florida Department of Environmental Protection

Bob Martinez Center  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Charlie Crist  
Governor

Jeff Kottkamp  
Lt. Governor

Michael W. Sole  
Secretary

August 3, 2007

*Electronically Sent – Received Receipt Requested.*

[GaryWiller@Cogentrix.com](mailto:GaryWiller@Cogentrix.com)

Mr. Gary E. Willer, General Manager  
Indiantown Cogeneration, L.P.  
P.O. Box 1799  
13303 SW Silver Fox Lane  
Indiantown, Florida 34956

Re: DEP File No. 0850102-014-AC  
Indiantown Cogeneration Plant

Dear Mr. Willer:

Enclosed is one copy of the Draft Air Construction Permit Modification affecting the railcar lime unloading system at the Indiantown Cogeneration Plant in Indiantown, Martin County. The Department's Intent to Issue Air Construction Permit Modification and the Public Notice of Intent to Issue Air Construction Permit Modification are also included.

The Public Notice must be published one time only as soon as possible in a newspaper of general circulation in the area affected, pursuant to the requirements of Chapter 50, Florida Statutes. Proof of publication, such as a newspaper affidavit, must be provided to the Department's Bureau of Air Regulation office within seven days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in denial of the permit.

Please submit any written comments you wish to have considered concerning the Department's proposed action to A.A. Linero, Program Administrator, at the letterhead address. If you have any questions regarding this matter, please contact Tom Cascio at (850) 921-9526 or Mr. Linero at (850) 921-9523.

Sincerely,

Trina L. Vielhauer, Chief  
Bureau of Air Regulation

TLV/aal/tbc

Enclosures

Specific Condition 4. is modified as follows:

Particulate Matter (PM): Particulate matter emissions from each bag filter and the cartridge filter exhaust of the lime handling system shall be limited to 0.010 grains per actual cubic foot. [PSD-FL-168, Specific Condition No. 11; and Applicant request.]

Specific Condition 6. is modified as follows:

Initial Compliance Tests: Each unit shall be tested to demonstrate initial compliance with the VE and PM emissions standards specified in this permit. The initial tests shall be conducted within 60 days after completing construction of the project and achieving maximum production capacity, but not later than 180 days after initial operation of the unit with the railcar lime unloading system. [Rule 62-297.310(7)(a)1., F.A.C.]

Specific Condition 11. is modified as follows:

Particulate Matter: ~~EPA Method 5~~ A VE test using EPA Method 9 shall be used to determine initial compliance with the particulate matter emissions limitation specified in Specific Condition 4. Thereafter, the annual VE test shall serve as a surrogate for the PM emissions test. [PSD-FL-168, Specific Condition No. 19.; and Rule 62-297.620(4), F.A.C.]

A copy of this letter shall be filed with the referenced permit and shall become part of the permit. Any party to this permitting decision (order) has the right to seek judicial review of it under Section 120.68 of the Florida Statutes, by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department of Environmental Protection in the Office of General Counsel, Mail Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The notice must be filed within thirty days after this order is filed with the clerk of the Department.

Executed in Tallahassee, Florida.

Joseph Kahn, Director  
Division of Air Resource Management

**CERTIFICATE OF SERVICE**

The undersigned duly designated deputy agency clerk hereby certifies that this air construction permit modification was sent electronically (with Received Receipt) before the close of business on \_\_\_\_\_ to the person(s) listed below:

- Gary E. Willer, ICLP: [GaryWiller@Cogentrix.com](mailto:GaryWiller@Cogentrix.com)  
Nick Laryea, ICLP: [NicholasLaryea@Cogentrix.com](mailto:NicholasLaryea@Cogentrix.com)  
Lee Hoefert, P.E., Southeast District Office: [lee.hoefert@dep.state.fl.us](mailto:lee.hoefert@dep.state.fl.us)  
David A. Buff: [dbuff@golder.com](mailto:dbuff@golder.com)  
Katy Forney, EPA Region 4: [forney.kathleen@epa.gov](mailto:forney.kathleen@epa.gov)  
James Little, EPA Region 4: [little.james@epa.gov](mailto:little.james@epa.gov)

Clerk Stamp  
**FILING AND ACKNOWLEDGMENT FILED,**  
on this date, pursuant to §120.52, Florida Statutes,  
with the designated Department Clerk, receipt of  
which is hereby acknowledged.

\_\_\_\_\_  
(Clerk)

\_\_\_\_\_  
(Date)

**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

July 2, 2007

073-87554

Florida Department of Environmental Protection  
Bob Martinez Center  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Attention: Mr. Joseph Kahn, Director

**Re: Indiantown Cogeneration, L.P.**  
**Construction Permit No. 0850102-009-AC**  
**Railcar Lime Unloading System**

Dear Mr. Kahn:

Indiantown Cogeneration, L.P. (Indiantown) and Golder Associates Inc. (Golder) have reviewed the Florida Department of Environmental Protection's (FDEP) construction permit for Indiantown's Cogeneration Plant located at 13303 SW Silver Fox Lane in Indiantown, Florida. Our comments concerning the construction permit are addressed below. We apologize that these comments were not submitted during the public comment period. However, we believe the comments are significant enough to bring them to the Department's attention, so that the permit can be revised.

## **CONSTRUCTION PERMIT**

### **Section 3. Emissions Units Specific Conditions**

#### **Equipment and Performance Restrictions.**

Condition 2 The second paragraph states "The modified Lime Handling System includes an existing lime silo bin vent filter baghouse, a new filter receiver baghouse, and a new surge hopper baghouse."

The new surge hopper does not have a baghouse. The new surge hopper has a cartridge filter. Therefore, we request that the condition be reworded as follows: "The modified Lime Handling System includes an existing lime silo bin vent filter baghouse, a new filter receiver baghouse, and a new surge hopper cartridge filter."

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## **Emissions Standards**

- Condition 3 The permit states "Visible Emissions from each of the three handling system baghouses shall not exceed 5% opacity." We request that the condition be reworded as follows: "Visible Emissions from the two lime handling system baghouses and the cartridge filter shall not exceed 5% opacity."
- Condition 4 The permit states "Particulate matter emissions from each bag filter exhaust of the lime handling system shall be limited to 0.010 grains per actual cubic foot." We request that the condition be reworded as follows: "Particulate matter emissions from each bag filter and the cartridge filter exhaust of the lime handling system shall be limited to 0.010 grains per actual cubic foot."

## **Emissions Performance Testing**

- Condition 6 The first sentence of the condition in the permit states "Each unit shall be tested to demonstrate initial compliance with the VE and PM emissions standards specified in this permit." Because Specific Condition 4 states that a VE test of 5% opacity or less may be used to establish compliance with the PM emissions standards, we request that the condition be reworded as follows: "Each unit shall be tested to demonstrate initial compliance with the VE standards specified in this permit."
- Condition 11 The permit states "EPA Method 5 shall be used to determine initial compliance with the particulate matter emissions limitation specified in Specific Condition 4. Thereafter, the annual VE test shall serve as a surrogate for the PM emissions test."

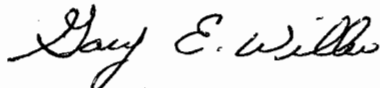
We believe it was intended that the PM compliance test be waived since a 5% VE limit is imposed, per Rule 62-297.620(4), F.A.C., which states:

"In the case of an emissions unit which has the potential to emit less than 100 tons per year of particulate matter and is equipped with a baghouse, the Secretary or the appropriate Director of District Management may waive any particulate matter compliance test requirements for such emissions unit specified in any otherwise applicable rule, and specify an alternative standard of 5% opacity. The waiver of compliance test requirements for a particulate emissions unit equipped with a baghouse, and the substitution of the visible emissions standard, shall be specified in the permit issued to the emissions unit. If the department has reason to believe that the particulate weight emission standard applicable to such an emissions unit is not being met, it shall require that compliance be demonstrated by the test method specified in the applicable rule."

The wording of this condition makes it appear that an initial PM test is required. Therefore we request the condition be reworded as follows: "A VE test using EPA Method 9 shall determine initial compliance with the particulate matter emissions limitation specified in Specific Condition 4. Thereafter, the annual VE test shall serve as a surrogate for the PM emissions test."

Thank you for your consideration of these comments. If you have any questions, please do not hesitate to call me at (772) 597-6500.

Sincerely,



Gary E. Willer  
General Manager

GW

Enclosures

cc: Nicholas Laryea  
David Buff