

AFFIDAVIT OF PUBLICATION THE LEDGER

Lakeland, Polk County, Florida

STATE OF FLORIDA)
COUNTY OF POLK)

Before the undersigned authority personally appeared Carl Holweg, who on oath says that he is an Sales Executive at The Ledger a daily newspaper published at Lakeland in Polk County, Florida; that the attached copy of advertisement, being a

PUBLIC NOTICE

In the Matter **DEP FILE NO 1050444.001-AC**

Concerning **U.S. ECOGEN POLK BLOMASS**

in said newspaper in the issues of **6-20; 2012**

Affiant further says that said The Ledger is a newspaper published at Lakeland, in said Polk County, Florida, and that the said newspaper has heretofore been continuously published in said Polk County, Florida, daily, and has been entered as second class matter at the post office in Lakeland, in said Polk County, Florida, for a period of one year next preceding the first 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.

Signed.....

Carl Holweg
Carl Holweg
Sales Executive
Who is personally known to me.

Sworn to and subscribed before me this 26TH.....

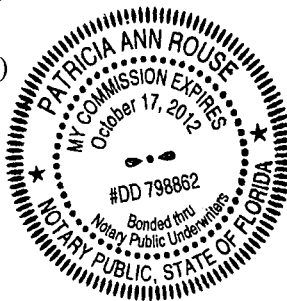
day of June..... A.D. 2012

Patricia Ann Rouse
Notary Public

(SEAL)

My Commission Expires - October 17, 2012

L060G0EMPY L7293



PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT
Florida Department of Environmental Protection (Department)
Division of Air Resource Management, Office of Permitting and Compliance
DEP File No. 1050444-001-AC
U.S. EcoGen Polk Biomass Generating Facility
Polk County, Florida

Applicant: The applicant for this project is U.S. EcoGen Polk, LLC (US EcoGen). The applicant's authorized representative and mailing address is: Mr. William F. Quinn, President, U.S. EcoGen Polk, LLC, 1000 North US 1, No. 807, Jupiter, Florida 33477.

Facility Location: The U.S. EcoGen Polk Biomass Generating Facility will be on Route 17, Fort Meade in Polk County, Florida.

Project: US EcoGen proposes to construct a 63 megawatts biomass-fueled power plant. The project includes: fuel receiving, handling, storage and processing systems; a power island consisting of a woody biomass-fueled boiler and steam turbine-generator; and fly ash handling, storage and shipment systems.

A review pursuant to the rules for Prevention of Significant Deterioration (PSD) and a determination of best available control technology (BACT) pursuant to Rule 62-212.400, F.A.C. were not required. For the first two years of operation, the US EcoGen facility will rely on woody biomass including but not limited to forest residue, commercial tree trimmings, whole tree chips and clean waste wood. The woody biomass will be pre-processed offsite and brought to the site in trucks. Eventually, the facility will utilize eucalyptus tree plantations to provide the majority of the biomass fuel. Natural gas will be used for startup, shutdown and bed stabilization of the boiler. Diesel fuel with a sulfur content of 0.0015 percent by weight, or less, will be used in the emergency generator and fire water pump engine.

Emissions from the boiler will be reduced by the following measures. Nitrogen oxides (NOx), Carbon monoxide (CO), volatile organic compounds (VOC) and organic hazardous air pollutants (HAP) formation will be minimized by the very efficient and good combustion practices in the bubbling fluidized bed boiler. Particulate matter (PM) will be removed in a baghouse (fabric filter). Acid gases, such as sulfur dioxide (SO2) will be removed by a spray dryer absorber or a dry sorbent injection system and captured in particulate form by the baghouse. NOx leaving the furnace will be destroyed by a selective catalytic reduction (SCR) system. The same SCR system will also reduce VOC and organic HAP. Reasonable precautions and best management practices will be implemented to minimize fugitive dust emissions from biomass and ash handling, storage, processing and conveyance.

US EcoGen estimates that the project (including fugitive emissions) will result in emissions of the following PSD pollutants at levels less than the applicable major stationary source threshold of 250 tons/year: 247 tons/year of NOx; 227 tons/year of SO2; 194 tons/year of CO; 163 tons/year of PM; 157 tons/year of PM with a mean diameter of 10 micrometers (µm) or less (PM10); 157 tons/year of PM with a mean diameter of 2.5 µm or less (PM2.5); 4 tons/year of sulfuric acid mist; 66 tons/year of VOC; and 0.2 tons/year of fluorides.

Emissions of individual HAP will be less than 10 tons/year. Combined total HAP emissions will be less than 25 tons/year. Therefore, the facility will not be a major source of HAP. Continuous emissions monitoring systems will be required for SO2, NOx and CO. A continuous opacity monitor system will be required for visible emissions.

The Department reviewed an air quality analysis prepared by the applicant. The analysis demonstrated that the sum of ground-level concentrations of nitrogen dioxide (NO2), PM10, CO and SO2 caused by the project and background concentrations will be much less than the respective National or Florida ambient air quality standards (AAQS).

The Technical Evaluation and Preliminary Determination document and the air quality analysis are available at the following web link:
www.dep.state.fl.us/air/emission/bioenergy/polk_us_ecogen.htm

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 Office of Permitting and Compliance in the Department of Environmental Protection's Division of Air Resource Management. 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, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's phone 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 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. In addition, electronic copies of these documents are available at the previously mentioned web-link.

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: 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 timely received comments 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, 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.