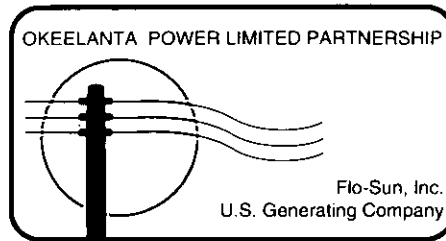


May 28, 1996



Mr. Clair Fancy
Department of Environmental Protection
Bureau of Air Regulation
2600 Blair Stone Road, MS 5505
Twin Towers Office Building
Tallahassee, Florida 32399

RECEIVED

JUN 4 1996

BUREAU OF
AIR REGULATION

Re: Proof of Publication
Okeelanta Power Limited Partnership
AC 50-219413/PSD-FL-196
Osceola Power Limited Partnership
AC 50-269980/PSD-FL-197A

Dear Mr. Fancy:

Pursuant to Section 403.815, F.S., and Rule 62-103.150, F.A.C., the Okeelanta and Osceola Power Limited Partnerships published the "Notice of Intent to Issue Permit Amendment" in the Palm Beach Post on Monday, May 20, 1996. This amendment would allow for simultaneous operation of the cogeneration plant boilers and sugar mill boilers until April 1, 1997. Please find the attached "Proof of Publication" for that notice.

If you have any questions please contact me at (407) 993-1003.

Sincerely,

A handwritten signature in black ink, appearing to read "J. M. Meriwether".

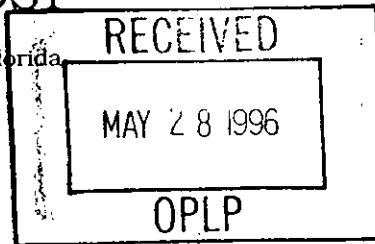
James M. Meriwether
Environmental, Health
and Safety Representative

cc: Ajaya K. Satyal - HRS/PBCo
David M. Knowles - FDEP/Ft. Myers
D. Space - OkPLP
D. Schaberg - OsPLP
C. Rionda - Osceola Farms
M. Capone - Okeelanta Corp.
B. Tarr - Flo-Sun, Inc.

THE PALM BEACH POST

Published Daily and Sunday
West Palm Beach, Palm Beach County, Florida

PROOF OF PUBLICATION



STATE OF FLORIDA
COUNTY OF PALM BEACH

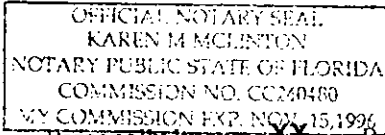
Before the undersigned authority personally appeared Chris Bull
who on oath says that she/he is Class Adv Mgr of The Palm Beach Post,
a daily and Sunday newspaper published at West Palm Beach in Palm Beach County,
Florida; that the attached copy of advertising, being a Notice
in the matter of Intent to issue permit
in the _____ Court, was published in said newspaper in
the issues of May 20, 1996

Affiant further says that the said The Post is a newspaper published at West Palm Beach,
in said Palm Beach County, Florida, and that the said newspaper has heretofore been
continuously published in said Palm Beach County, Florida, daily and Sunday and has been
entered as second class mail matter at the post office in West Palm Beach, in said Palm Beach
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/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.

Chris Bull

Sworn to and subscribed before me this 21 day of May A.D. 1996

Karen M. McLinton
Karen M. McLinton, Notary Public



Personally known or Produced Identification _____

Type of Identification Produced _____

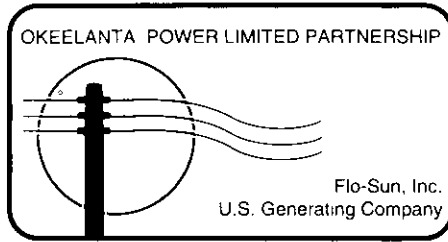
publication of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 60Q-2.010, Florida Administrative Code.

The application/request is available for public inspection during normal business hours, 8:00 am. to 5:00 pm., Monday through Friday, except legal holidays, at:

111 S. Magnolia Drive, Suite 4, Tallahassee, FL 32301
2295 Victoria Ave., Suite 364, Ft. Myers, FL 33901
400 N. Congress Ave., West Palm Beach, FL 33401
and at the Palm Beach County Public Health Unit located at: 901 Evernia, West Palm Beach, FL 33402-0029

Any person may send written comments on the proposed action to the Administrator, New Source Review Section, at the Department's Tallahassee address. All comments received within 30 days of the publication of this notice will be considered in the Department's final determination.
PUB: The Palm Beach Post
May 20, 1996

No. 138829
LEGAL NOTICE
STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF INTENT TO ISSUE PERMIT
AC 50-21943/P50-FL-196
AC 50-209280/P50-FL-197A
The Department of Environmental Protection (Department) gives notice of its intent to amend the reconstruction permit issued to Okeelanta Power and Ocoola Power Limited Partnerships, Post Office Box 88, South Bay, Florida 33489, for the cogeneration facilities located at the Okeelanta and Ocoola Farms sugar mills near South Bay and Pahokee, Palm Beach County, Florida. The amendments will allow additional time, until April 1, 1997, for the simultaneous operation of existing sugar mill boilers with the new cogeneration facility boilers when they are firing biomass or No. 2 fuel oil while the technical problems with the new boilers and bagasse feed systems are corrected. The existing sugar mill Boilers Nos. 4, 5, 6, 10, 11, 12, 14, and 15 at Okeelanta and Boilers Nos. 2, 3, 4, 5, and 6 at Ocoola Farms will be permanently shutdown within three years of commercial startup of the cogeneration plants, but no later than January 1, 1999. The facilities shall comply with all other emissions or ambient concentrations of any air pollutant is authorized by these amendments. These amendments do not require new Best Available Control Technology (BACT) determinations. A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes (F.S.). The petition must contain the information set forth below and must be filed in the Office of General Counsel of the Department at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within 14 days of publication of this notice. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, F.S.
The Petition shall contain the following information: (a) the name, address, and telephone number of each petitioner, the applicant's name and address, the Department Permit File Number and the county in which the project is proposed; (b) A statement of how and when each petitioner received notice of the Department's action or proposed action; (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action; (d) A statement of the material facts disputed by Petitioner, if any; (e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action; (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and (g) A statement of the remedy sought by petitioner, and precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.
If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, 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 decision of the Department with respect to the application have the right to be heard. Persons who wish to be heard should file comments on the Department's final action with the Department's Tallahassee address within 30 days of the publication of this notice.



May 21, 1996

Mr. Clair Fancy
Department of Environmental Protection
Bureau of Air Regulation
2600 Blair Stone Road, MS 5505
Twin Towers Office Building
Tallahassee, Florida 32399

RECEIVED

MAY 23 1996

**BUREAU OF
AIR REGULATION**

Re: Okeelanta Power Limited Partnership
AC 50-219413/PSD-FL-196
Osceola Power Limited Partnership
AC 50-269980/PSD-FL-197A

Dear Mr. Fancy:

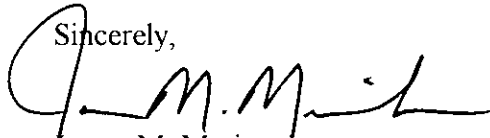
In reference to the notice of intent to issue permit amendments to allow for simultaneous operation of the cogeneration plant and sugar mill boilers until April 1, 1997 please make the following permanent changes to the facility addressee's for all future correspondence.

Mr. Dennis V. Space
General Manager
Okeelanta Power Limited Partnership
P.O. Box 8
South Bay, Florida 33493

Mr. S. Don Schaberg
General Manager
Osceola Power Limited Partnership
P. O. Box 679
Pahokee, Florida 33476

If you have any questions please contact me at (407) 993-1003.

Sincerely,


James M. Meriwether
Environmental, Health
and Safety Representative

cc: D. Space - OkPLP D. Schaberg - OsPLP

LANDERS & PARSONS
ATTORNEYS AT LAW

CINDY L. BARTIN
DAVID S. DEE
JOSEPH W. LANDERS, JR.
JOHN T. LAVIA, III
RICHARD A. LOTSPEICH
FRED A. MCCORMACK
PHILIP S. PARSONS
ROBERT SCHEFFEL WRIGHT

HOWELL L. FERGUSON
OF COUNSEL

VICTORIA J. TSCHINKEL
SENIOR CONSULTANT
(NOT A MEMBER OF THE FLORIDA BAR)

310 WEST COLLEGE AVENUE

POST OFFICE BOX 271

TALLHASSEE, FLORIDA 32302

TELEPHONE (904) 681-0311

TELECOPY (904) 224-5595

RECEIVED

MAY 10 1996

BUREAU OF
AIR REGULATION

May 9, 1996

Hamilton S. Oven, Jr.
Power Plant Siting Coordinator
Department of Environmental
Protection
3900 Commonwealth Boulevard
Tallahassee, Florida 32399

RE: Okeelanta and Osceola Cogeneration Facilities

Dear Mr. Oven:

This law firm assists Okeelanta Power Limited Partnership (Okeelanta) and Osceola Power Limited Partnership (Osceola) with environmental law issues affecting their cogeneration facilities in Palm Beach County, Florida. On behalf of Okeelanta and Osceola, we are sending you this letter to confirm our understanding about the issues we discussed with you during our telephone conversation on May 1, 1996.

The PSD permit for the Okeelanta cogeneration facility provides that the facility's "gross generating capacity shall not exceed 74.9 megawatts (MW), 1-hour average, except during scheduled emissions compliance and equipment performance tests." ACO 50-219413, PSD-FL-196 at page 5, Specific Condition No. 1; see also page 7, Specific Condition No. 11. The PSD permit for the Osceola cogeneration facility provides that the facility's maximum generating capacity "shall not exceed 74 megawatt (MW), 1 hour average." ACO50-269980, PSD-FL-197A at page 5, Specific Condition No. 1.

Based on our recent telephone discussion with you, it is our understanding that the "1-hour average" described in these PSD permits is a 1 hour rolling average. The one hour averaging period starts when the facility's generation rate exceeds the applicable MW threshold (e.g., 74.9 MW at Okeelanta). In a hypothetical situation, if the gross generating rate of the Okeelanta cogeneration facility momentarily exceeds 74.9 MW due

Hamilton S. Oven, Jr.
Page Two
May 9, 1996

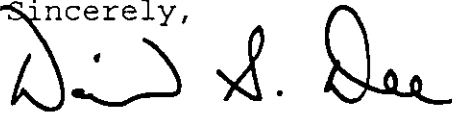
to an upset condition, the facility will have a total of one hour (measured from the start of the upset condition) to reduce the facility's generating rate and attain an average hourly generating rate that is equal to or less than 74.9 MW.

Conversely, the Department will not apply the one hour average to one hour blocks of time (e.g., 1 P.M. until 2 P.M.). This approach will not be used because, if an upset condition occurred 59 minutes after the start of the one hour block, the cogeneration facility would not have an adequate opportunity to reduce its generating rate and come into compliance with the 74.9 MW limit.

Okeelanta and Osceola have raised this issue with the Department because they want to ensure that there is no confusion in the future concerning the proper interpretation of the Department's permit limits. For this reason, Okeelanta and Osceola would greatly appreciate it if the Department would confirm in writing that our understanding about these issues is correct.

Thank you for your cooperation and assistance with this matter. Please call me if you have any questions.

Sincerely,



David S. Dee

cc: Chip Collette
Clair Fancy
Al Linero ✓
Willard Hanks
James Stormer

cc: T. TITTLE, SFD

D. Knowles, SD