

Florida Department of Environmental Protection

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

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

June 6, 2008

Sent by Electronic Mail – Received Receipt Requested

Ricardo Lima, Vice President
New Hope Power Company
8001 U.S. Highway 27 South (P.O. Box 9)
South Bay, Florida 33943

Re: Transfer of Air Construction Permit No. PSD-FL-196P (Project No. 0990332-017-AC)
From New Hope Power Partnership to New Hope Power Company
Okeelanta Cogeneration Plant

Dear Mr. Lima:

On May 22, 2008, you requested a transfer of the above referenced air construction permit from New Hope Power Partnership to New Hope Power Company. The existing facility is the Okeelanta Cogeneration Plant, which is located in Palm Beach County off of U.S. Highway 27 approximately six miles south of South Bay, Florida. The new ownership was confirmed through the web site for the Department of State's Division of Corporations. Therefore, the permit is hereby transferred as requested. This administrative correction is issued pursuant to Rule 62-210.360, Florida Administrative Code (F.A.C.) and Chapter 403, Florida Statutes (F.S.).

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). Petitions must be filed within 14 days of receipt of this permit extension. 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

NOTICE OF TRANSFER OF AIR CONSTRUCTION PERMIT

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 written notice. 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.

Effective Date: This permitting decision is final and effective on the date filed with the clerk of the Department unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition pursuant to Rule 62-110.106, F.A.C., and the petition conforms to the content requirements of Rules 28-106.201 and 28-106.301, F.A.C. Upon timely filing of a petition or a request for extension of time, this action will not be effective until further order of the Department.

Judicial Review: Any party to this permitting decision (order) has the right to seek judicial review of it under Section 120.68, F.S., by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department of Environmental Protection in the Office of General Counsel, Mail Station #35, 3900 Commonwealth Boulevard, 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 must be filed within 30 days after this order is filed with the clerk of the Department.

Executed in Tallahassee, Florida.



Trina Vielhauer, Chief
Bureau of Air Regulation

TLV/jfk

NOTICE OF TRANSFER OF AIR CONSTRUCTION PERMIT

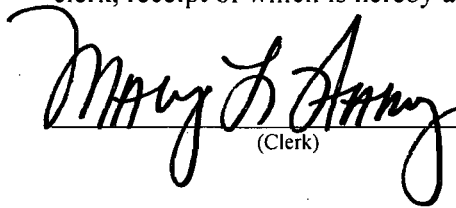
CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Notice of Transfer of Air Permit was sent by electronic mail with received receipt requested to the persons listed below.

Ricardo Lima, New Hope Power Company (Ricardo_Lima@floridacrystals.com)
Mathew Capone, New Hope Power Company (Matthew_Capone@floridacrystals.com)
James Meriwether, New Hope Power Company (James_Meriwether@floridacrystals.com)
Ajaya Satyal, South District Office (Ajaya.Satyal@dep.state.fl.us)
James Stormer, Palm Beach County Health Department (James_Stormer@doh.state.fl.us)
Mike Halpin, DEP Siting Office (Mike.Halpin@dep.state.fl.us)
Ms. Kathleen Forney, EPA Region 4 (forney.kathleen@epa.gov)

Clerk Stamp

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to Section 120.52(7), F.S., with the designated agency clerk, receipt of which is hereby acknowledged.


(Clerk)


(Date)

Tracking Page

0990332-017

NOTICE OF TRANSFER OF AIR CONSTRUCTION PERMIT

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Notice of Transfer of Air Permit was sent by electronic mail with received receipt requested to the persons listed below.

Ricardo Lima, New Hope Power Company (Ricardo.Lima@floridacrystals.com)

Mathew Capone, New Hope Power Company (Mathew.Capone@floridacrystals.com)

James Meriwether, New Hope Power Company (James.Meriwether@floridacrystals.com)

Ajaya Satyal, South District Office (Ajaya.Satyal@dep.state.fl.us)

James Stormer, Palm Beach County Health Department (James.Stormer@doh.state.fl.us)

Mike Halpin, DEP Siting Office (Mike.Halpin@dep.state.fl.us)

Ms. Kathleen Forney, EPA Region 4 (forney.kathleen@epa.gov)

Clerk Stamp

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to Section 120.52(7), F.S., with the designated agency clerk, receipt of which is hereby acknowledged.

Mary L Army
(Clerk)

6/6/08
(Date)

Harvey, Mary

From: Matthew Capone [Matthew_Capone@floridacrystals.com]
Sent: Monday, June 09, 2008 8:09 AM
To: Harvey, Mary
Subject: RE: Transfer of Air Construction Permit No. PSD-FL-196P (Project No. 0990332-017-AC)

receipt

From: Harvey, Mary [mailto:Mary.Harvey@dep.state.fl.us]
Sent: Friday, June 06, 2008 3:35 PM
To: Ricardo Lima; Matthew Capone; James Meriwether; Satyal, Ajaya; james.stormer@doh.state.fl.us; Halpin, Mike; Ms. Katy Forney, EPA Region 4
Cc: Koerner, Jeff; Walker, Elizabeth (AIR); Gibson, Victoria
Subject: Transfer of Air Construction Permit No. PSD-FL-196P (Project No. 0990332-017-AC)

Dear Sir/Madam:

Please send a "reply" message verifying receipt of the attached document(s); this may be done by selecting "Reply" on the menu bar of your e-mail software and then selecting "Send". We must receive verification of receipt and your reply will preclude subsequent e-mail transmissions to verify receipt of the document(s).

The document(s) may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible.

The document is in Adobe Portable Document Format (pdf). Adobe Acrobat Reader can be downloaded for free at the following internet site:
<http://www.adobe.com/products/acrobat/readstep.html>.

The Bureau of Air Regulation is issuing electronic documents for permits, notices and other correspondence in lieu of hard copies through the United States Postal System, to provide greater service to the applicant and the engineering community. Please advise this office of any changes to your e-mail address or that of the Engineer-of-Record.

Thank you,

DEP, Bureau of Air Regulation

The Department of Environmental Protection values your feedback as a customer. DEP Secretary Michael W. Sole is committed to continuously assessing and improving the level and quality of services provided to you. Please take a few minutes to comment on the quality of service you received. Simply click on [this link to the DEP Customer Survey](#). Thank you in advance for completing the survey.

6/9/2008

Harvey, Mary

From: James Meriwether [James_Meriwether@floridacrystals.com]
Sent: Monday, June 09, 2008 8:28 AM
To: Harvey, Mary
Subject: RE: Transfer of Air Construction Permit No. PSD-FL-196P (Project No. 0990332-017-AC)

From: Harvey, Mary [mailto:Mary.Harvey@dep.state.fl.us]
Sent: Friday, June 06, 2008 3:35 PM
To: Ricardo Lima; Matthew Capone; James Meriwether; Satyal, Ajaya; james.stormer@doh.state.fl.us; Halpin, Mike; Ms. Katy Forney, EPA Region 4
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6/9/2008

Harvey, Mary

From: Satyal, Ajaya
Sent: Monday, June 09, 2008 8:14 AM
To: Harvey, Mary
Subject: RE: Transfer of Air Construction Permit No. PSD-FL-196P (Project No. 0990332-017-AC)

Thanks, received.

AJ

From: Harvey, Mary
Sent: Friday, June 06, 2008 3:35 PM
To: 'ricardo_lima@floridacrystals.com'; 'matthew_capone@floridacrystals.com'; 'james_meriwether@floridacrystals.com'; Satyal, Ajaya; 'james.stormer@doh.state.fl.us'; Halpin, Mike; 'Ms. Katy Forney, EPA Region 4'
Cc: Koerner, Jeff; Walker, Elizabeth (AIR); Gibson, Victoria
Subject: Transfer of Air Construction Permit No. PSD-FL-196P (Project No. 0990332-017-AC)

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Thank you,

DEP, Bureau of Air Regulation

Harvey, Mary

From: Walker, Elizabeth (AIR)
To: Harvey, Mary
Sent: Sunday, June 08, 2008 3:00 AM
Subject: Not read: Draft Air Permit No. 051003-045-AC - U.S. Sugar Corporation Corporation

Your message

To: 'Mr. Neil Smith, U.S. Sugar Corporation'; 'Mr. Keith Tingberg, U.S. Sugar Corporation'; 'Mr. David Buff, Golder Associates'; Satyal, Ajaya
Cc: Koerner, Jeff; Walker, Elizabeth (AIR); Gibson, Victoria
Subject: Draft Air Permit No. 051003-045-AC - U.S. Sugar Corporation Corporation
Sent: 5/6/2008 9:17 AM

was deleted without being read on 6/8/2008 3:00 AM.

Harvey, Mary

From: Forney.Kathleen@epamail.epa.gov
Sent: Monday, June 09, 2008 8:45 AM
To: Harvey, Mary
Subject: Re: Transfer of Air Construction Permit No. PSD-FL-196P (Project No. 0990332-017-AC)

thanks

Katy R. Forney
Air Permits Section
EPA - Region 4
61 Forsyth St., SW
Atlanta, GA 30303

Phone: 404-562-9130
Fax: 404-562-9019

"Harvey, Mary"
<Mary.Harvey@dep
.state.fl.us>

06/06/2008 03:35
PM

To
<ricardo_lima@floridacrystals.com
>,
<matthew_capone@floridacrystals.com>,
<james_meriwether@floridacrystals.com>, "Satyal, Ajaya"
<Ajaya.Satyal@dep.state.fl.us>,
<james.stormer@doh.state.fl.us>,
"Halpin, Mike"
<Mike.Halpin@dep.state.fl.us>,
Kathleen Forney/R4/USEPA/US@EPA

cc

"Koerner, Jeff"
<Jeff.Koerner@dep.state.fl.us>,
"Walker, Elizabeth \ (AIR\)"
<Elizabeth.Walker@dep.state.fl.us
>, "Gibson, Victoria"
<Victoria.Gibson@dep.state.fl.us>

Subject

Transfer of Air Construction
Permit No. PSD-FL-196P (Project
No. 0990332-017-AC)

Dear Sir/Madam:

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YOUNG VANASSENDERP, P.A.

ATTORNEYS AT LAW

ATTORNEYS:

TASHA O. BUFORD
DAVID S. DEE
RONALD A. LABASKY
JOHN T. LAVIA, III
PHILIP S. PARSONS
TIMOTHY R. QUALLS
KENZA VANASSENDERP
ROBERT SCHEFFEL WRIGHT
ROY C. YOUNG

GALLIE'S HALL
225 SOUTH ADAMS STREET
SUITE 200
POST OFFICE BOX 1833
(ZIP 32302-1833)
TALLAHASSEE, FLORIDA 32301

TELEPHONE: (850) 222-7206
TELECOPIER: (850) 561-6834

OF COUNSEL ATTORNEYS:

DANIEL H. COX
DAVID B. ERWIN
JOSEPH W. LANDERS, JR.

GEORGE ANN C. BRACKO
EXECUTIVE DIRECTOR

May 22, 2008

VIA HAND DELIVERY

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

RECEIVED

MAY 22 2008

BUREAU OF AIR REGULATION

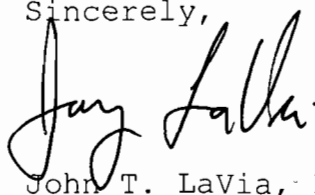
Re: Application to Transfer Air Permit
Permit No. PSD-FL-196(P)

Dear Mr. Wilder:

Enclosed for filing is the original and a copy of an application to transfer Permit No. PSD-FL-196(P) 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).

Please call if you have any questions.

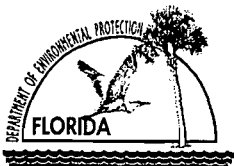
Sincerely,



John T. LaVia, III

Enclosures

cc: Bill Tarr



Department of Environmental Protection

Division of Air Resources Management

RECEIVED
MAY 22 2008

APPLICATION FOR TRANSFER OF AIR PERMIT

BUREAU OF AIR REGULATION

<input type="checkbox"/> Title V Permit No.*:	_____
<input checked="" type="checkbox"/> Non-Title V Permit No(s):	PSD-FL-196 (P)

Notification of Sale or Legal Transfer

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

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

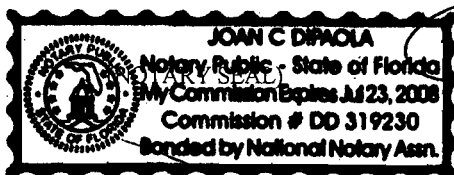
Sworn to (or affirmed) and subscribed before me this 16th day of May 2008.

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: New Hope Power Company	
New Site Name: Okeelanta Cogeneration Plant	County: Palm Beach

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.

R. Lima

(Signature)

Name: Ricardo Lima

Title: Vice President

Date: MAY 16, 2008

Mailing Address: 8001 U.S. Highway 27 South (P.O. Box 9)

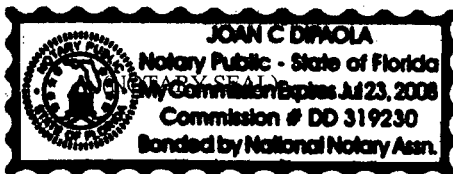
City: South Bay Zip Code: 33943

Telephone No.: 561-993-1601 Fax No.: 561-992-7326

Effective Date of Sale or Legal Transfer: March 31, 2008
(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 Palm Beach

Sworn to (or affirmed) and subscribed before me this 16th 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 _____

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

HAND DELIVERY

YOUNG VAN ASSENDERP, P.A.

ATTORNEYS AT LAW

225 SOUTH ADAMS STREET, SUITE 200 (32301)

POST OFFICE BOX 1833

TALLAHASSEE, FLORIDA 32302-1833

Russ Wilder

Division of Air Resources

Department of Environmental Protection

111 S. Magnolia Drive, Suite 4

Tallahassee, FL 32399

**FLORIDA DEPARTMENT OF STATE
DIVISION OF CORPORATIONS**

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Detail by Entity Name

Florida Profit Corporation

NEW HOPE POWER COMPANY

Filing Information

Document Number P93000002750
FEI Number 650431954
Date Filed 01/13/1993
State FL
Status ACTIVE
Last Event NAME CHANGE AMENDMENT
Event Date Filed 03/31/2008
Event Effective Date NONE

Principal Address

ONE NORTH CLEMATIS STREET
SUITE 200
WEST PALM BEACH FL 33401

Changed 04/29/1999

Mailing Address

ONE NORTH CLEMATIS STREET
SUITE 200
WEST PALM BEACH FL 33401

Changed 04/29/1999

Registered Agent Name & Address

TABERNILLA, ARMANDO A
ONE NORTH CLEMATIS ST
SUITE 200
WEST PALM BEACH FL 33401 US

Name Changed: 04/13/2000

Address Changed: 03/19/2002

Officer/Director Detail

Name & Address

Title DP

CARSON, DONALD W
ONE NORTH CLEMATIS ST SUITE 200

WEST PALM BEACH FL 33401

Title V

HERNANDEZ, OSCAR R
ONE NORTH CLEMATIS ST SUITE 200
WEST PALM BEACH FL 33401

Title VT

BLOMQUIST, ERIK J
ONE NORTH CLEMATIS ST SUITE 200
WEST PALM BEACH FL 33401

Title DVS

TABERNILLA, ARMANDO A
ONE NORTH CLEMATIS ST SUITE 200
WEST PALM BEACH FL 33401

Title V

CEPERO, GUSTAVO R
ONE NORTH CLEMATIS ST SUITE 200
WEST PALM BEACH FL 33401

Title V

LIMA, RICARDO A
ONE NORTH CLEMATIS ST., STE. 200
WEST PALM BEACH FL 33401

Annual Reports

Report Year Filed Date

2006 04/12/2006
2007 04/18/2007
2008 04/21/2008

Document Images

- [04/21/2008 -- ANNUAL REPORT](#)
- [03/31/2008 -- Name Change](#)
- [04/18/2007 -- ANNUAL REPORT](#)
- [04/12/2006 -- ANNUAL REPORT](#)
- [04/15/2005 -- ANNUAL REPORT](#)
- [04/26/2004 -- ANNUAL REPORT](#)
- [03/27/2003 -- ANNUAL REPORT](#)
- [03/19/2002 -- ANNUAL REPORT](#)
- [03/30/2001 -- Amendment](#)
- [02/26/2001 -- ANNUAL REPORT](#)
- [04/13/2000 -- ANNUAL REPORT](#)
- [04/29/1999 -- ANNUAL REPORT](#)
- [04/27/1998 -- ANNUAL REPORT](#)
- [05/16/1997 -- ANNUAL REPORT](#)