

# THE CITIZEN

KEY WEST

The Florida Keys Only Daily Newspaper, Est. 1876

Cooke Communications, LLC

Florida Keys

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# RECEIVED

OCT 24 2007

BUREAU OF AIR REGULATION

## STATE OF FLORIDA COUNTY OF MONROE

Before the undersigned authority personally appeared Randy G. Erickson, who on oath says that he is Vice-President of Advertising Operations of the Key West Citizen, a daily newspaper published in Key West, in Monroe County, Florida; that the attached copy of advertisement, being a legal notice in the matter of

Public Notice of Intent

was published in said newspaper in the issue(s) of

October 7, 2007

Affiant further says that the Key West Citizen is a newspaper published in Key West, in said Monroe County, Florida and that the said newspaper has heretofore been continuously published in said Monroe County, Florida every day, and has been entered as second-class mail matter at the post office in Key West, in said Monroe County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

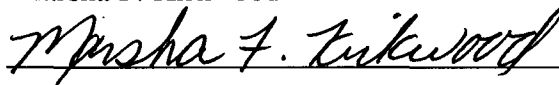


Signature of Affiant

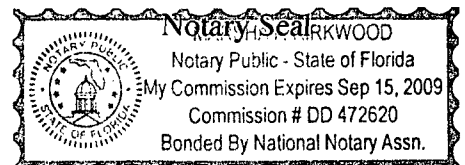
Sworn and subscribed before me this 8<sup>th</sup> day of October, 2007

Notary Public:

Marsha F. Kirkwood



Expires: September 15, 2009



Personally Known x Produced Identification \_\_\_\_\_  
Type of Identification Produced \_\_\_\_\_

# LEGAL NOTICES

## PUBLIC NOTICE

units:

The facility consists of six key regulated emission units with a total generating capacity of 128.7MW. There are two regulated diesel generators, four simple cycle combustion turbines, and miscellaneous unregulated units. As a result of this revision, which arises from the Air Construction Permit 0870003-07-AC, a 48MW simple cycle combustion turbine (E.U.ID No. 011), a nominal 1,000,000 gallon No. 2 fuel oil storage tank (unregulated), and a water tank (unregulated) have been added to the facility. To reduce pollution, a combination of control techniques is used at the plant including water injection, ignition timing retardation and use of low sulfur fuel oil. Further, when the operational hours of the new simple cycle combustion turbine exceeds 2500 hours a selective catalytic reduction (SCR) unit must be installed to help control its NOx emissions. Also included in this permit are insignificant emissions units and activities.

**Permitting Authority:** Applications for Title V air Operation Permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, 62-213, and 62-214 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and an air permit is required to operate the facility. The Department of Environmental Protection, Bureau of Air Regulation, is the Permitting Authority responsible for making a permit determination regarding this project. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301. The Permitting Authority's mailing address is: 2600 Blair Stone Road, Mail Station #5505 Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/488-0114 and facsimile 850/921-9533.

**Project File:** 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 address indicated above for the Permitting Authority. The complete project file includes the DRAFT Permit, the Statement of Basis, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may view the DRAFT Permit by visiting the following web site: <http://www.dep.state.fl.us/air/eproducts/sards/>. A copy of the complete project file is also available at the Department's South District Office, 2295 Victoria Ave., Suite 361, Post Office Box 2549, Fort Myers, Florida 33902-2549 (Telephone: 239/332-6975).

### Notice of Intent to Issue a Permit:

The Permitting Authority gives notice of its intent to issue a permit to the applicant for the project describe above. The applicant has provided reasonable assurance that operation of the facility will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-214, 62-296, and 69-297, F.A.C. The Permitting Authority will issue a PROPOSED Permit and subsequent FINAL Permit in accordance with the conditions of the DRAFT Permit unless a response received in accordance with the following procedures results in a different decision or a significant change of terms or conditions.

## PUBLIC NOTICE

**Comments:** The Permitting Authority will accept written comments concerning the DRAFT Permit for a period of thirty (30) days from the date of publication of this Public Notice. Written comments must be post-marked and all e-mail or facsimile comments must be received by the close of business (5pm) on or before the end of this 30-day period by the Permitting Authority at the above address, e-mail or facsimile. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location on the official web site for notices at Florida Administrative Weekly (FAW) at <http://faw.dos.state.fl.us> and in a newspaper of general circulation in the area affected by the permitting action. For additional information, contact the Permitting Authority at the above address or phone number. If written comments or comments received at a public meeting result in a significant change to the DRAFT Permit, the Permitting Authority shall issue a Revised DRAFT Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

**Petitions:** A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding in accordance with sections 120.569 and 120.57 F.S. The petition must contain the information set forth below and must be filed (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. 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 this Public Notice or receipt of the written notice, whichever occurs first. Under section 120.60(3) of the F.S., however, any person who has asked the Permitting Authority 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 of the 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 Permitting Authority's action is based must contain the following information:

- The name and address of each agency affected and each agency's file or identification number, if known;
- 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 are or will be affected by the agency determination;
- A statement of when and how the petitioner received notice of

## PUBLIC NOTICE

the agency decision;

- A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
- A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action; and
- A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action. A petition that does not dispute the material facts upon which the Permitting Authority's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by rule 28-106.301 F.A.C.

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

**Mediation:** Mediation is not available for this proceeding.

**Objections:** In addition to the above right to petition, pursuant to 42 United States Code (U.S.C.) SECTION 7661d(b)(2), any person may petition the Administrator to the EPA within sixty (60) days of the expiration of the Administrator's 45 (forty-five) day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to the issuance of any Title V air operation permit. Any petition shall be based only on objections to the Permit that were raised with reasonable specificity during the thirty (30) day public comment period provided in the Public Notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460. For more information regarding EPA review and objections, visit EPA's Region 4 web site at <http://epa.gov/region4/air/permits/Florida.htm>.  
October 7, 2007

## PUBLIC NOTICE

### PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
DRAFT TITLE V AIR OPERATION PERMIT  
NO. 0870003-008-AV  
KEYS ENERGY SERVICES  
STOCK ISLAND POWER PLANT  
MONROE COUNTY

**Applicant:** The applicant for this project is Keys Energy Services, 1001 James Street, Post Office Box 6100, Key West, Florida 33041-6100. The applicant's responsible official is Mr. Edward Garcia, environmental/Safety Officer.

**Facility Location:** The applicant operates the Keys Energy Services-Stock Island Power Plant, which is located at 6900 Front Street, Stock Island, Monroe County, Florida.

**Project:** The applicant submitted an application for a Title V AIR Operation Permit Revision. The facility consists of the following emissions