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MAY 11 2010

KA 308-09-04
May 7, 2010

BUREAU OF
AIR REGULATION

Mr. Jeff Koerner, PE
Bureau of Air Regulation
Florida Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, Florida 32399-2400



4014 NW 13th STREET
GAINESVILLE, FL 32609-1923
352/377-5822 ■ FAX/377-7158

**RE: Facility ID 0530021
Central Power and Lime, Inc. (CPL)
Power Plant; Brooksville, Florida
AC Permit - 0530021-027-AC
Notice of Intent - Notarized Copy**

Dear Jeff,

Attached is the notarized copy of the Public Notice for the FDEP file of the subject permit. If you should have any questions regarding this application, please do not hesitate to contact me at (352) 377-5822 or mlee@kooglerassociates.com. I appreciate all your efforts on this permitting.

Best Regards,

Max Lee, Ph.D., P.E.

Cc: Terry Woodard, Central Power and Lime
Robert Noble, Delta Power Services

Enclosure: Notarized copy of published Notice of Intent

HERNANDO TIMES

An Edition of the Brooksville Times

Published Daily
 MAY 11 2010
 Brooksville, Hernando County, Florida

BUREAU OF STATE OF FLORIDA AIR REGULATION COUNTY OF HERNANDO:

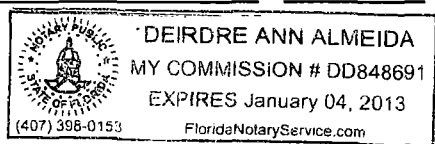
Before the undersigned authority personally appeared Mary Fanter who on oath says that she is Legal Clerk of the Hernando Times a daily newspaper published at Brooksville, in Hernando County, Florida: that the attached copy of advertisement, being a Legal Notice in the matter of RE: Notice of Intent To Issue Air Permit

_____ in the _____ Court
 was published in said newspaper in the issues of
April 28, 2010

Affiant further says the said Hernando Times is a newspaper published at Brooksville, in said Hernando County, Florida, and that the said newspaper has heretofore been continuously published in said Hernando County, Florida, each day and has been entered as second class mail matter at the post office in Brooksville, in said Hernando County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that 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.

Mary Fanter
 Signature of Affiant

Sworn to and subscribed before me this 28th day
 of April, 2010.



Deirdre Ann Almeida
 Signature of Notary Public

Personally known x or produced identification _____

Type of identification produced _____

PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT

Florida Department of Environmental Protection
 Division of Air Resource Management, Bureau of Air Regulation
 Minor Air Construction Permit - Project No. 0530021-027-AC
 Central Power and Lime (CPL), Inc. Power Plant, Hernando County, FL

Applicant: The applicant for this project is Central Power and Lime, Inc. The applicant's authorized representative and mailing address is: Mr. Terry Woodard, Power Plant Manager, CPL Power Plant, 10311 Cement Plant Road, Brooksville, FL 34601.

Facility Location: The existing CPL Power Plant, Inc. operates an existing electric utility power boiler collocated with Cemex Brooksville Cement Plant in Hernando County at 10311 Cement Plant Road in Brooksville, Florida.

Project: This project revises original air construction Permit No. 0530021-023-AC to authorize additional time to complete the trial burn of commercially manufactured wood pellets and associated emissions testing, this project is subject to the general preconstruction review requirements in Rule 62-212.300, Florida Administrative Code (F.A.C.) Although the information gathered during the trial burn may be used to provide information to support a request for the permanent firing of commercial wood pellets, the applicant must submit a subsequent application for an air construction permit to request the permanent firing of commercial wood pellets. Details of the project are provided in the application and the enclosed Technical Evaluation and Preliminary Determination.

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 air permit is required to perform the proposed work. The Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination for this project. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, Tallahassee, Florida. 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 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 or phone number listed above.

Notice of Intent to Issue 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 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.

Public Notice: Pursuant to Section 403.815, F.A. and Rules 62-110.106, F.A.C., you (the applicant) are required to publish at your own expense the enclosed Public Notice of Intent to Issue Air Permit (Public Notice). The Public Notice shall be published one time only as soon as possible in the legal advertisement section of a newspaper of general circulation in the area affected by this project. The newspaper used must meet the requirements of Sections 50.011 and 50.031, F.S. in the county where the activity is to take place. If you are uncertain that a newspaper meets these requirements, please contact the Permitting Authority at above address or phone number. Pursuant to Rule 62-110.106(5) and (9), F.A.C., the applicant shall provide proof of publication to the Permitting Authority at the above address within 7 days of publication. Failure to publish the notice and provide proof of publication may result in the denial of the permit pursuant to Rule 62-110.106(11), F.A.C.

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 the 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 this 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. 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 the attached Public Notice or within 14 days of receipt of this Written Notice of Intent to Issue Air Permit, 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 the 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:

- The name and address of each agency affected and each agency's file or identification number, if known.
- The name, address, and telephone number of the petitioner; the name, address and telephone numbers 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.
- A statement of when and how each petitioner received notice of the agency action or proposed decision.
- A statement of all disputed issues of material fact. If there are none, the petition must so state.
- 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.
- 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.
- 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 actions 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 Written 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.

Publish: April 28, 2010

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