

Harvey, Mary

From: Harvey, Mary
Sent: Friday, September 14, 2007 3:08 PM
To: 'Gary E. Willer, ICLP:>'; 'Nick Laryea, ICLP:>'; Hoefert, Lee; 'David A. Buff:>'; 'Katy Forney, EPA Region 4:>'; 'James Little, EPA Region 4:'
Cc: Cascio, Tom; Adams, Patty; Gibson, Victoria
Subject: INDIANTOWN COGENERATION - FACILITY #0850102-012-AC-FINAL
Attachments: 0850102.012.AC.F_.pdf.zip

Tracking:	Recipient	Delivery	Read
	Gary E. Willer, ICLP:'		
	Nick Laryea, ICLP:'		
	Hoefert, Lee	Delivered: 9/14/2007 3:08 PM	Read: 9/14/2007 3:09 PM
	David A. Buff:'		
	Katy Forney, EPA Region 4:'		
	James Little, EPA Region 4:'		
	Cascio, Tom		Read: 9/14/2007 3:08 PM
	Adams, Patty		
	Gibson, Victoria		Read: 9/14/2007 3:08 PM

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

9/14/2007

Harvey, Mary

From: Willer, Gary [GaryWiller@Cogentrix.com]
Sent: Friday, September 14, 2007 4:07 PM
To: Harvey, Mary
Subject: RE: INDIANTOWN COGENERATION - FACILITY #0850102-012-AC-FINAL

Gary E. Willer
General Manager
Indiantown Cogeneration L.P.
(772) 597-6500 Ext.25
Fax (772) 597-6210
garywiller@Cogentrix.com

-----Original Message-----

From: Harvey, Mary [mailto:Mary.Harvey@dep.state.fl.us]
Sent: Friday, September 14, 2007 3:08 PM
To: Willer, Gary; Laryea, Nicholas; Hoefert, Lee; David A. Buff;; Katy Forney, EPA Region 4; James Little, EPA Region 4:
Cc: Cascio, Tom; Adams, Patty; Gibson, Victoria
Subject: INDIANTOWN COGENERATION - FACILITY #0850102-012-AC-FINAL

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Thank you,

DEP, Bureau of Air Regulation

Harvey, Mary

From: Forney.Kathleen@epamail.epa.gov
Sent: Friday, September 14, 2007 3:15 PM
To: Harvey, Mary
Cc: little.james@epamail.epa.gov
Subject: Re: FW: INDIANTOWN COGENERATION - FACILITY #0850102-012-AC-FINAL

Thanks we got this.
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>

09/14/2007 03:08
PM

To
Kathleen Forney/R4/USEPA/US@EPA,
James Little/R4/USEPA/US@EPA
cc
Subject
FW: INDIANTOWN COGENERATION -
FACILITY #0850102-012-AC-FINAL

From: Harvey, Mary
Sent: Friday, September 14, 2007 3:08 PM
To: 'Gary E. Willer, ICLP: '; 'Nick Laryea, ICLP: '; Hoefert, Lee; 'David A. Buff: '; 'Katy Forney, EPA Region 4: '; 'James Little, EPA Region 4: '
Cc: Cascio, Tom; Adams, Patty; Gibson, Victoria
Subject: INDIANTOWN COGENERATION - FACILITY #0850102-012-AC-FINAL

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

Harvey, Mary

From: Willer, Gary [GaryWiller@Cogentrix.com]
To: Harvey, Mary
Sent: Friday, September 14, 2007 3:13 PM
Subject: Read: INDIANTOWN COGENERATION - FACILITY #0850102-012-AC-FINAL

Your message

To: GaryWiller@Cogentrix.com
Subject:

was read on 9/14/2007 3:13 PM.

Harvey, Mary

From: Cascio, Tom
To: Harvey, Mary
Sent: Friday, September 14, 2007 3:08 PM
Subject: Read: INDIANTOWN COGENERATION - FACILITY #0850102-012-AC-FINAL

Your message

To: 'Gary E. Willer, ICLP:>'; 'Nick Laryea, ICLP:>'; Hoefert, Lee; 'David A. Buff:>'; 'Katy Forney, EPA Region 4:>'; 'James Little, EPA Region 4:'
Cc: Cascio, Tom; Adams, Patty; Gibson, Victoria
Subject: INDIANTOWN COGENERATION - FACILITY #0850102-012-AC-FINAL
Sent: 9/14/2007 3:08 PM

was read on 9/14/2007 3:08 PM.

Harvey, Mary

From: Gibson, Victoria
To: Harvey, Mary
Sent: Friday, September 14, 2007 3:08 PM
Subject: Read: INDIANTOWN COGENERATION - FACILITY #0850102-012-AC-FINAL

Your message

To: 'Gary E. Willer, ICLP:'; 'Nick Laryea, ICLP:'; Hoefert, Lee; 'David A. Buff:'; 'Katy Forney, EPA Region 4:'; 'James Little, EPA Region 4:'
Cc: Cascio, Tom; Adams, Patty; Gibson, Victoria
Subject: INDIANTOWN COGENERATION - FACILITY #0850102-012-AC-FINAL
Sent: 9/14/2007 3:08 PM

was read on 9/14/2007 3:08 PM.

Harvey, Mary

From: Hoefert, Lee
To: Harvey, Mary
Sent: Friday, September 14, 2007 3:09 PM
Subject: Read: INDIANTOWN COGENERATION - FACILITY #0850102-012-AC-FINAL

Your message

To: 'Gary E. Willer, ICLP:>'; 'Nick Laryea, ICLP:>'; Hoefert, Lee; 'David A. Buff:>'; 'Katy Forney, EPA Region 4:>'; 'James Little, EPA Region 4:'
Cc: Cascio, Tom; Adams, Patty; Gibson, Victoria
Subject: INDIANTOWN COGENERATION - FACILITY #0850102-012-AC-FINAL
Sent: 9/14/2007 3:08 PM

was read on 9/14/2007 3:09 PM.

Harvey, Mary

From: Hoefert, Lee
Sent: Friday, September 14, 2007 3:10 PM
To: Harvey, Mary
Subject: RE: INDIANTOWN COGENERATION - FACILITY #0850102-012-AC-FINAL

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: Harvey, Mary
Sent: Friday, September 14, 2007 3:08 PM
To: 'Gary E. Willer, ICLP:>'; 'Nick Laryea, ICLP:>'; Hoefert, Lee; 'David A. Buff:>'; 'Katy Forney, EPA Region 4:>'; 'James Little, EPA Region 4:'
Cc: Cascio, Tom; Adams, Patty; Gibson, Victoria
Subject: INDIANTOWN COGENERATION - FACILITY #0850102-012-AC-FINAL

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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>.

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Thank you,

DEP, Bureau of Air Regulation

9/14/2007

Harvey, Mary

From: Buff, Dave [DBuff@GOLDER.com]
To: undisclosed-recipients
Sent: Friday, September 14, 2007 4:33 PM
Subject: Read: INDIANTOWN COGENERATION - FACILITY #0850102-012-AC-FINAL

Your message

To: DBuff@GOLDER.com
Subject:

was read on 9/14/2007 4:33 PM.

Harvey, Mary

From: Laryea, Nicholas [NicholasLaryea@cogentrix.com]
To: Harvey, Mary
Sent: Friday, September 14, 2007 10:53 PM
Subject: Read: INDIANTOWN COGENERATION - FACILITY #0850102-012-AC-FINAL


Your message

To: NicholasLaryea@Cogentrix.com
Subject:

was read on 9/14/2007 10:53 PM.

MEMORANDUM

To: Joseph Kahn

From:  Trina L. Vielhauer

Subject: Indiantown Cogeneration Plant
Air Construction Permit No. 0850102-012-AC

Date: September 14, 2007

Attached is the final air construction permit for the subject facility. This permit revises the language of one specific condition of the Prevention of Significant Deterioration (PSD) air construction permit No. PSD-FL-168. Changes in coal supplier logistics have mandated that the facility no longer treat the two coal piles as "active" (located in a building) and "inactive" (located outside), respectively, – both now are considered as having active status. Previously, the inactive coal pile was routinely covered. This practice is required by the facility's PSD air construction permit. This change has prompted the facility's management to request an air construction permit to remove the requirement to routinely cover the outside coal pile. Implementing this change will have no effect on particulate matter (PM) or any other air pollution emissions.

The Department distributed an "Intent to Issue Permit" package on August 20, 2007. The applicant published the "Public Notice of Intent to Issue" in the Stuart News on August 29, 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 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 14, 2007

Electronically Sent – Received Receipt Requested.

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

Re: DEP File No. 0850102-012-AC
Indiantown Cogeneration Plant
Coal Pile Operation

Dear Mr. Willer:

The Florida Department of Environmental Protection has reviewed your application to make a minor modification to the Prevention of Significant Deterioration (PSD) air construction permit No. PSD-FL-168. This air construction permit (0850102-012-AC) revises the language of one specific condition of the previously issued permit. Changes in coal supplier logistics have mandated that the facility no longer treat the two coal piles as “active” (located in a building) and “inactive” (located outside), respectively, – both now are considered as having active status. Previously, the inactive coal pile was routinely covered. This practice is required by the facility’s PSD air construction permit. This change has prompted the facility’s management to request an air construction permit to remove the requirement to routinely cover the outside coal pile. Implementing this change will have no effect on particulate matter (PM) or any other air pollution emissions.

MODIFICATION OF AIR CONSTRUCTION PERMIT NO. PSD-FL-168

One specific condition in Air Construction Permit No. PSD-FL-168 is hereby modified as shown below.

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

Sentence three in Specific Condition **10**. is modified as follows:

~~Inactive~~ Outdoor coal storage piles shall be shaped, compacted, and oriented to minimize wind erosion; ~~and covered.~~

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.

FINAL DETERMINATION

PERMITTEE

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

PERMITTING AUTHORITY

Florida Department of Environmental Protection
Division of Air Resource Management
Bureau of Air Regulation, Permitting South Section
2600 Blair Stone Road, MS 5505
Tallahassee, Florida 32399-2400

PROJECT

Air Permit No. 0850102-012-AC
Indiantown Cogeneration Plant

This air construction permit revises the language of one specific condition of the Prevention of Significant Deterioration (PSD) air construction permit No. PSD-FL-168. Changes in coal supplier logistics have mandated that the facility no longer treat the two coal piles as “active” (located in a building) and “inactive” (located outside), respectively, – both now are considered as having active status. Previously, the inactive coal pile was routinely covered. This practice is required by the facility’s PSD air construction permit. This change has prompted the facility’s management to request an air construction permit to remove the requirement to routinely cover the outside coal pile. Implementing this change will have no effect on particulate matter (PM) or any other air pollution emissions.

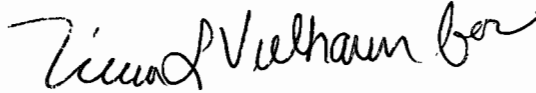
NOTICE AND PUBLICATION

The Department distributed an “Intent to Issue Permit” package on August 20, 2007. The applicant published the “Public Notice of Intent to Issue” in the Stuart News on August 29, 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 package.

CONCLUSION

The final action of the Department is to issue the air construction permit with no changes.

Executed in Tallahassee, Florida.



Joseph Kahn, Director
Division of Air Resource Management

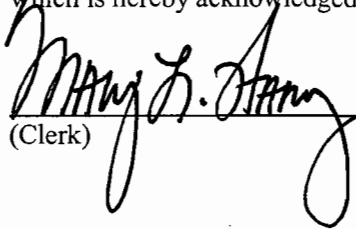
CERTIFICATE OF SERVICE

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

9/14/07 to the person(s) listed below:

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

9/14/07
(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 31, 2007

RECEIVED

SEP 04 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

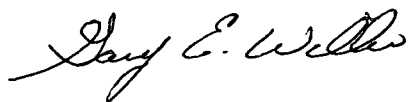
Re: INTENT TO ISSUE AIR CONSTRUCTION PERMIT
PERMIT # 0850102-012-AV (INDIANTOWN COGENERATION PLANT)

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 29th, 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
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	1696507	8/29/2007	NOTICE OF INTENT	0850102-012-A

Subscribed and sworn to me before this date:

August 29, 2007

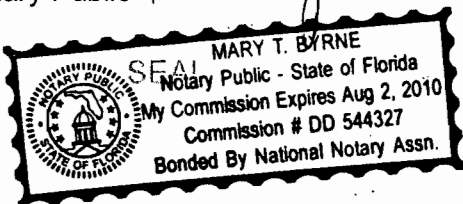
S. Darlene Broeg

PUBLICATION DATES ARE
CORRECT AS APPEAR ON
AFFIDAVIT

DATED: 8/29/07 MJB

Mary T Byrne

Notary Public



PUBLIC NOTICE OF INTENT
TO ISSUE AIR CONSTRUCTION PERMIT
STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL
PROTECTION
DEP File No. 0850102-012-AC
Indiantown Cogeneration Facility
Coal Pile Operation
Martin County

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

Changes in coal supplier logistics have mandated that the facility no longer treat the two coal piles as "active" (located in a building) and "inactive" (located outside), respectively, - both now are considered as having active status. Previously, the inactive coal pile was routinely covered. This practice is required by the facility's prevention of significant deterioration (PSD) air construction permit. This change has prompted the facility's management to request an air construction permit to remove the requirement to routinely cover the outside coal pile. Implementing this change will have no effect on particulate matter (PM) or any other air pollution emissions. Further, the change will not cause or contribute to a violation of the ambient air quality standards and increment.

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

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

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

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within 14 days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under section 120.60(3), F.S., must be filed within 14 days of 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 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 28.100.

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.

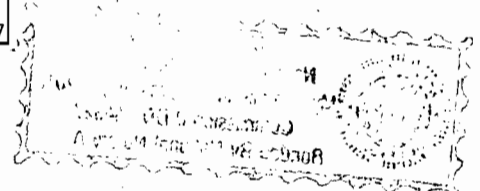
Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of 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 33416-5425
Telephone: 561/681-6600
Fax: 561/681-6755

The complete project file includes the permit application, draft air construction permit, 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 and clicking on Indiantown Co generation Plant in the power plant category.
Publish: August 30, 2007 1696507



MEMORANDUM

To: Trina Vielhauer *csj*
Through: Al Linero *csj*
From: Tom Cascio *Tom*
Date: August 14, 2007
Subject: Draft Air Construction Permit No. **0850102-012-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).

Changes in coal supplier logistics have mandated that the facility no longer treat the two coal piles as "active" (located in a building) and "inactive" (located outside), respectively, – both now are considered as having active status. Previously, the inactive coal pile was routinely covered. This practice is required by the facility's prevention of significant deterioration (PSD) air construction permit. This change has prompted the facility's management to request an air construction permit to remove the requirement to routinely cover the outside coal pile. Implementing this change will have no effect on particulate matter (PM) or any other air pollution emissions.

The application was received and deemed complete on July 11, 2007.

I recommend your signature and forwarding to Patty for clerking.

Harvey, Mary

From: Gibson, Victoria
To: Harvey, Mary
Sent: Tuesday, August 21, 2007 9:58 AM
Subject: Read: Indiantown Cogeneration Plant - Facility #0850102-012-AC-DRAFT

Your message

To: 'Gary E. Willer, ICLP:'; 'Nick Laryea, ICLP:'; Hoefert, Lee; 'David A. Buff:'; 'Katy Forney, EPA Region 4:'; 'James Little, EPA Region 4:'
Cc: Cascio, Tom; Adams, Patty; Gibson, Victoria
Subject: Indiantown Cogeneration Plant - Facility #0850102-012-AC-DRAFT
Sent: 8/20/2007 4:30 PM

was read on 8/21/2007 9:58 AM.

Harvey, Mary

From: Cascio, Tom
To: Harvey, Mary
Sent: Tuesday, August 21, 2007 7:41 AM
Subject: Read: Indiantown Cogeneration Plant - Facility #0850102-012-AC-DRAFT

Your message

To: 'Gary E. Willer, ICLP:'; 'Nick Laryea, ICLP:'; Hoefert, Lee; 'David A. Buff:'; 'Katy Forney, EPA Region 4:'; 'James Little, EPA Region 4:'
Cc: Cascio, Tom; Adams, Patty; Gibson, Victoria
Subject: Indiantown Cogeneration Plant - Facility #0850102-012-AC-DRAFT
Sent: 8/20/2007 4:30 PM

was read on 8/21/2007 7:41 AM.

Harvey, Mary

From: Hoefert, Lee
To: Harvey, Mary
Sent: Tuesday, August 21, 2007 7:42 AM
Subject: Read: Indiantown Cogeneration Plant - Facility #0850102-012-AC-DRAFT

Your message

To: 'Gary E. Willer, ICLP:'; 'Nick Laryea, ICLP:'; Hoefert, Lee; 'David A. Buff: '; 'Katy Forney, EPA Region 4: '; 'James Little, EPA Region 4: '
Cc: Cascio, Tom; Adams, Patty; Gibson, Victoria
Subject: Indiantown Cogeneration Plant - Facility #0850102-012-AC-DRAFT
Sent: 8/20/2007 4:30 PM

was read on 8/21/2007 7:42 AM.

Harvey, Mary

From: Harvey, Mary
Sent: Monday, August 20, 2007 4:30 PM
To: 'Gary E. Willer, ICLP:;'; 'Nick Laryea, ICLP:;'; Hoefert, Lee; 'David A. Buff:;'; 'Katy Forney, EPA Region 4:;'; 'James Little, EPA Region 4:.'
Cc: Cascio, Tom; Adams, Patty; Gibson, Victoria
Subject: Indiantown Cogeneration Plant - Facility #0850102-012-AC-DRAFT
Attachments: 0850102.012.AC.D_pdf.zip

Tracking:	Recipient	Read
	'Gary E. Willer, ICLP:;'	
	'Nick Laryea, ICLP:;'	
	Hoefert, Lee	Read: 8/21/2007 7:42 AM
	'David A. Buff:;'	
	'Katy Forney, EPA Region 4:;'	
	'James Little, EPA Region 4:;'	
	Cascio, Tom	Read: 8/21/2007 7:41 AM
	Adams, Patty	
	Gibson, Victoria	Read: 8/21/2007 9:58 AM

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,

8/21/2007

Harvey, Mary

From: Buff, Dave [DBuff@GOLDER.com]
To: undisclosed-recipients
Sent: Monday, August 20, 2007 4:41 PM
Subject: Read: Indiantown Cogeneration Plant - Facility #0850102-012-AC-DRAFT

Your message

To: DBuff@GOLDER.com
Subject:

was read on 8/20/2007 4:41 PM.

Harvey, Mary

From: Forney.Kathleen@epamail.epa.gov
Sent: Monday, August 20, 2007 4:41 PM
To: Harvey, Mary
Cc: Little.James@epamail.epa.gov
Subject: Re: FW: Indiantown Cogeneration Plant - Facility #0850102-012-AC-DRAFT

Thanks we got it. :-)

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>

08/20/2007 04:32
PM

To
Kathleen Forney/R4/USEPA/US@EPA,
James Little/R4/USEPA/US@EPA
cc
Subject
FW: Indiantown Cogeneration Plant
- Facility #0850102-012-AC-DRAFT

Hi Katy - I fogot to unzipped the other folder.

Thanks,
Mary

From: Harvey, Mary
Sent: Monday, August 20, 2007 4:30 PM
To: 'Gary E. Willer, ICLP: '; 'Nick Laryea, ICLP: '; Hoefert, Lee; 'David A. Buff: '; 'Katy Forney, EPA Region 4: '; 'James Little, EPA Region 4: '
Cc: Cascio, Tom; Adams, Patty; Gibson, Victoria
Subject: Indiantown Cogeneration Plant - Facility #0850102-012-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).

Harvey, Mary

From: Willer, Gary [GaryWiller@Cogentrix.com]
To: Harvey, Mary
Sent: Monday, August 20, 2007 4:37 PM
Subject: Read: Indiantown Cogeneration Plant - Facility #0850102-012-AC-DRAFT

Your message

To: GaryWiller@Cogentrix.com
Subject:

was read on 8/20/2007 4:37 PM.



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 20, 2007

Electronically sent – Received Receipt requested.

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

Re: DEP File No. 0850102-012-AC
Indiantown Cogeneration Plant

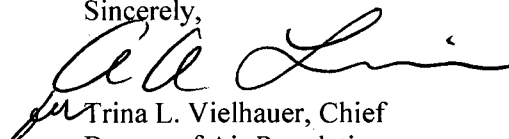
Dear Mr. Willer:

Enclosed is one copy of the Draft Air Construction Permit to modify the coal pile operation at the Indiantown Cogeneration Plant in Indiantown, Martin County. The Department's Intent to Issue Air Construction Permit and the Public Notice of Intent to Issue Air Construction Permit 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

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 (including the Public Notice and the Draft permit) and all copies were sent electronically (with Received Receipt) before the close of business on 8/20/07 to the persons listed:

Gary E. Willer, ICLP: GaryWiller@Cogentrix.com

Nick Laryea, ICLP: NicholasLaryea@Cogentrix.com

Lee Hoefert, P.E., Southeast District Office: lee.hoefert@dep.state.fl.us

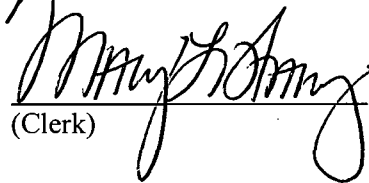
David A. Buff: dbuff@golder.com

Katy Forney, EPA Region 4: forney.kathleen@epa.gov

James Little, EPA Region 4: 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)

8/20/07
(Date)

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. 0850102-012-AC
Indiantown Cogeneration Facility
Coal Pile Operation
Martin County, Florida

Authorized Representative:

Mr. Gary E. Willer, General Manager

INTENT TO ISSUE AIR CONSTRUCTION PERMIT

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

Indiantown Cogeneration, L.P. applied on July 11, 2007, to the Department for an air construction permit to modify the coal pile operation at its facility in Indiantown, Martin County.

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 action is not exempt from permitting procedures. Department has determined that an air construction permit is required.

The Department intends to issue this air construction permit 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. 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 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 and require, if applicable, another Public Notice.

The Department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to sections 120.569 and 120.57, 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.

PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT

STATE OF FLORIDA

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DEP File No. 0850102-012-AC

Indiantown Cogeneration Facility
Coal Pile Operation
Martin County

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

Changes in coal supplier logistics have mandated that the facility no longer treat the two coal piles as "active" (located in a building) and "inactive" (located outside), respectively, – both now are considered as having active status. Previously, the inactive coal pile was routinely covered. This practice is required by the facility's prevention of significant deterioration (PSD) air construction permit. This change has prompted the facility's management to request an air construction permit to remove the requirement to routinely cover the outside coal pile. Implementing this change will have no effect on particulate matter (PM) or any other air pollution emissions. Further, the change will not cause or contribute to a violation of the ambient air quality standards and increment.

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

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

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

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within 14 days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under section 120.60(3), F.S., must be filed within 14 days of publication of the public notice or within 14 days of receipt of this notice of intent, whichever occurs first. Under section 120.60(3), F.S., however, any person who asked the Department for notice of agency action may file a petition within 14 days of receipt of that notice, regardless of the date of

(Public Notice to be Published in the Newspaper)

publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under sections 120.569 and 120.57 F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention in a proceeding initiated by another party will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205 of the Florida Administrative Code (F.A.C.).

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner, the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination; (c) A statement of how and when petitioner received notice of the agency decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts upon which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

A complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

Department of Environmental Protection
Bureau of Air Regulation
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 33416-5425
Telephone: 561/681-6600
Fax: 561/681-6755

The complete project file includes the permit application, draft air construction permit, 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 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
Indiantown Cogeneration, L.P.
P.O. Box 1799
13303 SW Silver Fox Lane
Indiantown, Florida 34956

Re: DEP File No. 0850102-012-AC
Indiantown Cogeneration Plant
Coal Pile Operation

Dear Mr. Willer:

The Florida Department of Environmental Protection has reviewed your application to make a minor modification to prevention of significant deterioration (PSD) air construction permit No. PSD-FL-168. This air construction permit (0850102-012-AC) revises the language of one specific condition of the previously issued permit. Changes in coal supplier logistics have mandated that the facility no longer treat the two coal piles as “active” (located in a building) and “inactive” (located outside), respectively, – both now are considered as having active status. Previously, the inactive coal pile was routinely covered. This practice is required by the facility’s PSD air construction permit. This change has prompted the facility’s management to request an air construction permit to remove the requirement to routinely cover the outside coal pile. Implementing this change will have no effect on particulate matter (PM) or any other air pollution emissions.

MODIFICATION OF AIR CONSTRUCTION PERMIT NO. PSD-FL-168

One specific condition in Air Construction Permit No. PSD-FL-168 is hereby modified as shown below.

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

Sentence three in Specific Condition 10. is modified as follows:

~~Inactive~~ Outdoor coal storage piles shall be shaped, compacted, and oriented to minimize wind erosion; ~~and covered.~~

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

Clerk Stamp
FILED 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)

PERMITTEE:
Indiantown Cogeneration, L. P.

Permit Number: PSD-FL-168
Project: Indiantown
Cogeneration Project

SPECIFIC CONDITIONS:

7. NH₃ (Ammonia) - Slip from exhaust gases shall not exceed 50 ppmv.

8. Visible Emissions (VE) from each baghouse exhaust shall not exceed 10% opacity (six minute average). No VE during lime silo loading operations (i.e., less than 5% opacity). VE from the ash handling baghouse shall not exceed a particulate limit of 0.010 grains/acf and VE of 5% opacity.

9. The auxilliary boiler, rated at up to 358 MMBtu/hr (Natural Gas and propane) and 342 MMBtu/hr (No. 2 fuel oil), shall be limited to a maximum of 5000 hours/year with up to 1000 hrs/yr firing No. 2 fuel oil with 0.05% sulfur, by weight, and the balance firing natural gas or propane. The maximum annual emissions will be as follows when firing No. 2 fuel oil for 1000 hrs/yr:

EMISSION LIMITATION

<u>Pollutant</u>	<u>lbs/hr</u>	<u>tons/year</u>
NO _x	68.0	34
SO ₂	18.0	9
PM	1.4	0.70
PM ₁₀	1.4	0.70
CO	48.0	24
VOC	0.620	0.31
Be	4.0 x 10 ⁻⁵	2.0 x 10 ⁻⁵
Hg	5.2 x 10 ⁻⁴	2.6 x 10 ⁻⁴
Pb	3.6 x 10 ⁻²	1.8 x 10 ⁻²
As	6.8 x 10 ⁻³	3.4 x 10 ⁻³

10. Particulate emissions from the coal, and limestone handling facilities shall be controlled by enclosing all conveyors and conveyor transfer points (except those directly associated with the coal stacker/reclaimer for which an enclosure is operationally infeasible). Fugitive emission shall be tested as specified in Specific Condition No. 19. Inactive coal storage piles shall be shaped, compacted, and oriented to minimize wind erosion, and covered. Water sprays or chemical wetting agents and stabilizers shall be applied to uncovered storage piles, roads, handling equipment, etc. during dry periods and as necessary to all facilities to maintain an opacity of less than or equal to 5 percent. When adding, moving or removing coal from the coal pile an opacity of 20% is allowed. The lime handling system including the lime silos shall be maintained at a negative pressure while operating and the exhaust vented to a control system. The fly ash handling system (including transfer and silo storage) shall



Indiantown Cogeneration, L.P.
An Affiliate of Cogentrix Energy, Inc.

9405 Arrowpoint Boulevard
Charlotte, NC 28273-8110
704-525-3800
Fax 704-529-5313

July 5, 2007

RECEIVED

JUL 11 2007

Ms. Trina Vielhauer
Division of Air Resource Management
Florida Department of Environmental Protection
MS 5505
2600 Blairstone Road
Tallahassee, FL 32399

BUREAU OF AIR REGULATION

Re: Indiantown Cogeneration Facility;
PSD-FL-168; Title V Permit No. 0850102-007-AV

Dear Ms. Vielhauer:

On behalf of Indiantown Cogeneration, L.P. ("ICLP"), I am submitting this letter to formally request the Florida Department of Environmental Protection ("Department" or "DEP") to modify certain conditions contained in the PSD and Title V permits for the Indiantown Cogeneration Facility ("Facility").¹ These permit conditions require ICLP to place a cover over an inactive coal storage pile at the Facility. ICLP wishes to modify the permit conditions because it is no longer feasible or appropriate to maintain a cover over the coal pile.

Background Information

The Facility has two storage piles for coal. One pile is used as the primary source of fuel for the Facility; the other pile is used when the primary pile is depleted. The primary or "active" coal pile is located inside an enclosed building and it holds enough coal to satisfy the Facility's fuel needs for approximately ten (10) days of operations. The second coal pile (i.e., the "inactive" coal pile) is located outside.

¹ More specifically, ICLP wishes to modify: (1) Specific Condition No. 10 in PSD-FL-168; and (2) Facility-wide Condition No. II.8 (page 7 of 68) and Specific Condition III.C.6 (page 46 of 68) in Title V Permit No. 0850102-007-AV. Further, ICLP wishes to replace the term "inactive coal storage piles" with "outdoor coal storage piles" throughout both permits.

ICLP's use of its coal piles largely depends upon the timing of the fuel shipments to the Facility. For many years after the start of operations, ICLP received shipments of coal on a regular basis (e.g., once every seven to ten days) and the active coal pile was replenished before it was necessary to utilize the inactive coal pile. This method of operation was disrupted approximately four years ago, after ICLP's original fuel supplier declared bankruptcy and rejected its coal supply agreement with ICLP. Now it is more difficult for ICLP to obtain timely deliveries of coal. The timing of the fuel shipments has become more critical to ICLP's operations because ICLP's fuel use has increased over the past few years as the demand for ICLP's electricity increased.

ICLP was compelled to change its operations as a result of these developments. The "active" coal pile is being depleted on a routine basis because fuel deliveries are not as frequent and reliable now as they were in the past. ICLP has been forced to remove coal from its "inactive" pile on a recurring basis. ICLP also must replenish the fuel supply in the inactive pile whenever ICLP receives its next delivery of coal. The increased removal and replacement of coal from the "inactive" storage pile makes the description of the outdoor pile as "inactive" inconsistent with actual use and renders infeasible ICLP's obligation to maintain a cover over the outdoor pile.

The Permit Modifications

Given the changed operations at the Facility, ICLP respectfully requests the Department to modify the permit conditions applicable to ICLP's Facility as follows:

The term "inactive coal storage piles" should be replaced with "outdoor coal storage piles" wherever it appears in the Facility's PSD permit and the Facility's Title V permit.

Specific Condition No. 10 in the Facility's PSD permit should be modified as follows:

Outdoor coal storage piles shall be shaped, compacted, and oriented to minimize wind erosion, ~~and covered~~ and watered as needed.

Similarly, Specific Condition II.8 in the Facility's Title V permit should be modified as follows:

8. Outdoor coal storage piles shall be shaped, compacted, and oriented to minimize wind erosion, ~~and covered~~ and watered as needed . . . The coal pile is accessed as needed; ~~disturbance of the covering is minimized and the coal pile is re-covered periodically.~~

Trina Vielhauer
July 5, 2007
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Specific Condition III.C.6 in the Facility's Title V permit should be modified as follows:

C.6. Fugitive Emissions. Outdoor coal storage piles shall be shaped, compacted, and oriented to minimize wind erosion, ~~and covered~~ and watered as needed

Please note that ICLP is not requesting a modification to any PSD or Title V emission limit or permit condition, except the ones specifically identified above. ICLP also is not requesting a modification to the Facility's maximum throughput rate for coal handling.

Conclusion

Thank you for your assistance with this issue. Please call me at (704) 672-2818 if you have any questions or need any additional information.

Sincerely,



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Florida P.E. Registration No. 33712

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CERTIFICATION

In accordance to Chapter 62-213-440(1)(b)3-c, F.A.C., I certify that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete.

Signed:



Gary E. Willer

Title:

General Manager

Date:

7/10/07