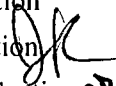



Florida Department of
Environmental Protection

Memorandum

TO: Trina Vielhauer, Bureau of Air Regulation
THROUGH: Jeff Koerner, New Source Review Section 
FROM: Christy DeVore, New Source Review Section 
DATE: February 15, 2010
PROJECT NO.: 0490015-013-AV
SUBJECT: Hardee Power Partners Limited
Hardee Power Station
Title V Air Operation Permit Renewal Dates
Administrative Correction of Permit No. 0490015-011-AV

Attached for your review is the Notice of Administratively Corrected Title V Air Permit to Permit No. 0490015-011-AV (Project No. 0490015-013-AV) to correct the permit expiration and renewal application dates for the Hardee Power Station, which is located in Hardee County, Florida.

Attachments



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

NOTICE OF ADMINISTRATIVELY CORRECTED TITLE V AIR PERMIT

Sent by Electronic Mail – Received Receipt Requested

In the Matter of an Administrative Correction:

Mr. Ralph E. Randall, Plant Manager
Hardee Power Partners Limited
6695 North County Road 663
Bowling Green, FL 33834-6817

Project No. 0490015-013-AV
Hardee Power Station
Title V Air Operation Permit Renewal
Hardee County, Florida

Dear Mr. Randall:

Enclosed is an administrative correction to Title V Air Permit No. 0490015-011-AV for the Hardee Power Station, which is located in Hardee County at 6695 North County Road 663, Bowling Green, Florida. This action corrects the permit renewal application date and the expiration date. A copy of this letter shall be filed with the original permit and shall become part of that permit. This administratively corrected permit is issued pursuant to Chapter 403, Florida Statutes.

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 at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/245-2241). 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 receipt of this written notice. 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. 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 rights will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency action or proposed decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so state; (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

NOTICE OF ADMINISTRATIVELY CORRECTED TITLE V AIR PERMIT

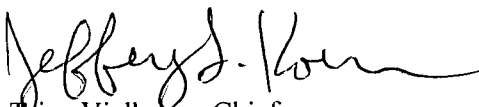
of how the alleged facts relate to the specific rules or statutes; and, (g) A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the agency to take with respect to the agency's proposed action. A petition that does not dispute the material facts upon 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 Notice of Administratively Corrected Title V 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.

Any party to this order has the right to seek judicial review of it under Section 120.68 of the Florida Statutes 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.

Mediation is not available in this proceeding.

Executed in Tallahassee, Florida.



Trina Vielhaier, Chief
Bureau of Air Regulation

FJS

TLV/jfk/scd

NOTICE OF ADMINISTRATIVELY CORRECTED TITLE V AIR PERMIT

The following permit conditions are revised as indicated. ~~Strikethrough~~ is used to denote the deletion of text. Double-underlines are used to denote the addition of text. All changes are emphasized with shading.

Permit Being Administratively Corrected: Permit No. 0490015-011-AV

The expiration dates on the placard page are revised as follows.

Effective Date: January 1, 2010

Renewal Application Due Date: May 20, 2015~~4~~

Expiration Date: ~~January 1~~ December 31, 2015~~4~~

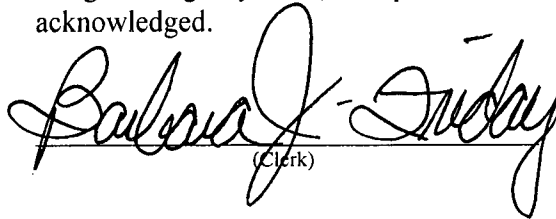
CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Notice of Administratively Corrected Title V Air Permit was sent by electronic mail (or a link to these documents made available electronically on a publicly accessible server) with received receipt requested before the close of business on 2/18/10 to the persons listed below.

- Mr. Ralph E. Randall, Hardee Power Partners Limited: rrandall@invenergyllc.com
- Mr. Thomas W. Davis, P.E., Environmental Consulting & Technology, Inc.: tdavis@ectinc.com
- Ms. Cindy Zhang-Torres, P.E., DEP Southwest District Office: cindy.zhang-torres@dep.state.fl.us
- Mr. Mike Halpin, DEP Siting Office: mike.halpin@dep.state.fl.us
- Ms. Heather Abrams, U.S. EPA Region 4: abrams.heather@epa.gov
- Ms. Katy Forney, U.S. EPA Region 4: forney.kathleen@epamail.epa.gov
- Ms. Ana Oquendo, U.S. EPA Region 4: oquendo.ana@epamail.epa.gov
- Ms. Barbara Friday, DEP BAR (for posting with U.S. EPA Region 4): barbara.friday@dep.state.fl.us
- Ms. Victoria Gibson, DEP BAR Reading File: victoria.gibson@dep.state.fl.us

Clerk Stamp

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


(Clerk) 2/18/10
(Date)

Friday, Barbara

To: Ralph Randall
Cc: 'Tom Davis'; Zhang-Torres; Halpin, Mike; abrams.heather@epamail.epa.gov; 'Forney.Kathleen@epamail.epa.gov'; Oquendo.Ana@epamail.epa.gov; Gibson, Victoria; DeVore, Christy; Holtom, Jonathan; Koerner, Jeff
Subject: HARDEE POWER PARTNERS LIMITED - HARDEE POWER STATION; 0490015-013-AV
Attachments: TitleVFinal0490015013AVNoticeofAdministrativeCorrection.pdf

Dear Sir/ Madam:

Attached is the official **Notice of Administratively Corrected Final 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(s).

Attention: Christy DeVore

Owner/Company Name: HARDEE POWER PARTNERS LIMITED
Facility Name: HARDEE POWER STATION
Project Number: 0490015-013-AV
Permit Status: FINAL
Permit Activity: ADMINISTRATIVE CORRECTION
Facility County: HARDEE

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

http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf_permit_zip_files/0490015.013.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)921-9524

Friday, Barbara

From: Microsoft Exchange
To: Ralph Randall
Sent: Thursday, February 18, 2010 2:27 PM
Subject: Relayed: HARDEE POWER PARTNERS LIMITED - HARDEE POWER STATION;
0490015-013-AV

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

Ralph Randall

Subject: HARDEE POWER PARTNERS LIMITED - HARDEE POWER STATION; 0490015-013-AV

Sent by Microsoft Exchange Server 2007

Friday, Barbara

From: Randall, Ralph [RRandall@invenergyllc.com]
To: Friday, Barbara
Sent: Thursday, February 18, 2010 2:58 PM
Subject: Read: HARDEE POWER PARTNERS LIMITED - HARDEE POWER STATION;
0490015-013-AV

Your message was read on Thursday, February 18, 2010 2:58:26 PM (GMT-05:00) Eastern Time (US & Canada).

Friday, Barbara

From: Randall, Ralph [RRandall@invenergyllc.com]
Sent: Thursday, February 18, 2010 3:14 PM
To: Friday, Barbara
Subject: RE: HARDEE POWER PARTNERS LIMITED - HARDEE POWER STATION; 0490015-013-AV

Barbara,

I can view the documents. Thanks.

Ralph Randall
Plant Manager
Hardee Power Station
813-630-6562
rrandall@invenergyllc.com

This electronic message and all contents contain information which may be privileged, confidential or otherwise protected from disclosure. The information is intended to be for the addressee(s) only. If you are not an addressee, any disclosure, copy, distribution or use of the contents of this message is prohibited. If you have received this electronic message in error, please notify the sender by reply e-mail and destroy the original message and all copies.

From: Friday, Barbara [mailto:Barbara.Friday@dep.state.fl.us]
Sent: Thursday, February 18, 2010 2:27 PM
To: Randall, Ralph
Cc: Tom Davis; Zhang-Torres; Halpin, Mike; abrams.heather@epamail.epa.gov; Forney.Kathleen@epamail.epa.gov; Oquendo.Ana@epamail.epa.gov; Gibson, Victoria; DeVore, Christy; Holtom, Jonathan; Koerner, Jeff
Subject: HARDEE POWER PARTNERS LIMITED - HARDEE POWER STATION; 0490015-013-AV

Dear Sir/ Madam:

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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(s).

Attention: Christy DeVore

Owner/Company Name: HARDEE POWER PARTNERS LIMITED
Facility Name: HARDEE POWER STATION
Project Number: 0490015-013-AV
Permit Status: FINAL
Permit Activity: ADMINISTRATIVE CORRECTION
Facility County: HARDEE

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

http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf_permit_zip_files/0490015.013.AV.A_pdf.zip

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Barbara Friday
Bureau of Air Regulation
Division of Air Resource Management (DARM)
(850)921-9524

Friday, Barbara

From: Microsoft Exchange
To: Tom Davis
Sent: Thursday, February 18, 2010 2:27 PM
Subject: Relayed: HARDEE POWER PARTNERS LIMITED - HARDEE POWER STATION;
0490015-013-AV

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

Tom Davis

Subject: HARDEE POWER PARTNERS LIMITED - HARDEE POWER STATION; 0490015-013-AV

Sent by Microsoft Exchange Server 2007

Friday, Barbara

From: Tom Davis [tdavis@ectinc.com]
Sent: Thursday, February 18, 2010 2:56 PM
To: Friday, Barbara
Subject: RE: HARDEE POWER PARTNERS LIMITED - HARDEE POWER STATION; 0490015-013-AV

Barbara,

I have received and can view the documents referenced in your email below.

Thanks.

From: Friday, Barbara [mailto:Barbara.Friday@dep.state.fl.us]
Sent: Thursday, February 18, 2010 2:27 PM
To: Ralph Randall
Cc: Tom Davis; Zhang-Torres; Halpin, Mike; abrams.heather@epamail.epa.gov; Forney.Kathleen@epamail.epa.gov; Oquendo.Ana@epamail.epa.gov; Gibson, Victoria; DeVore, Christy; Holtom, Jonathan; Koerner, Jeff
Subject: HARDEE POWER PARTNERS LIMITED - HARDEE POWER STATION; 0490015-013-AV

Dear Sir/ Madam:

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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(s).

Attention: Christy DeVore

Owner/Company Name: HARDEE POWER PARTNERS LIMITED
Facility Name: HARDEE POWER STATION
Project Number: 0490015-013-AV
Permit Status: FINAL
Permit Activity: ADMINISTRATIVE CORRECTION
Facility County: HARDEE

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

http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf_permit_zip_files/0490015.013.AV.A_pdf.zip

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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)921-9524

Friday, Barbara

From: Mail Delivery System [MAILER-DAEMON@mseive02.rtp.epa.gov]
To: Forney.Kathleen@epamail.epa.gov; Oquendo.Ana@epamail.epa.gov;
abrams.heather@epamail.epa.gov
Sent: Thursday, February 18, 2010 2:27 PM
Subject: Relayed: HARDEE POWER PARTNERS LIMITED - HARDEE POWER STATION;
0490015-013-AV

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

Forney.Kathleen@epamail.epa.gov

Oquendo.Ana@epamail.epa.gov

abrams.heather@epamail.epa.gov

Subject: HARDEE POWER PARTNERS LIMITED - HARDEE POWER STATION; 0490015-013-AV

Friday, Barbara

From: Microsoft Exchange
To: Zhang-Torres; Halpin, Mike; Holtom, Jonathan; Gibson, Victoria
Sent: Thursday, February 18, 2010 2:27 PM
Subject: Delivered: HARDEE POWER PARTNERS LIMITED - HARDEE POWER STATION;
0490015-013-AV

Your message has been delivered to the following recipients:

Zhang-Torres

Halpin, Mike

Holtom, Jonathan

Gibson, Victoria

Subject: HARDEE POWER PARTNERS LIMITED - HARDEE POWER STATION; 0490015-013-AV

Sent by Microsoft Exchange Server 2007

Friday, Barbara

From: Zhang-Torres
To: Friday, Barbara
Sent: Thursday, February 18, 2010 2:29 PM
Subject: Read: HARDEE POWER PARTNERS LIMITED - HARDEE POWER STATION;
0490015-013-AV

Your message was read on Thursday, February 18, 2010 2:28:45 PM (GMT-05:00) Eastern Time (US & Canada).

Friday, Barbara

From: Holtom, Jonathan
To: Friday, Barbara
Sent: Thursday, February 18, 2010 2:28 PM
Subject: Read: HARDEE POWER PARTNERS LIMITED - HARDEE POWER STATION;
0490015-013-AV

Your message was read on Thursday, February 18, 2010 2:27:57 PM (GMT-05:00) Eastern Time (US & Canada).

Friday, Barbara

From: Gibson, Victoria
To: Friday, Barbara
Sent: Thursday, February 18, 2010 2:27 PM
Subject: Read: HARDEE POWER PARTNERS LIMITED - HARDEE POWER STATION;
0490015-013-AV

Your message was read on Thursday, February 18, 2010 2:26:56 PM (GMT-05:00) Eastern Time (US & Canada).

Friday, Barbara

From: Microsoft Exchange
To: DeVore, Christy; Koerner, Jeff
Sent: Thursday, February 18, 2010 2:27 PM
Subject: Delivered: HARDEE POWER PARTNERS LIMITED - HARDEE POWER STATION;
0490015-013-AV

Your message has been delivered to the following recipients:

DeVore, Christy

Koerner, Jeff

Subject: HARDEE POWER PARTNERS LIMITED - HARDEE POWER STATION; 0490015-013-AV

Sent by Microsoft Exchange Server 2007

Friday, Barbara

From: DeVore, Christy
To: Friday, Barbara
Sent: Thursday, February 18, 2010 2:40 PM
Subject: Read: HARDEE POWER PARTNERS LIMITED - HARDEE POWER STATION;
0490015-013-AV

Your message was read on Thursday, February 18, 2010 2:40:17 PM (GMT-05:00) Eastern Time (US & Canada).

Friday, Barbara

From: Koerner, Jeff
To: Friday, Barbara
Sent: Thursday, February 18, 2010 3:04 PM
Subject: Read: HARDEE POWER PARTNERS LIMITED - HARDEE POWER STATION;
0490015-013-AV

Your message was read on Thursday, February 18, 2010 3:03:32 PM (GMT-05:00) Eastern Time (US & Canada).