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MAY 13 2011

BUREAU OF  
AIR REGULATION

# Hopping Green & Sams

Attorneys and Counselors

May 13, 2011

Via Hand Delivery

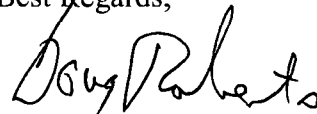
Mr. Al Linero, Program Administrator  
Bureau of Air Regulation  
Florida Department of Environmental Protection  
111 South Magnolia Drive, Suite #4,  
Tallahassee, Florida

**Re: Air Construction Permit  
Northwest Florida Renewable Energy Center, LLC  
Port St. Joe, FL; FDEP File No.: 0450012-002-AC  
Original Affidavit of Proof of Publication of Public Notice**

Dear Mr. Linero:

Subsequent to our May 12, 2011 submittal to you of a copy of the proof of publication of the newspaper notice of the above-referenced proposed permit, our offices received an original of the affidavit of the publication of that notice. Therefore, pursuant to Rule 62-110.106(9), Florida Administrative Code, please find enclosed an original executed affidavit of publication for the Public Notice of Intent to Issue Air Permit published on May 5, 2011, in the Port St. Joe *Star* newspaper for the above referenced proposed air construction permit. It is otherwise identical to the electronic copy provided to you previously. Please contact me at your convenience if you have any questions or I may be of any further assistance.

Best Regards,



Douglas S. Roberts

Enclosure

cc: David Read, DEP BAR  
Ronni Moore, DEP OGC

**Florida Freedom Newspapers, Inc.**

PUBLISHERS OF THE STAR  
Published Weekly  
Port St. Joe, Gulf County, Florida

**STATE OF FLORIDA  
COUNTY OF BAY**

Before the undersigned authority personally appeared JoAnn Greenlee, who on oath says that she is a Legal Advertising Representative of The Star, a weekly newspaper published in the English language, and of general circulation published in the City of Port St. Joe, Florida, in said county and state, and that the attached copy of advertisement, being a Legal Advertisement # 2371S in the matter of Public Notice - Air Permit in the Gulf County Court, was published in said newspaper in the issue of May 5, 2011.

Deponent further says that The Star has been continuously published as a weekly newspaper issued each Thursday and has been entered as second class mail matter at the Post Office in Port St. Joe, Gulf County, Florida, for a period of more than one year next preceding the first publication of the attached copy of advertisement; and deponent further says that she has neither paid nor promised any persons, firm, corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

*JoAnn Greenlee*

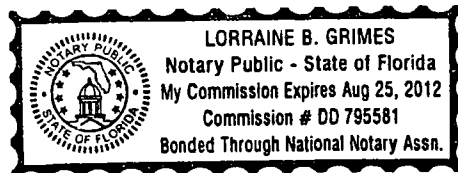
State of Florida  
County of Bay  
Sworn and subscribed before me this 5th day of May, A.D., 2011.  
By JoAnn Greenlee, Legal Advertising Representative of the Star, who is personally known to me or has produced NA as identification.

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BUREAU OF  
AIR REGULATION

*Lorraine B. Grimes*  
Notary Public, State of Florida at Large



**2371S  
PUBLIC NOTICE OF  
INTENT TO ISSUE AIR  
PERMIT**

Florida Department of Environmental Protection, Division of Air Resource Management, Bureau of Air Regulation  
DEP File No. 0450012-002-AC

Northwest Florida Renewable Energy Center Gulf County

**Applicant:** The applicant for this project is Northwest Florida Renewable Energy Center, LLC. The applicant's authorized representative and mailing address is: Mr. John Diesch, Authorized Representative, Northwest Florida Renewable Energy Center, LLC, 1331 17th Street, Suite 720, Denver, Colorado 80202.

**Facility Location:** The proposed Northwest Florida Renewable Energy Center (NWFREC) will be located at 521 Premier Drive in Port St. Joe, Gulf County, Florida.

**Project:** The project is to construct the NWFREC, which will be a nominal 55 megawatts (MWnet) biomass gasification combined cycle unit and ancillary equipment. The feedstock for the facility will be woody biomass that consists primarily of wood chips, saw dust, land clearing debris, round wood residues, yard waste and may include a vegetative fuel crop.

The biomass will be dried and fed into a gasifier vessel containing a heated bed of circulating sand where the biomass will be gasified and converted to biomass product gas (BPG). The BPG will then be cleaned, compressed and used as fuel in three SOLAR Model Number T-130 combustion turbine-electrical generators (CTG) or one General Electric (GE) Model MS6001B CTG. Heat from the CTG exhaust gas will be recovered in one or three heat recovery steam generators (HRSG) depending upon the CTG selected. Char from the gasifier and tars from the BPG cleanup will be combusted in the char combustor. The heat will be recovered to produce steam. The resulting steam from the HRSG will drive a single steam turbine-electrical generator (STG). Additional equipment includes an emergency generator, firewater pump, auxiliary boiler and

flare/thermal oxidizer system.

Potential emissions will be less than the major stationary source thresholds. Therefore, a review for the Prevention of Significant Deterioration (PSD) including ambient air quality impact analyses and a Best Available Control Technology (BACT) determination were not required. The project is not a major source of hazardous air pollutants (HAP) and a determination of Maximum Achievable Control Technology (MACT) is not required. The project is an area source of HAP and the char combustor is subject to 40 Code of Federal Regulations (CFR) Part 63, Subpart JJJJJ - National Emission Standards for Hazardous Air Pollutants (NESHAP) for Area Sources: Industrial, Commercial, and Institutional Boilers.

The application, additional information and the Department's technical evaluation and preliminary determination (TEPD) are available at the following website: [www.dep.state.fl.us/air/emission/bioenergy/northwest\\_renewable.htm](http://www.dep.state.fl.us/air/emission/bioenergy/northwest_renewable.htm)

The project will result in emissions increases (rounded up to nearest ton) of: 160 tons per year (TPY) of carbon monoxide (CO); 166 TPY of nitrogen oxides (NOX); 78 TPY of particulate matter (PM); 72 TPY of PM with a mean diameter of 10 micrometers (µm) or less (PM10); 75 TPY of sulfur dioxide (SO2); 28 TPY of volatile organic compounds (VOC); 8 TPY of sulfuric acid mist (H2SO4); 9 TPY of ammonia (NH3) slip and 11 TPY of HAP.

Emissions from the char combustor will be controlled by NH3-based selective non-catalytic reduction, a fabric filter and good combustion practices (GCP). Emissions from the CTG will be controlled by the BPG cleanup system, GCP, water or steam injection, an oxidation catalyst and NH3-based selective catalytic reduction. Emissions from ancillary equipment (emergency generator, firewater pump, auxiliary boiler and flare/thermal oxidizer) will be controlled by GCP and/or the use of inherently clean and low sulfur fuels. The BPG cleanup system includes particulate removal, tar removal, and caustic scrubbing to remove other impurities. Reasonable precau-

tions through a best management practices (BMP) plan will be employed to minimize fugitive dust emissions from biomass handling, storage and processing.

The project will include continuous emissions monitoring systems (CEMS) for NOX and CO on the char combustor and CTG/HRSG stacks and a continuous opacity monitoring system (COMS) on the char combustor stack.

**Permitting Authority:** Applications for air construction permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210 and 62-212 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 perform the proposed work. The Permitting Authority responsible for making a permit determination for this project is the Bureau of Air Regulation in the Department of Environmental Protection's Division of Air Resource Management. The Bureau of Air Regulation's physical address is: 111 South Magnolia Drive, Suite #4, Tallahassee, Florida 32399-2100. The Bureau of Air Regulation's telephone number is 850/717-9000.

**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 physical address indicated above for the Permitting Authority. The complete project file includes the Draft Permit, the Technical Evaluation and Preliminary Determination, the application and information submitted by the applicant (exclusive of confidential records under Section 403.111, F.S.). Interested persons may contact the Permitting Authority's project engineer for additional information at the address and phone number listed above. In addition, electronic copies of these documents are available at the website provided above.

**Notice of Intent to Issue Air Permit:** The Permitting Authority gives notice of its intent to issue an air con-

struction permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of proposed equipment 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, 62-296 and 62-297, F.A.C. The Permitting Authority will issue a Final Permit in accordance with the conditions of the proposed Draft Permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

**Comments:** The Permitting Authority will accept written comments concerning the proposed Draft Permit for a period of 14 days from the date of publication of this Public Notice. Written comments must be received by the Permitting Authority by close of business (5:00 p.m.) on or before the end of the 14-day period. If written comments received result in a significant change to the Draft Permit, the Permitting Authority shall revise the 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 (Telephone: 850/245-2242). 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 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 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, 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: (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 when and how the petitioner received notice of the agency action or proposed decision; (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 specific facts 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 including an explanation of how the alleged facts relate to the specific rules or statutes; 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 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 to Issue Air Permit. 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. May 5, 2011