



KISSIMMEE UTILITY AUTHORITY VOID AFTER 90 DAYS
 KISSIMMEE, FLORIDA
 GENERAL OPERATING FUND

83-835
 631

DATE
8/15/94

NO. 063268

0005539

AMOUNT
***\$250.00**

Scanned

PAY TO:
Florida Dept of Environmental Protection 2600 Blair Stone Rd Tallahassee FL 32399-2400

Richard L. Hord
 CHAIRMAN

James C. Welsh
 PRESIDENT AND GENERAL MANAGER
 CEO

Sun Bank, N.A.
 Downtown Office
 100 N. Orange Ave
 Tallahassee, FL 32301

NO: 063268

KISSIMMEE UTILITY AUTHORITY

INVOICE NUMBER/DESCRIPTION	REFERENCE*	DATE	ACCOUNT NUMBER/PROJECT	AMOUNT
Amendment fee.		8/15/94	041 9810 981 06 40 G34001	250.00
				250.00

0:069678

KISSIMMEE UTILITY AUTHORITY 7959

0069678

INVOICE NUMBER/DESCRIPTION	REFERENCE*	DATE	ACCOUNT NUMBER/PROJECT	AMOUNT
PERMIT	004564 4/05/1995	05/1995	[REDACTED]	50.00
				*******50.00



KISSIMMEE UTILITY AUTHORITY VOID AFTER 90 DAYS
 KISSIMMEE, FLORIDA
 GENERAL OPERATING FUND

63-836
 631

DATE
 4/06/1995

NO. 069678
 0102439

AMOUNT
 *****50.00

PAY TO:
 FLORIDA DEPT ENVIRONMENTAL
 PROTECTION BUREAU OF AIR
 2600 BLAIRSTONE RD
 TALLAHASSEE FL 323992400

James C. Welch
 PRESIDENT & GENERAL MANAGER

1 Bank, N.A.
 ntown Office
 S. Orange Ave.
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SENDER'S FEDERAL EXPRESS ACCOUNT NUMBER
1 1591-9773-5

Date
4/7/95

From (Your Name) Please Print
A. K. (Ben) Sharma

Your Phone Number (Very Important)
407-933-7777

To (Recipient's Name) Please Print
Mr. C. H. Fancy, Chief

Recipient's Phone Number (Very Important)
(904) 487-3299

Company
KISSIMMEE UTILITY AUTHORITY

Department/Floor No.
Street Address
1701 WEST CARROLL STREET

City
KISSIMMEE

State
FL

ZIP Required
3 4 7 4 1

Company
Bureau of Air Regulation
Fla Dept of Environmental Protection

Department/Floor No.
Exact Street Address (We Cannot Deliver to P.O. Boxes or P.O. Zip Codes)
Twin Towers Office Building
2600 Bair Stone Road

City
Tallahassee

State
FL

ZIP Required
32399-2400

YOUR INTERNAL BILLING REFERENCE INFORMATION (optional) (First 24 characters will appear on invoice.)
041-981-951-06-40 G34002

IF HOLD AT FEDEX LOCATION, Print FEDEX Address Here
Street Address
City
State
ZIP Required

PAYMENT
 Bill Sender Acct. No. Req'd.
 Bill Recipient's FedEx Acct. No. Fill in Account Number below
 Bill 3rd Party FedEx Acct. No. Fill in Account Number below (req'd.)
 Bill Credit Card Fill in Credit Card No. below (req'd.)
 Cash/Check
 Acct./Credit Card No.
 Exp. Date

SERVICES (Check only one box)		DELIVERY AND SPECIAL HANDLING (Check services required)		PACKAGES	WEIGHT (In Pounds Only)	Emp. No.	Date	Federal Express Use
Priority Overnight (Delivery by next business morning) 11 <input type="checkbox"/> OTHER PACKAGING 16 <input type="checkbox"/> FEDEX LETTER* 12 <input type="checkbox"/> FEDEX PAK* 13 <input type="checkbox"/> FEDEX BOX 14 <input type="checkbox"/> FEDEX TUBE Economy Two-Day (Delivery by second business day †) 30 <input type="checkbox"/> ECONOMY* *Economy Letter Rate not available. Minimum charge: One pound Economy rate.	Standard Overnight (Delivery by next business afternoon. No Saturday delivery) 51 <input type="checkbox"/> OTHER PACKAGING 56 <input checked="" type="checkbox"/> FEDEX LETTER* 52 <input type="checkbox"/> FEDEX PAK* 53 <input type="checkbox"/> FEDEX BOX 54 <input type="checkbox"/> FEDEX TUBE Government Overnight (Restricted for authorized users only) 46 <input type="checkbox"/> GOVT LETTER 41 <input type="checkbox"/> GOVT PACKAGE	Weekday Service 1 <input type="checkbox"/> HOLD AT FEDEX LOCATION WEEKDAY* (Fill in Section H) 2 <input checked="" type="checkbox"/> DELIVER WEEKDAY Saturday Service 31 <input type="checkbox"/> HOLD AT FEDEX LOCATION SATURDAY (Fill in Section H) 3 <input type="checkbox"/> DELIVER SATURDAY (Extra charge) (Not available to all locations) 9 <input type="checkbox"/> SATURDAY PICK-UP (Extra charge)	Special Handling 4 <input type="checkbox"/> DANGEROUS GOODS (Extra charge) 6 <input type="checkbox"/> DRY ICE (Dangerous Goods Shipper's Declaration not required) Dry Ice 9 UN 1845, X kg. 904 III 12 <input type="checkbox"/> HOLIDAY DELIVERY (if offered) (Extra charge)	Total Total		<input type="checkbox"/> Cash Received <input type="checkbox"/> Return Shipment <input type="checkbox"/> Third Party <input type="checkbox"/> Chg. To Del. <input type="checkbox"/> Chg. To Hold Street Address City State Zip Received By: <input checked="" type="checkbox"/> X Date/Time Received FedEx Employee Number		Base Charges Declared Value Charge Other 1 Other 2 Total Charges REVISION DATE 4/94 PART #145412 FXEM 11/94 FORMAT #160 160 © 1990-94 FEDEX PRINTED, U.S.A.
Freight Service (for packages over 150 lbs.) 70 <input type="checkbox"/> OVERNIGHT FREIGHT** (Confirmed reservation required) † Delivery commitment may be later in some areas. 80 <input type="checkbox"/> TWO-DAY FREIGHT** (Confirmed reservation required) **Declared Value Limit \$500. **Call for delivery schedule.								
						Received At 1 <input type="checkbox"/> Regular Stop 2 <input type="checkbox"/> On-Call Stop 3 <input type="checkbox"/> Drop Box 4 <input type="checkbox"/> B.S.C. 5 <input type="checkbox"/> Station 7 Release Signature		

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State of Florida } s.s.
COUNTY OF ORANGE

RECEIVED

OCT 22 1996

BUREAU OF AIR REGULATION

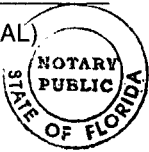
Before the undersigned authority personally appeared BEVERLY C. SIMMONS

that he/she is the Legal Advertising Representative of The Orlando Sentinel, a daily newspaper published at KISSIMMEE in OSCEOLA County, Florida; that the attached copy of advertisement, being a PUBLIC NOTICE OF I PERMIT NO. 0970043-003/AC in the matter of OSCEOLA Court, was published in said newspaper in the issue; of 10/06/96

Affiant further says that the said Orlando Sentinel is a newspaper published at KISSIMMEE OSCEOLA County, Florida, and that the said newspaper has heretofore been continuously published in said OSCEOLA County, Florida, each Week Day and has been entered as second-class mail matter at the post office in KISSIMMEE OSCEOLA 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 9th day of OCTOBER, 19 96, by BEVERLY C. SIMMONS who is personally known to me and who did take an oath.

JUANITA ROSADO My Comm Exp. 7/13/98 Bonded By Service Ins No. CC392006 [] Personally Known [] Other I.D.



CC: EPA NPS CD

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PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT AMENDMENT STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION DRAFT Permit Amendment No. 0970043-003-AC (PSD-FL-182) Testing Requirement at Cane Island Facility Osceola County The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit amendment to Kissimmee Utility Authority for the Testing Requirement at Cane Island Facility located near Intercession City, Osceola County. A Best Achievable Control Technology (BACT) determination was not required. The amendment will not result in an increase in any emissions from the facility, and will not cause a violation of any state or federal ambient air quality standards or increments. The applicant's name and address are: Kissimmee Utility Authority, (KUA) 1701 West Carroll Street, Kissimmee, Florida 34741. The amendment makes the following changes: compliance with the nitrogen oxide (NOx) emission limit will be determined using data from the nitrogen oxide continuous emissions monitor (CEM) instead of by using annual compliance testing for nitrogen oxide; removes the requirement for annual testing for particulate matter, sulfuric acid mist and VOC; and, specifies that measured NOx emissions shall not be ISO corrected for comparison with the BACT standard. The unit burns natural gas, an inherently clean fuel, and very low sulfur fuel oil when gas is not available. The continuous monitoring method of compliance is superior to an annual test. KUA has already demonstrated very low emissions of particulate matter, sulfuric acid and VOC due to burning of clean fuels. The new basis for compliance with the NOx limit is consistent with Department guidance.

The Department will issue the FINAL Permit Amendment in accordance with the conditions of the enclosed DRAFT Permit Amendment 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 the proposed DRAFT Permit Amendment issuance action for a period of 14 (fourteen) days from the date of publication of this Notice. Written comments and requests for public meetings should be provided to the Department's Bureau of Air Regulation, 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 this DRAFT Permit Amendment, the Department shall issue a Revised DRAFT Permit Amendment and require, if applicable, another Public Notice. In addition, any person whose substantial interests are affected by this proposal 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 (received) in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 904/488-9730; Fax: 904/487-4938), within 14 (fourteen) 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 the telephone number of each petitioner, the applicant's name and address, the Department Permit Amendment 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 warrants 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 relief sought by petitioner, stating 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 DRAFT Permit Amendment. Persons, whose substantial interests will be affected by any decision of the Department with regard to the application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 (fourteen) days of receipt of this notice, in the Office of General Counsel at the address referenced above. Failure to petition within the allotted time frame constitutes a waiver of any rights 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. 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 South Magnolia Drive, Suite 4 Tallahassee, Florida 32301 Telephone: 904/488-1344 Fax: 904/922-6979

persons may contact the Administrator, New Source Review Section at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 904/488-1344, for additional information. OSC1176138 OCT.6.1996

The Orlando Sentinel

Published Daily
\$55.64

State of Florida } S.S.
COUNTY OF ORANGE

RECEIVED

JAN 10 1997

BUREAU OF
AIR REGULATION

Before the undersigned authority personally appeared SHERI L. MILLER, who on oath says that he/she is the Legal Advertising Representative of The Orlando Sentinel, a daily newspaper published at KISSIMMEE in OSCEOLA County, Florida; that the attached copy of advertisement, being a **PUBLIC NOTICE OF I** in the matter of 0970043-004-AC in the OSCEOLA Court, was published in said newspaper in the issue; of 01/10/97

Affiant further says that the said Orlando Sentinel is a newspaper published at KISSIMMEE in said OSCEOLA County, Florida, and that the said newspaper has heretofore been continuously published in said OSCEOLA County, Florida, each Week Day and has been entered as second-class mail matter at the post office in KISSIMMEE in said OSCEOLA 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 10 day of January, 19 97, by SHERI L. MILLER who is personally known to me and who did take an oath.

Sheri L. Miller

Beverly C. Simmons

(SEAL)



BEVERLY C. SIMMONS
My Comm Exp. 3/10/97
Bonded By Service Ins
No. CC263839
[] Personally Known [] Other I.D.

cc: C. Helladay, BAR
J. Guinary, P.E. Pensacola
B. Beals, EPA
J. Dunyak, NPS
L. Kozlov, CO

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PUBLIC NOTICE OF INTENT TO ISSUE
AIR CONSTRUCTION PERMIT AMENDMENT
STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DRAFT Permit Amendment No. 0970043-004-AC PSD-1-182
Low Sulfur Fuel Oil Usage at Cane Island Facility
Osceola County

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit amendment to Kissimmee Utility Authority, to allow additional use of very low (0.05%) sulfur distillate No. 2 fuel oil in the combustion turbines located at its Cane Island Facility near Intercession City, Osceola County. A Best Available Control Technology (BACT) determination was not required pursuant to Rule 62-212.400 F.A.C. and 40 CFR 52.21, Prevention of Significant Deterioration (PSD). The amendment will result in small actual increase; nitrogen oxides (NOx), carbon monoxide (CO), sulfur dioxide (SO2), and particulate matter (PM/PM10). These increase are less than the application PSD significant emission rates, therefore, PSD requirements do not apply. The amendment will not result in an increase in any allowable emissions from the facility, and will not cause a violation of any state or federal ambient air quality standards or increments. The application's name and address are: Kissimmee Utility Authority, (KUA), 1701 West Carroll Street, Kissimmee, Florida 34741. Both units burn natural gas, an inherently clean fuel, and very low sulfur fuel oil when gas is not available. The amendment will allow the use of very low sulfur fuel oil for up to 800 hours even when natural gas is available. Fuel oil with a sulfur content this low is also clean. The option to burn fuel oil will give KUA greater flexibility in fuel use during the winter heating season.

The Department will issue the FINAL Permit Amendment in accordance with the conditions of the enclosed DRAFT Permit Amendment 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 the proposed DRAFT Permit Amendment issuance action for a period of 14 (fourteen) days from the date of publication of this Notice. Any written comments should be provided to the Department's Bureau of Air Regulation, 2800 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 this DRAFT Permit Amendment, the Department shall issue a Revised DRAFT Permit Amendment and require, if applicable, another Public Notice.

The Department will issue FINAL Permit Amendment with the conditions of the DRAFT Permit Amendment unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57 F.S. or a party requests mediation as an alternative remedy under Section 120.573 before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for petitioning for a hearing are set forth below, followed by the procedures for requesting mediation.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative hearing in accordance with Section 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, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, telephone: 904/488-9730, fax: 904/487-4938. Petitions must be filed within fourteen days of publication of this notice or within fourteen days of receipt of this notice of intent, whichever occurs first. A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The Failure to any person to file a petition (or a request for mediation, as discussed below) with-

in this 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 will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-5.207 of the Florida Administrative Code.

A petition must contain the following information; (a) The name, address, and the telephone number of each petitioner, the applicant's name and address, the 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 warrants reversal or modification of the Department's action or proposed action; (f) A statement identifying the rules or statutes that the petitioner contends require reversal or modification of the Department's or proposed action; and (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action addressed in this notice of intent.

Because the administrative hearing process is designed to formulate 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 of intent. 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 person whose substantial interests are affected by the Department's proposed permitting

decision, may elect to pursue mediation by asking all parties to the proceeding to agree to such mediation and by filing with the Department a request for mediation and the written agreement of all such parties to mediate the dispute. The request and agreement must be filed in (received by) the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, by the same deadline as set forth above for the filing of a petition.

A request for mediation must contain the following information: (a) The name, address, and telephone number of the person requesting mediation and that person's representative, if any; (b) A statement of the preliminary agency action; (c) A statement of the relief sought; and (d) Either an explanation of how the requester's substantial interests will be affected by the action or proposed action addressed in this notice of intent or a statement clearly identifying the petition for hearing that the requester has already filed, and incorporating it by reference.

The agreement to mediate must include the following: (a) The names, address, and telephone number of any persons who may attend the mediation; (b) The name, address, and telephone number of the mediator selected by the parties, or a provision for selecting a mediator within a specified time; (c) The agreed allocation of the costs and fees associated with the mediation; (d) The agreement of the parties on the confidentiality of discussions and documents introduced during mediation; (e) The date, time, and place of the first mediation session, or a deadline for hold the first session, if no mediator has yet been chosen; (f) The name of each party's representative who shall have authority to settle or recommend settlement; and (g) The signatures of all parties or their authorized representative.

As provided in Section 120.573 F.S., the timely agreement of all parties to mediate will toll the limitations imposed by Section 120.569 and 120.57 F.S. for requesting and holding an administrative hearing. Unless otherwise agreed by the parties, the mediation must be concluded within sixty days of the execution of the agreement. If mediation results in settlement of the administrative dispute, the Department must enter a final order incorporating the agreement of the parties. Persons whose substantial interests will be affected by such modified final decision of the Department have a right to petition for a hearing only in accordance with the requirements for such petitions set forth above. If mediation terminates without settlement of the dispute, the Department shall notify all parties in writing that the administrative hearing processes under Sections 120.569 and 120.57 F.S. remain available for disposition of the dispute, and the notice will specify the deadlines that then will apply for challenging the agency action and electing remedies under those two statutes.

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 South Magnolia Drive,
Suite 4
Tallahassee, Florida 32301
Telephone: 904/488-1344
Fax: 904/922-6979

Department of Environmental Protection
Central District
3319 Maguire Boulevard,
Suite 232
Orlando, Florida 32803
Telephone: 407-894-7555
Fax: 407-897-2966

The complete project file includes the Draft Permit Amendment, the application and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Administrator, New Source Review Section at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 904/488-1344, for additional information.
OSC1315211 JAN.10,1997

PUBLIC NOTICE OF INTENT
TO ISSUE AIR CONSTRUCTION PERMIT MODIFICATION

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Kissimmee Utility Authority Cane Island Unit 1
DEP File No. 0970043-005-AC, PSD-FL-182B
Osceola County

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit modification to Kissimmee Utility Authority (KUA) for its Cane Island Unit 1 located near Intercession City, Osceola County. A Best Available Control Technology (BACT) determination was not required for this modification pursuant to Rule 62-212.400, F.A.C. and 40 CFR 52.21, Prevention of Significant Deterioration (PSD). The applicant's name and address are: Kissimmee Utility Authority, 1701 West Carroll Street, Kissimmee, Florida 34741.

This existing facility consists of a 40 megawatt (MW) General Electric LM6000PA gas-fired simple cycle combustion turbine and a 120 MW General Electric 7EA gas-fired combined cycle unit (combustion turbine with a heat recovery steam generator). The nitrogen oxides (NOx) emission limit applicable to the LM6000PA (Unit 1) is 25 parts per million (ppm) or 36 pounds per hour (lb/hr). By January 1, 1999 this combustion turbine must comply with a limit of 15 ppm or 22 lb/hr.

KUA requests additional time to meet the lower limit using Dry Low Emissions technology. This will allow General Electric additional time to develop solutions based on recent testing conducted in Ohio and Florida. A similar developmental program by General Electric resulted in typical emissions less than 7 ppm by Dry Low NOx technology from the larger 7EA gas combustion turbine at Cane Island, even though it has a limit of 15 ppm.

The difficulties in achieving the lower values are related to the high firing temperature and high compression ratio of the aero-derivative LM6000 series. The Department will allow only one more year (January 1, 2000) and will require KUA to address the permanent solution during the course of the Site Certification and PSD permitting of a new 250 MW General Electric PG7241FA combined cycle unit planned for Cane Island.

The Department will issue the final permit modification with the attached conditions unless a response received in accordance with the following procedures results in a different decision of significant change of terms or conditions.

The Department will accept written comments concerning the proposed permit issuance action for a period of 30 (thirty) days from the date of publication of "Public Notice of Intent to Issue Air Construction Permit Modification." Written comments should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, FL 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 modification with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57 F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below. 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 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) of the Florida Statutes must be filed within fourteen 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 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.

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 action or proposed action; (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, as well as the rules and statutes which entitle the petitioner to relief; and (f) A demand for relief.

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.

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: 850/922-6979

Department of Environmental Protection
Central District Office
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767
Telephone: 407/894-7555
Fax: 407/897-2966

The complete project file includes the Draft Permit modification, the application, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the New Resource Review Section at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/488-0114, for additional information.

55152801