



Jeb Bush
Governor

Department of Environmental Protection

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Colleen M. Castille
Secretary

May 18, 2004

- CERTIFIED MAIL - RETURN RECEIPT REQUESTED -

Mr. George K. "Chip" Allen
Indiantown Cogeneration, L.P.
Post Office Box 1799
Indiantown, Florida 34956

RE: Indiantown Cogeneration Facility, PA 90-31F
OGC No. 04-0429

ORDER MODIFYING CONDITIONS OF CERTIFICATION

Dear Mr. Allen:

On March 31, 2003, the Department issued a Notice of Exemption for PSD-FL-168 for Indiantown Cogeneration Facility. Pursuant to Rule 62-17.211(4), the Department is required to modify the Conditions of Certification for this facility to conform them to the federal PSD Permit.

On March 19, 2004, all parties to the certification proceeding were provided with notice by certified mail of the Department's intent to modify the Conditions of Certification for this facility, along with a copy of the proposed Order Modifying Conditions of Certification. Additionally, on April 16, 2004, notice of the Department's intent to modify the Conditions of Certification for this facility was published on the Department's website. Those notices specified that pursuant to Section 403.516, F.S., and Rule 62-17.211, F.A.C., all parties to the certification proceeding have 45 days from the issuance of the notice by mail to such party's last address of record in which file a written objection to the modification; that failure of any of the parties to file a response will constitute a waiver of objection to the modification; and that any person who is not already a party to the certification proceeding and whose substantial interests will be affected by the requested modification has 30 days from the date of publication of the public notice on the Department's website to object in writing.

No objections to the modification have been received by the Department. The Conditions of Certification for the Indiantown Cogeneration Facility are hereby modified as follows:

"More Protection, Less Process"

Printed on recycled paper.

Part 2, (1) B.3.

Emissions Limitations

a. - 1. No change

m. Temporary Package Boiler

i. The package boiler shall be operated such that:

(a) No visible emissions (5 percent opacity) are observed, except that visible emissions not exceeding 20% opacity are allowed for up to three minutes in any one-hour period.

(b) No objectionable odors are observed

(c) Manufacturers guidelines are followed

ii. The package boiler shall fire natural gas or propane only, and throughput shall be measured and recorded. No more than 150 million standard cubic feet (combined) shall be fired annually and operating hours plus fuel usage shall be tracked, separately identified and attributed to the annual throughput of the auxiliary boilers.

iii. ICLP shall notify the Department prior to the delivery of the temporary boiler and upon its removal. The notifications shall include proof that all other permitting conditions identified herein can be or have been met.

iv. Under no circumstances shall the temporary boiler be on-site for more than 90 calendar days, or operated for more than 60 calendar days during any calendar year.

v. The package boiler shall meet the ASME and Pressure Vessel Code Accreditation and utilize an ASME Code Symbol Stamp.

vi. The package boiler shall be guaranteed of meeting a NO_x emission limit of 0.15 lb/MMBtu.

vii. The package boiler shall not be operated at the same time as both auxiliary boilers.

viii. The package boiler shall be disconnected and removed from the plant site within 15 days of the date that either the main PC boiler or both auxiliary boilers become operable.

Any party to the this Order has a right to seek judicial review of it pursuant to Section 120.68, Florida Statutes by filing a Notice of Appeal, pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department of Environmental Protection in the Office of General Counsel, 3900 Commonwealth Boulevard, M.S. 35, 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 of Appeal must be filed within thirty days from the date this Order is filed with the Clerk of the Department of Environmental Protection.

Executed in Tallahassee, Florida.

Hamilton S. Oven

Hamilton S. Oven, P.E.

Administrator

Siting Coordination Office

FILING AND ACKNOWLEDGMENT
FILED, on this date, pursuant to §120.52
Florida Statutes, with the designated
Department Clerk, receipt of which is
hereby acknowledged.

Janda Korokos
Clerk

5/18/04
Date

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