

HARDEE POWER PARTNERS

Invenergy

Via Federal Express # 7907-0022-6388

July 15, 2004

RECEIVED

JUL 16 2004

Florida Department of Environmental Protection
Attention: Trina L. Vielhauer
Bureau of Air Regulation
2600 Blair Stone Road, Mail Station #5505
Tallahassee, FL 32399-2400
(850) 488-0114

BUREAU OF AIR REGULATION

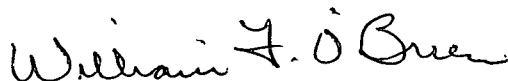
RE: Hardee Power Partners (HPP)
Hardee Power Station (HPS)
Draft Permit Project No.: 0490015-005-AV
Public Notice-Title V Air Operation Permit Renewal

To Whom It May Concern:

Pursuant to Rule 62-110.106(5), F.A.C., enclosed please find the original proof of publication, newspaper affidavit. The required public notice was published in Highlands Today & the Tampa Tribune on July 10, 2004. The service area for this daily publication is Desoto, Highlands, and Hardee Counties.

Please contact me at (813) 228-1000, or Byron Burrows at (813) 228-1282, if you have any questions regarding this information.

Sincerely,



William F. O'Brien
General Manager - Operations
TPS Operations Company
As Authorized Agent of Hardee Power Partners

Enclosures

702 N. Franklin St., Plaza 8, Tampa, FL 33602
Phone (813)228-1000 Fax (813)228-1308

HIGHLANDS TODAY & THE TAMPA TRIBUNE

Published Daily

Sebring, Highlands County, Florida

State of Florida }
County of Highlands } ss.

Before the undersigned authority personally appeared C. Pugh, who on oath says that she is Advertising Billing Supervisor of Highlands Today & The Tampa Tribune, daily newspapers published at Sebring in Highlands County, Florida; that the attached copy of advertisement being a

LEGAL NOTICE HIGHLANDS TODAY

in the matter of PUBLIC NOTICE OF INTENT

was published in said newspaper in the issues of
JULY 10, 2004

Affiant further says that the said Highlands Today & The Tampa Tribune are newspapers published at Sebring in said Highlands County, Florida, and the said newspapers have heretofore been continuously published in said Highlands County, Florida, each day and have been entered as second class mail matter at the post office in Sebring, in said Highlands 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, this advertisement for publication in the said newspaper.

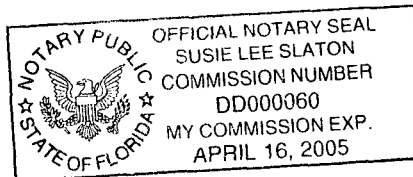
C. Pugh

Sworn to and subscribed by me, this 14 day
of JULY, A.D. 20 04

Personally Known or Produced Identification _____
Type of Identification Produced _____

(SEAL)

Susie Lee Slaton



PUBLIC NOTICE OF INTENT TO ISSUE A TITLE V AIR OPERATION PERMIT RENEWAL STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Title V Air Operation Permit Renewal DRAFT Permit Project No.: 0490015-005-AV Hardee Power Partners (A Subsidiary of Invenergy, LLC) Hardee Power Station Hardee County

The Department of Environmental Protection (permitting authority) gives notice of its intent to issue a Title V Air Operation Permit Renewal to Hardee Power Partners (A Subsidiary of Invenergy, LLC), for the Hardee Power Station located at 6695 County Road 663, Fort Green Springs, Hardee County. The applicant's name and address are: Mr. Alex C. George, V.P. and Responsible Official, Hardee Power Partners (A Subsidiary of Invenergy, LLC), P.O. Box 111, Tampa, Florida 33601-0111.

The permitting authority will issue the PROPOSED Permit, and subsequent FINAL Permit, in accordance with the conditions of the DRAFT Permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The permitting authority will accept written comments concerning the proposed DRAFT Permit issuance action for a period of 30 (thirty) days from the date of publication of this Notice. Written comments should be provided to the Department's Bureau of Air Regulation, 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this DRAFT Permit, the permitting authority shall issue a Revised DRAFT Permit and require, if applicable, another Public Notice.

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 of the Florida Statutes (F.S.). The petition must contain the information set forth below and must be filed (received) in Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/488-9730; Fax: 850/487-4938). Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of the notice of intent, 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 fourteen 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 applicable 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 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 how and when each 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, as well as the rules and statutes which entitle the petitioner to relief;
- (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 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 notice of intent. Persons whose substantial interests will be affected by any such final decision of the permitting authority on the application/request have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation is not available for this proceeding.

In addition to the above, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 (sixty) days of the expiration of the Administrator's 45 (forty-five) day review period as established at 42

U.S.C. Section 7661d(b)(1), to object to issuance of any permit. Any petition shall be based only on objections to the permit that were raised with reasonable specificity during the 30 (thirty) day public comment period provided in this notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of the EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460.

A complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

Permitting Authority:
Department of Environmental Protection
Bureau of Air Regulation
111 South Magnolia Drive, Suite 4
Tallahassee, Florida 32301
Telephone: 850/488-0114
Fax: 850/922-6979 or 850/921-9533

Affected District Office:
Department of Environmental Protection

Southwest District Office
3804 Coconut Palm Drive
Tampa, Florida 33619-8218
Telephone: 813/744-6100
Fax: 813/744-6084

The complete project file includes the DRAFT Permit, the application, and the information submitted by the Responsible Official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact James K. Pennington, P.E., at the above address, or call 850/921-9515, for additional information.

6499 07/10/04