



Florida Department of Environmental Protection

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

Rick Scott
Governor

Jennifer Carroll
Lt. Governor

Herschel T. Vinyard Jr.
Secretary

NOTICE OF CHANGE OF THE TITLE V AIR OPERATION PERMIT'S EXPIRATION DATE

In the Matter of a Request for a Change in the Permit's Expiration Date: November 30, 2009

Thomas W. Richards, P.E.
Director of Electric and Gas Systems
Fort Pierce Utilities Authority
113 North 2nd Street
Fort Pierce, Florida 34950

Project No. 1110003-010-AV
Change of Permit's Expiration Date
H. D. King Power Plant
St. Lucie County

This is a notification that the Bureau of Air Regulation has changed the expiration date of the above referenced Title V air operation permit to November 30, 2009. This change in the expiration date is based on your request received March 16, 2011. A site visit was made by an inspector on July 25, 2008, which verified that the Title V facility had closed for business and no longer required a Title V Air Operation Permit. The changed expiration date is based on the date listed in your letter that corresponds to the final removal of all equipment from the site.

This change in the expiration date will take effect fourteen (14) days from the clerking date unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, Florida Statutes (F.S.). The procedures for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the proposed agency action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by the owner or operator or any of the parties listed below must be filed within fourteen (14) days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within fourteen (14) days of receipt of this notice. Under Section 120.60(3), F.S., however, any person who asked the Department for notice of agency action may file a petition within fourteen (14) days of receipt of that notice. 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 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 Department'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 how and when petitioner received notice of the agency action or proposed action; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (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; and (g) A statement of the relief sought by the petitioner, stating precisely the action 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 Department'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.

NOTICE OF CHANGE OF THE TITLE V AIR OPERATION PERMIT'S EXPIRATION DATE

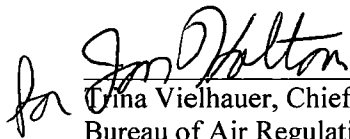
Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department on the request for conditional exemption have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation is not available in this proceeding.

NOTICE OF APPEAL RIGHTS

Any party to this order (permit) has the right to seek judicial review of the permit (letter) pursuant to Section 120.68, F.S., by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Legal Office; 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 of Appeal must be filed within 30 (thirty) days from the date this Notice is filed with the Clerk of the Department.

Executed in Tallahassee, Florida.

for 
Tina Vielhauer, Chief
Bureau of Air Regulation

3/22/11
Date

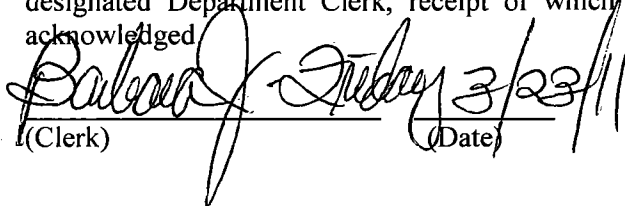
CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Notice of Change of the Title V Air Operation Permit's Expiration Date, or a link to this document available electronically on a publicly accessible server, was sent by electronic mail with received receipt requested before the close of business on 3/23/11 to the persons listed below.

- Thomas W. Richards, P.E., Director of Electric and Gas Systems: tom@fpua.com
- Ms. Katy Forney, U.S. EPA-Region 4: forney.kathleen@epamail.epa.gov
- Ms. Ana Oquendo, EPA-Region 4: oquendo.ana@epamail.epa.gov
- Jonathan Holtom, P.E., DEP-BAR: jonathan.holtom@dep.state.fl.us
- Ms. Barbara Friday, DEP-BAR: barbara.friday@dep.state.fl.us (for posting with U.S. EPA, Region 4)
- Ms. Victoria Gibson, DEP-BAR: victoria.gibson@dep.state.fl.us (for reading file)

Clerk Stamp

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to §120.52(7), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged


(Clerk) 3/23/11 (Date)

Friday, Barbara

To: tom@fpua.com
Cc: 'Kathleen Forney'; Ana Oquendo; Holtom, Jonathan; Lanh, Kris; Gibson, Victoria
Subject: FORT PIERCE UTILITIES/H. D. KING POWER PLANT; 1110003-010-AV
Attachments: 1110003-010-AVFinalPermitAdministrativeCorrectionH.D.KingPowerPlant.pdf

Dear Sir/ Madam:

Attached is the official **Notice of Final Administrative Permit** for the project referenced below. Click on the link displayed below to access the permit project documents and send a "reply" message verifying receipt of the document(s) provided in the link; this may be done by selecting "Reply" on the menu bar of your e-mail software, noting that you can view the documents, and then selecting "Send".

Note: We must receive verification that you are able to access the documents. Your immediate reply will preclude subsequent e-mail transmissions to verify accessibility of the document

Attention: Kris Lahn

Owner/Company Name: FORT PIERCE UTILITIES AUTHORITY
Facility Name: FORT PIERCE UTILITIES/H. D. KING POWER PLANT
Project Number: 1110003-010-AV
Permit Status: FINAL
Permit Activity: ADMINISTRATIVE CORRECTION
Facility County: ST. LUCIE

Click on the following link to access the permit project documents:

http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf_permit_zip_files/1110003.010.AV.A_pdf.zip

“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. Access these documents by clicking on the link provided above, or search for other project documents using the “*Air Permit Documents Search*” website at <http://www.dep.state.fl.us/air/emission/apds/default.asp> . “

Permit project documents that are addressed in this email may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible, and verify that they are accessible. Please advise this office of any changes to your e-mail address or that of the Engineer-of-Record. If you have any problems opening the documents or would like further information, please contact the Florida Department of Environmental Protection, Bureau of Air Regulation.

Barbara Friday
Bureau of Air Regulation
Division of Air Resource Management (DARM)
(850)717-9095

Friday, Barbara

From: Microsoft Exchange
To: tom@fpua.com
Sent: Wednesday, March 23, 2011 1:00 PM
Subject: Relayed: FORT PIERCE UTILITIES/H. D. KING POWER PLANT; 1110003-010-AV

Delivery to these recipients or distribution lists is complete, but delivery notification was not sent by the destination:

tom@fpua.com

Subject: FORT PIERCE UTILITIES/H. D. KING POWER PLANT; 1110003-010-AV

Sent by Microsoft Exchange Server 2007

Friday, Barbara

From: Tom Richards [trichards@fpua.com]
To: Friday, Barbara
Sent: Wednesday, March 23, 2011 1:23 PM
Subject: Read: FORT PIERCE UTILITIES/H. D. KING POWER PLANT; 1110003-010-AV

Your message was read on Wednesday, March 23, 2011 1:23:26 PM (GMT-05:00) Eastern Time (US & Canada).

Friday, Barbara

From: Tom Richards [trichards@fpua.com]
Sent: Wednesday, March 23, 2011 1:29 PM
To: Friday, Barbara
Cc: John Tompeck
Subject: RE: FORT PIERCE UTILITIES/H. D. KING POWER PLANT; 1110003-010-AV

Received and acknowledged.

Thomas W. Richards, P.E.
Director of Electric & Gas Systems
Fort Pierce Utilities Authority
113 N Second Street
P O Box 3191
Fort Pierce FL 34948-3191
772-466-1600, Ext 3400

From: Friday, Barbara [mailto:Barbara.Friday@dep.state.fl.us]
Sent: Wednesday, March 23, 2011 12:58 PM
To: Tom Richards
Cc: Kathleen Forney; Ana Oquendo; Holtom, Jonathan; Lanh, Kris; Gibson, Victoria
Subject: FORT PIERCE UTILITIES/H. D. KING POWER PLANT; 1110003-010-AV

Dear Sir/ Madam:

Attached is the official **Notice of Final Administrative Permit** for the project referenced below. Click on the link displayed below to access the permit project documents and send a "reply" message verifying receipt of the document(s) provided in the link; this may be done by selecting "Reply" on the menu bar of your e-mail software, noting that you can view the documents, and then selecting "Send".

Note: We must receive verification that you are able to access the documents. Your immediate reply will preclude subsequent e-mail transmissions to verify accessibility of the document

Attention: Kris Lahn

Owner/Company Name: FORT PIERCE UTILITIES AUTHORITY
Facility Name: FORT PIERCE UTILITIES/H. D. KING POWER PLANT
Project Number: 1110003-010-AV
Permit Status: FINAL
Permit Activity: ADMINISTRATIVE CORRECTION
Facility County: ST. LUCIE

Click on the following link to access the permit project documents:

http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf_permit_zip_files/1110003.010.AV.A_pdf.zip

“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. Access these documents by clicking on the link provided above, or search for other

project documents using the “*Air Permit Documents Search*” website at <http://www.dep.state.fl.us/air/emission/apds/default.asp> . “

Permit project documents that are addressed in this email may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible, and verify that they are accessible. Please advise this office of any changes to your e-mail address or that of the Engineer-of-Record. If you have any problems opening the documents or would like further information, please contact the Florida Department of Environmental Protection, Bureau of Air Regulation.

Barbara Friday
Bureau of Air Regulation
Division of Air Resource Management (DARM)
(850)717-9095

The Department of Environmental Protection values your feedback as a customer. DEP Secretary Herschel T. Vinyard Jr. 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.

Please note: Florida has a very broad public records law. Most written communications to or from Fort Pierce Utilities Authority employees regarding government business are public records, available to the public and media upon request. Your e-mail communications may be subject to public disclosure.

(For additional information, go to http://www.fpu.com/important_information/privacy.php)

Friday, Barbara

From: Mail Delivery System [MAILER-DAEMON@mseive01.rtp.epa.gov]
To: forney.kathleen@epa.gov
Sent: Wednesday, March 23, 2011 12:59 PM
Subject: Relayed: FORT PIERCE UTILITIES/H. D. KING POWER PLANT; 1110003-010-AV

Delivery to these recipients or distribution lists is complete, but delivery notification was not sent by the destination:

forney.kathleen@epa.gov

Subject: FORT PIERCE UTILITIES/H. D. KING POWER PLANT; 1110003-010-AV

Friday, Barbara

From: Mail Delivery System [MAILER-DAEMON@mseive01.rtp.epa.gov]
To: Oquendo.Ana@epamail.epa.gov
Sent: Wednesday, March 23, 2011 12:59 PM
Subject: Relayed: FORT PIERCE UTILITIES/H. D. KING POWER PLANT; 1110003-010-AV

Delivery to these recipients or distribution lists is complete, but delivery notification was not sent by the destination:

Oquendo.Ana@epamail.epa.gov

Subject: FORT PIERCE UTILITIES/H. D. KING POWER PLANT; 1110003-010-AV

Friday, Barbara

From: Microsoft Exchange
To: Holtom, Jonathan; Lanh, Kris; Gibson, Victoria
Sent: Wednesday, March 23, 2011 12:59 PM
Subject: Delivered: FORT PIERCE UTILITIES/H. D. KING POWER PLANT; 1110003-010-AV

Your message has been delivered to the following recipients:

Holtom, Jonathan

Lanh, Kris

Gibson, Victoria

Subject: FORT PIERCE UTILITIES/H. D. KING POWER PLANT; 1110003-010-AV

Sent by Microsoft Exchange Server 2007

Friday, Barbara

From: Holtom, Jonathan
To: Friday, Barbara
Sent: Wednesday, March 23, 2011 2:08 PM
Subject: Read: FORT PIERCE UTILITIES/H. D. KING POWER PLANT; 1110003-010-AV

Your message was read on Wednesday, March 23, 2011 2:07:40 PM (GMT-05:00) Eastern Time (US & Canada).

Friday, Barbara

From: Lanh, Kris
To: Friday, Barbara
Sent: Wednesday, March 23, 2011 1:35 PM
Subject: Read: FORT PIERCE UTILITIES/H. D. KING POWER PLANT; 1110003-010-AV

Your message was read on Wednesday, March 23, 2011 1:34:41 PM (GMT-05:00) Eastern Time (US & Canada).

Friday, Barbara

From: Gibson, Victoria
To: Friday, Barbara
Sent: Wednesday, March 23, 2011 1:06 PM
Subject: Read: FORT PIERCE UTILITIES/H. D. KING POWER PLANT; 1110003-010-AV

Your message was read on Wednesday, March 23, 2011 1:05:49 PM (GMT-05:00) Eastern Time (US & Canada).