

- file -

cc: Jeff Kervin

rc: 0990005-017-AV

**YOUNG VAN ASSENDERP, P.A.**  
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George Ann C. Bracko  
Executive Director

**FACSIMILE MESSAGE**

**TO: Scott Sheplak**  
**FROM: Jay LaVia**  
**DATE: June 20, 2008**

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**Message:**

*IF ANY PROBLEMS, PLEASE CALL RHONDA AT (850) 222-7206*

**FACSIMILE PHONE NUMBER: 922-6979      CLIENT NUMBER \_\_\_\_\_**

**NUMBER OF PAGES TO FOLLOW: 1**

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## YOUNG VANASSENDERP, P.A.

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GEORGE ANN C. BRACKO  
EXECUTIVE DIRECTOR

June 20, 2008

VIA FACSIMILE (922-6979)

Scott Sheplak, P.E.  
Bureau of Air Regulation  
Florida Department of Environmental Protection  
2600 Blair Stone Road  
MS 5500  
Tallahassee, FL 32399-2400

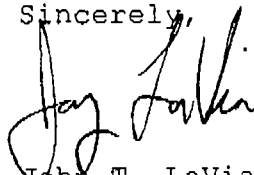
Re: Supplement to Application to Transfer Title V Permit --  
Permit No. 0990005-012-AV

Dear Scott:

This letter is a follow-up to our recent telephone conversation and is intended to supplement the application to transfer the Title V permit for the Okeelanta Cogeneration Plant that was filed with the Department on May 22, 2008. Please note that the application incorrectly referenced Permit No. 0990005-017-AV (a permit that is still in draft form) as the permit to be transferred. The correct Title V permit number to be transferred is **Permit No. 0990005-012-AV** (issued on March 18, 2004). Also, please note that the applicant for Permit No. 0990005-017-AV should be changed from New Hope Power Partnership to New Hope Power Company.

Please call if you have any questions.

Sincerely,



John T. LaVia, III

cc: Bill Tarr  
Dave Buff

YOUNG VANASSENDERP, P.A.

ATTORNEYS AT LAW

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OF COUNSEL ATTORNEYS:

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JOSEPH W. LANDERS, JR.

GEORGE ANN C. BRACKO  
EXECUTIVE DIRECTOR

May 22, 2008

RECEIVED

MAY 22 2008

BUREAU OF AIR REGULATION

VIA HAND DELIVERY

Russ Wilder  
Division of Air Resources  
Department of Environmental Protection  
111 S. Magnolia Drive, Suite 4  
Tallahassee, FL 32399

Re: Application to Transfer Title V Permit  
Permit No. 0990005-017-AV

Dear Mr. Wilder:

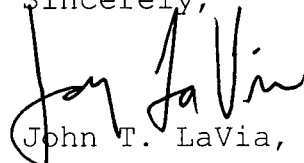
Project No. : 0990005-022-AV

Enclosed for filing is the original and a copy of an application to transfer the Title V air permit for the Okeelanta Cogeneration Plant. The need for the transfer resulted when the assets and liabilities of New Hope Power Partnership (the current permittee) were acquired by New Hope Power Company (the new permittee).

Pursuant to Rule 62-213.440(3)(a)2.b., F.A.C., a Statement of Compliance for the facility will be submitted in the near future.

Please call if you have any questions.

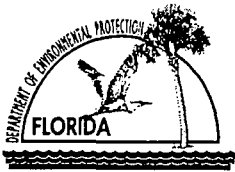
Sincerely,



John T. LaVia, III

Enclosures

cc: Bill Tarr



# Department of Environmental Protection

## Division of Air Resources Management

### APPLICATION FOR TRANSFER OF AIR PERMIT

RECEIVED  
MAY 22 2008

BUREAU OF AIR REGULATION

<input checked="" type="checkbox"/> Title V Permit No.*:	<u>0990005-017-AV</u>
<input type="checkbox"/> Non-Title V Permit No(s):	_____
	_____

#### Notification of Sale or Legal Transfer

Facility Owner/Company Name (As Currently Permitted): <u>New Hope Power Partnership</u>	Facility ID No.: <u>0990332</u>
Site Name: <u>Okeelanta Cogeneration Plant</u>	County: <u>Palm Beach</u>
Street Address or Other Locator: <u>8001 U.S. Highway 27 South</u> <u>U.S. Highway 27 - approx. 6 miles south of South Bay</u>	
City: <u>South Bay</u>	Zip Code: <u>33493</u>

I, the undersigned, hereby notify the department of the sale or legal transfer of the facility listed above. Under its current air permit(s), I am the owner or authorized representative of the non-Title V source or the responsible official of the Title V source addressed in this application, whichever is applicable.

*Ricardo Lima*

(Signature)

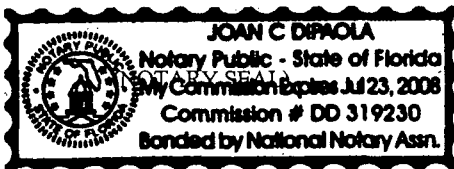
Name: Ricardo Lima

Title: Vice President

Date: MAY 16, 2008

STATE OF FLORIDA  
COUNTY OF Palm Beach

Sworn to (or affirmed) and subscribed before me this 16<sup>th</sup> day of May 2008.



*Joan C. DiPaola*  
(Signature of Notary Public - State of Florida)

Joan C. DiPaola  
(Name of Notary Typed, Printed, or Stamped)


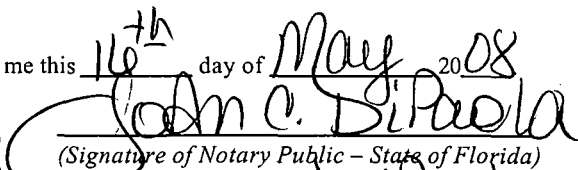
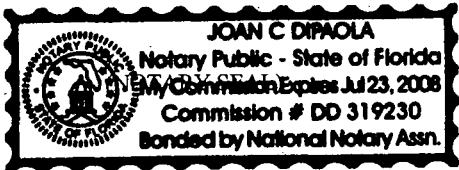
Personally Known  OR Produced Identification \_\_\_\_\_

Type of Identification Produced \_\_\_\_\_

\* Title V Sources Only: Attach a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new permittee. If there is a change in designated representative at an Acid Rain source, submit a copy of the Certificate of Representation submitted to EPA pursuant to 40 CFR 72, subpart B. A Statement of Compliance (DEP Form 62-213.900(7)) covering the portion of the calendar year up to the DEP Form No. 62-210.900(7)

date of transfer of responsibility shall be submitted to the Department after the date of transfer, as required by Rule 62-213.440(3)(a)2.b., F.A.C.

**Notification of New Ownership**

New Facility Owner/Company Name: <u>New Hope Power Company</u>	
New Site Name: <u>Okeelanta Cogeneration Plant</u>	County: <u>Palm Beach</u>
<p>I, the undersigned, am or will be the new owner or authorized representative* of the non-Title V source or the new responsible official of the Title V source addressed in this application, whichever is applicable. I further state that I have examined the application and documents submitted by the current permittee, the basis on which the above listed permit(s) was/were issued by the Department, and state that they accurately and completely describe the permitted facility. I further state that I am familiar with the permit(s), agree to comply with its/their terms and conditions, and agree to assume the rights and liabilities contained therein. I hereby certify, based on information and belief formed after reasonable inquiry, that the statements made in this application are true, accurate and complete. I also agree to promptly notify the Department of any future change in ownership of, or responsibility for, the permitted facility.</p>	
 _____ (Signature)	
Name: <u>Ricardo Lima</u>	
Title: <u>Vice President</u>	Date: <u>MAY 16, 2008</u>
Mailing Address: <u>8001 U.S. Highway 27 South (P.O. Box 9)</u>	
City: <u>South Bay</u>	Zip Code: <u>33943</u>
Telephone No.: <u>561-993-1601</u>	Fax No.: <u>561-992-7326</u>
Effective Date of Sale or Legal Transfer: <u>March 31, 2008</u> (If not yet known, leave blank. Once known, date must be provided to the Department to process a change of ownership administrative permit correction in accordance with Rule 62-210.360, F.A.C.)	
STATE OF FLORIDA COUNTY OF <u>Palm Beach</u>	
Sworn to (or affirmed) and subscribed before me this <u>16<sup>th</sup></u> day of <u>May</u> , 20 <u>08</u>  _____ (Signature of Notary Public - State of Florida)	
	
_____ (Name of Notary Typed, Printed, or Stamped)	
Personally Known <input checked="" type="checkbox"/> OR Produced Identification <input type="checkbox"/>	
Type of Identification Produced _____	

\* Attach letter of authorization if other than owner or corporate officer.

Agreement to Transfer Title V Permit

This Agreement is entered into as of May 16, 2008, by and between New Hope Power Partnership ("NHPP") and New Hope Power Company ("NHPC") (collectively "the Parties").

WHEREAS, on March 31, 2008, the assets and liabilities of NHPP were acquired by NHPC;

WHEREAS, NHPP wishes to transfer a certain Title V Permit (No. 0990005-017 AV) (the "Title V Permit") to NHPC; and


WHEREAS, NHPC wishes to accept the transfer of the Title V Permit;

Now, THEREFORE, the Parties agree to the following:

1. NHPC agrees to accept the transfer of the Title V Permit.

2. For purposes of compliance with DEP Form No. 62-210.900(7), the transfer of responsibility, coverage and liability for the Title V Permit occurred on March 31, 2008.

New Hope Power Partnership



\_\_\_\_\_  
Ricardo Lima

Date: MAY 16, 2008

New Hope Power Corporation



\_\_\_\_\_  
Ricardo Lima

Date: MAY 16, 2008



-file-

**Sheplak, Scott**

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**From:** Walker, Elizabeth (AIR)  
**Sent:** Wednesday, September 17, 2008 8:16 AM  
**To:** Koerner, Jeff  
**Cc:** Holtom, Jonathan; Sheplak, Scott; Friday, Barbara; Vielhauer, Trina  
**Subject:** RE: Project No. 0990005-022-AV, Okeelanta "Correction"

Jeff,

Jonathan has already corrected the record by "Withdrawing" project -022-AV and noting that it would be taken care of in project -017-AV. Occasionally Barbara and I are asked to reassign projects in ARMS by DARM staff, and we might assume that the person it was being assigned to was expecting it. Lately we've had a flurry of activity reassigning projects due to the personnel changes we've recently experienced.

We will critique these requests more carefully in the future, and ensure that the new processor is notified by our section or the person requesting the reassignment. We don't want anyone with an unexpected surprise!

*Elizabeth Walker*  
Bureau of Air Regulation  
Division of Air Resource Management (DARM)  
(850)921-9505

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**From:** Koerner, Jeff  
**Sent:** Tuesday, September 16, 2008 3:35 PM  
**To:** Walker, Elizabeth (AIR)  
**Cc:** Holtom, Jonathan; Sheplak, Scott; Friday, Barbara; Vielhauer, Trina  
**Subject:** Project No. 0990005-022-AV, Okeelanta "Correction"

Elizabeth,

I ran an ARMS report last Friday and Project No. 0990005-022-AV popped up on my list. It is for Okeelanta and is listed as a "Correction".

This one was originally assigned to Scott back on 5/22/08. Not sure how my name got on it ...

I spoke with Jonathan and it looks like this is an administrative correction to change the facility name. I can handle this when I issue a "revised" draft permit for their Title V renewal (Pending Project No. 0990005-017-AV).

Please delete Project No. 0990005-022-AV and simply write Project No. 0990005-017-AV on their request and give me a copy. I will let them know that we will take care of it in the renewal.

In the future, please don't assign me projects without letting me know first, particularly someone else's old project that appears to be 56 days overdue.

Thanks!

Jeff Koerner, BAR - New Source Review Section  
Florida Department of Environmental Protection  
850/921-9536

STATE OF FLORIDA, DEP, BUREAU OF AIR REGULATION  
TELEPHONE CONVERSATION RECORD

TO: file

FROM: SCOTT SHEPLAK

DATE: 07/14/08 TIME: ~ 3:30pm

WITH: Mr. John T. LaVig, Young Van Assendrop, P.A.

REPRESENTING: New Hope Power Company

TELEPHONE NO.: 850/222-7206

SUBJECT: Transfer of Permit Request received May 23, 2008  
New Hope Power Company

SUMMARY: {At the request of Jonathan & Trina Vielheuer I called Mr. LaVig.} They are o.k. with us simply keeping the request on file and updating the new permittee with the project currently in-house (DRAFT Permit No. 0990005-017-AV), provided no enforcement action is taken.  
No need for us to process an administrative permit correction at this time. If something changes in the next 6 months they will let us know.



# Florida Department of Environmental Protection

Bob Martinez Center  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Charlie Crist  
Governor

Jeff Kotikamp  
Lt. Governor

Michael W. Soffe  
Secretary

May 3, 2007

Mr. Ricardo Lima, V.P. and General Manager  
Okeelanta Corporation  
New Hope Power Partnership  
21250 U.S. Highway 27 South  
South Bay, Florida 33493

Re: Draft Air Permit No. 0990005-017-AV, Title V Renewal Permit  
Draft Air Permit No. 0990005-016-AC, Concurrent Air Construction Permit Revision  
Okeelanta Corporation Sugar Mill and Refinery  
New Hope Power Partnership Cogeneration Plant

Dear Mr. Lima:

Enclosed is a permit package to renew the Title V air operation permit for the Okeelanta Corporation Sugar Mill and Refinery and the New Hope Power Partnership Cogeneration Plant. The facility is located in Palm Beach County at 21250 U.S. Highway 27 South, South Bay, Florida. The permit package includes the following documents:

- The Statement of Basis, which summarizes the facility, the equipment, the primary rule applicability, and the changes since the last Title V revision.
- The Technical Evaluation and Preliminary Determination, which summarizes the minor revisions to specific conditions from existing air construction permits.
- The draft air construction permit revision and the draft Title V air operation permit, which include the specific conditions that regulate the emissions units covered by the proposed project.
- The Written Notice of Intent to Issue Air Permit, which provides the Department's written notice of intent to issue an air permit for the proposed project; the requirements for publishing a Public Notice of the Department's intent to issue an air permit; the procedures for submitting comments on the Draft Permit; the process for filing a petition for an administrative hearing; and the availability of mediation.
- The Public Notice of Intent to Issue Air Permit, which is the actual notice that you must have published in the legal advertisement section of a newspaper of general circulation in the area affected by this project.

If you have any questions, please contact the project engineer, Jeff Koerner, at 850/921-9536.

Sincerely,

Trina Vielhauer, Chief  
Bureau of Air Regulation

Enclosures

*application to  
renew  
rec'd 4/25/05.  
(due letters 4/24/05).*

## STATEMENT OF BASIS

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- Permit No. 0990005-019-AC, which modified the transshipment facility.

In addition, the renewed permit will:

- Update control equipment parameters for equipment in the sugar refinery (EU-021, 022, 023 and 024);
- Incorporate the applicable NESHAP provisions of Subpart DDDDD in 40 CFR 63 for industrial boilers;
- Update the Ash Management Plan, the Fuel Management Plan and the Operation and Maintenance Plan;
- Remove obsolete references to coal storage and handling for the cogeneration plant;
- For the sugar refinery, revise Permit No. 0990005-005-AC to clarify that operation is restricted by the maximum specified process rates and not by a limit on hours of operation;
- For the sugar refinery, revise Permit No. 0990005-005-AC to update the control parameters for the Rotoclones (EUs 021, 022, 023 and 024) based on the installed equipment;
- For the paint spray booth (EU-048) in the farms operations, revise Permit No. 0990005-015-AC to allow other types of spray equipment with equivalent transfer efficiencies;
- Clarify that EUs 003 through 013 have been permanently shutdown.
- Add a Compliance Assurance Monitoring Plan; and
- Add a Compliance Plan for specific units.

### Processing Schedule

- 04/25/05 Received application to renew Title V air operation permit;
- 05/23/05 Received CAM plan;
- 06/07/05 Received notification that the cogeneration boilers and Boiler 16 were subject to NESHAP Subpart DDDDD provisions in 40 CFR 63;
- 12/19/05 Received additional information including a revised CAM plan;
- 05/26/06 Received revised Title V application to incorporate the applicable conditions of recently issued Permit No. 0990005-018-AC, which restricts Boiler 16 to a 10% annual capacity factor;
- 10/19/06 Received additional information on Boiler 16;
- 10/20/06 Received additional information on applicability of acid rain provisions to cogeneration boilers;
- 01/11/07 Received revised Title V application to incorporate the applicable conditions of recently issued Permit No. 0990005-019-AC, which modified the transshipment facility;
- 02/13/07 Received additional information including the 65 MW steam turbine-electrical generator and ash handling; and
- 05/01/09 Received additional information on ESP parameters; complete.

## 2. APPLICABLE REGULATIONS

### State Regulations

The facility is subject to the applicable environmental laws specified in Section 403, F.S., which authorize the Department to establish rules and regulations regarding air quality. The facility is subject to the applicable regulations specified in the following Chapters of the Florida Administrative Code (F.A.C.): 62-4 (Permitting Requirements); 62-204 (Ambient Air Quality Requirements, PSD Increments, and Federal Regulations Adopted by Reference); 62-210 (Permits Required, Public Notice, Reports, Stack Height Policy, Circumvention, Excess Emissions, and Forms); 62-212 (Preconstruction Review, PSD Review and BACT); 62-213 (Title V Air Operation Permits for Major Sources of Air Pollution); 62-296 (Emission Limiting Standards); and 62-297 (Test Methods and Procedures, Continuous Monitoring Specifications, and Alternate Sampling Procedures). The specific applicable regulations are summarized under the corresponding section for the emissions units.

### Federal Regulations

The Environmental Protection Agency establishes air quality regulations in Title 40 of the Code of Federal Regulations

**Referenced attachments made a part of this permit:**

Appendix A-1, Abbreviations, Acronyms, Citations, and Identification Numbers  
Appendix AMP-001, Ash Management Plan  
Appendix CO-001, Consent Order - OGC FILE No. 99-2079-50-AP  
Appendix FMP-001, Fuel Management Plan  
Appendix FMTP-001, Wood-Waste and Ash Inspection and Testing Plan  
Appendix H-1, Permit History/ID Number Changes  
Appendix OMP-001, Operation and Maintenance Plan for the Fly Ash Silo Baghouse  
Appendix OMP-002, Operation and Maintenance Plan for the Mercury Control Agent Silo Baghouse(s)  
Appendix OMP-003, Operation and Maintenance Plan for the Cogeneration Facility Boilers' Air Quality Control Systems (AQCSs)  
Appendix RBL-001, RACT, BACT and LAER Determinations  
Appendix SS-1, Stack Sampling Facilities  
Appendix SO-1, Simultaneous Operations for the Co-Generation and Sugar Mill Boilers  
Appendix TV-4, Title V CONDITIONS (version dated 02/12/02)  
Appendix U-1, List of Unregulated Emissions Units and/or Activities  
Figure 1, Summary Report – Gaseous and Opacity Excess Emission and Monitoring System Performance  
Table 1-1, Summary of Air Pollutant Standards and Terms  
Table 2-1, Summary of Compliance Requirements

Effective Date: March 18, 2004

Renewal Application Due Date: April 24, 2005

Expiration Date: October 24, 2005

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

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Jon M. Iglehart  
Acting Director of  
District Management

JMI/MGN/jw