

 **NORTHERN STAR
GENERATION SERVICES
COMPANY LLC**

Orlando Cogeneration Ltd.
8275 Exchange Drive
Orlando, FL 32809
Telephone: (407) 851-1350
Facsimile: (407) 851-1686

October 20, 2005

Bureau of Air Regulation
Florida Department of Environmental Protection
2600 Blair Stone Rd., MS #5505
Tallahassee, FL 32399-2400
850/488-0114

RECEIVED

OCT 21 2005

BUREAU OF AIR REGULATION


**RE: Orlando CoGen Limited, L.P.
Public Notice of Intent to Issue a Title V
Air Operation Permit Revision
DRAFT Title V
Air Operation Permit No.: 0950203-006-AV**

To Whom It May Concern:

Enclosed is the Proof of Publication of the Public Notice published in The Orlando Sentinel on 10/14/05.

If you have any questions regarding this project or need additional information, please contact me at 407-851-1350 or David Kellermeyer of Northern Star Generation Services Company LLC at 713-580-6368.

Sincerely,


Todd Shirley
Plant Manager, Orlando CoGen

Attachment

cc: David Kellermeyer, Northern Star Generation Services Company LLC
Scott Wesson, PBS&J
File Copy

Orlando Sentinel

Published Daily

State of Florida } S.S.
COUNTY OF ORANGE

Before the undersigned authority personally appeared DEBORAH M. TONEY, who on oath says

that he/she is the Legal Advertising Representative of Orlando Sentinel, a daily newspaper published at ORLANDO in ORANGE County, Florida;

that the attached copy of advertisement, being a PUBLIC NOTICE OF in the matter of #0950203-002-AV

in the ORANGE Court, was published in said newspaper in the issue; of 10/14/05

Affiant further says that the said Orlando Sentinel is a newspaper published at ORLANDO, in said ORANGE County, Florida, and that the said newspaper has heretofore been continuously published in said ORANGE County, Florida, each Week Day and has been entered as second-class mail matter at the post office in ORLANDO in said ORANGE County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

The foregoing instrument was acknowledged before me this 17 day of OCT., 2005, by DEBORAH M. TONEY, who is personally known to me and who did take an oath.

(SEAL)

BEVERLY G. SIMMONS
Comm# DD0387737
Expires 3/10/2009
Bonded thru (800)432-4254
Florida Notary Assn., Inc

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

Permitting Authority
Department of
Environmental Protection
Bureau of Air Regulation

DRAFT Title V
Air Operation
Permit No.: 0950203-006-AV
Northern Star
Generation Services
Orlando Cogen
Limited, L.P.
Oransee County

Applicant: The applicant for this project is Northern Star Generation Services, Orlando Cogen Limited, L.P., 8275 Exchange Drive, Orlando, Florida 32809. The applicant's responsible official is: Mr. Todd Shirley, Plant Manager, Orlando Cogen Limited, L.P., 8275 Exchange Drive, Orlando, Florida 32809.

Facility Location: The applicant operates the Orlando Cogen Plant, which is an electrical utility plant and located at 8275 Exchange Drive, Orlando, Orange County, Florida.

Project: The applicant operates the existing power plant in accordance with Title V Air Operation Permit No. 0950203-002-AV, which was issued/effective on January 1, 2004. The applicant requests a revision of the Title V permit to reflect the upgrade of the combustion turbine and the increase in heat input that were authorized by Air construction permit Nos. 0950203-003-AC and 0950203-005-AC, and a minor change in the testing procedures from those required in the existing Title V permit. This project is also being used to replace Appendix TV-4, Title V Conditions (version dated 02/12/02) with Appendix TV-5, Title V Conditions (version dated 03/28/05). These changes, as outlined in the Title V Statement of Basis, and reflected in the Draft Title V Permit Revision, are the only portions of the Title V permit that are open for review and subject to Public Comment.

Permitting Authority: Applications for Permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.), and Chapters 62-4, 62-210, 62-212, and 62-214, Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and a Permit is required to operate the facility. The Department's 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.

Project File: A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at the 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 contact the Permitting Authority's project review engineer for additional information at the address and phone number listed, above, or may view the DRAFT Permit and file electronic comments by visiting the following website: <http://www.dep.state.fl.us/air/products/ards/>. A copy of the complete project file is also available at:

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Sections 120.569 and 120.57, F.S.; or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only after the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

Affected District:
Department of
Environmental Protection

Central District
3319 Maguire Blvd.,
Suite 232
Orlando, Florida 32803-3767
Telephone: 407/894-7555
Fax: 407/897-2966

Notice of Intent to Issue An Air Permit: The Permitting Authority gives notice of its intent to issue an air permit to the applicant for the project described 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, 62-256, 62-257, 62-281, 62-295, and 62-297, 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.

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 postmarked and all e-mail or facsimile comments must be received by the close of business (5 pm) on or before the end of this 30-day period by the Permitting Authority at the above address, email 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 Department's official web site or notices (<http://thor66.dep.state.fl.us/ow/>) 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 hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed with (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 write notice under Section 120.60(3), F.S. must be filed within fourteen (14) days of publication of this Public Notice or receipt of a written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority for notice of agency action may file a petition within fourteen (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

A petition that disputes the material facts on which the Permitting Authority'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 rights will be affected by the agency determination; (c) A statement of how and when the petitioner received notice of the agency action or proposed action; (d) A statement of all disputed issues of material fact. If there are none, the petition must so state; (e) A concise statement of the ultimate facts alleged, including the facts that the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and (g) A statement of the relief sought by the petitioner, stating precisely the action 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 an 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 of 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 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 objections, visit the EPA Region 4 web site at: www.epa.gov/region4/air/permits COR6427684 10/14/05