

**HARDEE POWER  
PARTNERS LIMITED**

Via Federal Express 7903 3454 8193

September 12, 2007

Ms. Trina L. Vielhauer  
Florida Department of Environmental Protection  
Bureau of Air Regulation  
2600 Blair Stone Road  
Mail Station 5505  
Tallahassee, Florida 32399-2400

Re: Hardee Power Partners Limited  
Hardee Power Station  
Title V Air Operation Permit No. 0490015-007-AV  
Proof of Public Notice Publication

Dear Ms. Vielhauer:

In accordance with Rule 62-110.106(5), F.A.C., Hardee Power Partners Limited hereby submits the enclosed proof of publication of Public Notice for draft Permit Nos. 0490015-008-AC and 0490015-009-AV. The Public Notice was published in the Wauchula Herald-Advocate on September 6, 2007.

Please feel free to contact Dennis Powell at (863) 375-3266 if you have any questions regarding this information.

Sincerely,



Ralph E. Randall  
Plant Manager

Cc: Mr. Bruce Thomas - FDEP

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BUREAU OF AIR REGULATION

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AFFIDAVIT OF PUBLICATION

The Herald-Advocate

Published Weekly at Wauchula, Florida

BUREAU OF AIR REGULATION

STATE OF FLORIDA,  
COUNTY OF HARDEE

Before the undersigned authority personally appeared Ann Basey  
who on oath says he is the Secretary of The Herald-Advocate, a  
newspaper published at Wauchula, in Hardee County, Florida; that the attached copy of advertise-  
ment, being a Public Notice  
in the matter of Hardee Power Partners  
in the \_\_\_\_\_ Court, was published in said newspaper in the issues  
of September 6, 2007

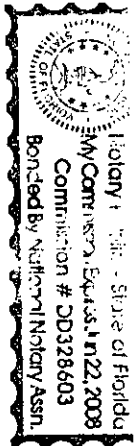
Affiant further says that the said Herald-Advocate is a newspaper published at Wauchula, in  
said Hardee County, Florida, and that the said newspaper has heretofore been continuously published  
in said Hardee County, Florida, each week and has been entered as second class mail matter at the  
post office in Wauchula, in said Hardee County, Florida, for a period of one year next preceding the  
publication of the attached copy of advertisement; and affiant further says that 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.

Ann Basey

Sworn to and subscribed before me this 6 day of September  
A.D. 2007

Emily Taylor Brown  
Notary Public

My Commission Expires June 22, 2008



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## PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMITS

Florida Department of Environmental Protection  
Division of Air Resource Management, Bureau of Air Regulation

Draft Permit No. 0490015-008-AC, Air Construction Permit Revision  
Draft Permit No. 0490015-009-AV, Concurrent Title V Air Operation Permit Revision

Hardee Power Partners, Hardee Power Station  
Hardee County, Florida

**Applicant:** The applicant for this project is Hardee Power Partners. The applicant's authorized representative and mailing address is Alex C. George, Vice President, Hardee Power Station, 6695 County Road 663 North, Fort Green Springs, Florida 33834.

**Facility Location:** The Hardee Power Partners operate an existing electrical generating power plant located in Hardee County at 6695 County Road 663 North in Fort Green Springs, Florida, 33834.

**Project:** The purpose of the project is to revise the original air construction permit and concurrently revise the Title V air operation permit to allow increases to the heat input rates for the Unit CT-2B simple cycle gas turbine. The draft permit authorizes increases from 880 to 950 MMBtu per hour when firing natural gas and from 950 to 1060 MMBtu per hour when firing distillate oil. Actual operating data indicates that the heat input rates provided by the gas turbine vendor underestimate the actual performance of the installed gas turbine. No physical or operational changes are necessary to realize the actual installed capacity of Unit CT-2B. No increase in the emissions standards (concentrations or mass emissions rates) are requested to accommodate the change. The applicant does not expect any emissions increases nor increased utilization as a result of the change. Unit CT-2B will continue to comply with all applicable provisions of the air construction and operation permits.

**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, F.A.C. Applications for Title V air operation permits are subject to review in accordance with provisions of Chapter 403, F.S. and Chapters 62-4, 62-210, and 62-213 F.A.C. The projects are not exempt from the permitting procedures for air construction and Title V air operation permits. The Florida Department of Environmental Protection's Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination for this project. The Bureau of Air Regulation's physical address is 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301 and the mailing address is 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Bureau of Air Regulation's phone 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 address indicated above for the Permitting Authority. The complete project file includes the Draft Permit, the Technical Evaluation and Preliminary Determination, 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.

**Notice of Intent to Issue 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 proposed equipment will not adversely impact air quality and that the project will comply with all applicable 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 on the Draft Air Construction Permit Revision:** The Permitting Authority will accept written comments concerning the Draft Air Construction Permit Revision for a period of 14 days from the date of publication of the Public Notice. Written comments must be post-marked by the close of business (5:00 p.m.), on or before the end of this 14-day period by the Permitting Authority at the above address. If written comments result in a significant change to the Draft Permit, the Permitting Authority will issue a revised Draft Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

**Comments on the Draft Title V Air Operation Permit Renewal:** The Permitting Authority will accept written comments concerning the Draft Permit for a period of 30 days from the date of publication of the Public Notice. Written comments must be post-marked by the close of business (5:00 p.m.), on or before the end of this 30-day period by the Permitting Authority at the above address. 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 in the Florida Administrative Weekly 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 will issue a revised Draft Permit and require, if applicable, another

**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, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/245-2241; Fax: 850/245-2303). 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 interests will be affected by the agency determination; (c) A statement of when and how each petitioner received notice of the agency action or proposed decision; (d) A statement of all disputed issues of material fact; (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 in this proceeding.

**Objections to the Draft Title V Air Operation Permit:** Finally, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the administrator of the EPA within 60 days of the expiration of the Administrator's 45-day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to issuance of any Title V permit. Any petition shall be based only on objections to the Title V permit that were raised with reasonable specificity during the 30 (thirty) day public comment period provided in this 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 Title V 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.