



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

Electronically Sent – Received Receipt Requested

NOTICE OF ADMINISTRATIVE PERMIT CORRECTION

In the Matter of the Request for an Administrative Permit Correction:

Mr. James Garlick, Responsible Official
(james.garlick@mirant.com)
Mirant Corporation
1155 Perimeter Center West
Atlanta, Georgia 30338

Project No. 1010373-005-AV
Administrative Correction to Permit No. 1010373-004-AV
Shady Hills Generating Station

Enclosed is an ADMINISTRATIVELY CORRECTED page to the Title V Operation Permit No. 1010373-004-AV for the operation of the Shady Hills Generating Station, located at 14240 Merchant Energy Way, Shady Hills, Pasco County. This correction is issued pursuant to Rule 62-210.360, Florida Administrative Code and Chapter 403, Florida Statutes (F.S.). This change is made at the applicant's request received on March 28, 2007, for a transfer of ownership. This corrective action does not alter the effective dates of the existing permit.

A copy of this notice of intent shall be filed with the referenced permit and shall become part of the permit. This permitting decision is issued pursuant to Chapter 403, Florida Statutes.

The Department's proposed agency action shall become final unless a timely petition for an administrative determination (hearing) is filed under sections 120.569 and 120.57, F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57 of the Florida Statutes. 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 permit applicant or any of the parties listed below must be filed within fourteen 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) of the Florida Statutes must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under section 120.60(3), however, any person who asked the Department 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 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 discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205 of the Florida Administrative Code.

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, 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 petitioner wishes the agency to take with respect to the agency's proposed action.

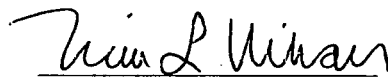
A petition that does not dispute the material facts upon which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301.

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 application 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.

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 order will not be effective until further order of the Department.

Any party to this permitting decision (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 thirty days after this order is filed with the clerk of the Department.

Executed in Tallahassee, Florida.



Trina L. Vielhauer, Chief
Bureau of Air Regulation

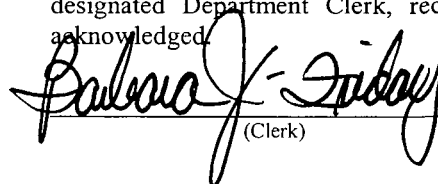
CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Notice of Administrative Permit Correction was sent by electronic mail (with received receipt requested) before the close of business on 4/10/01 to the person(s) listed:

Lawrence N. Curtin, Holland & Knight LLP: larry.curtin@hklaw.com
Gracy Danois, EPA Region 4: danois.gracy@epa.gov
Mara Nasca, Southwest District Office: Mara.Nasca@dep.state.fl.us

Clerk Stamp

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



(Clerk)

4/10/01
(Date)

ADMINISTRATIVE PERMIT CORRECTION

Project No. 1010373-005-AV
Shady Hills Generating Station
Page 3 of 3

The permit owner name on the cover page, placard page, and headings of each page of Title V Air Operation Permit No. 1010373-004-AV is hereby modified as shown below.

FROM:

Mirant Corporation

TO:

Shady Hills Power Company, LLC

Friday, Barbara

From: Friday, Barbara
Sent: Tuesday, April 10, 2007 1:32 PM
To: 'jim.garlick@mirant.com'
Subject: FINAL Title V Administrative Permit Correction No.: 1010373-005-AV - Shady Hills Generating Station
Attachments: 1010373005FinalAdministrativeCorrection.pdf

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

4/10/2007

Friday, Barbara

From: System Administrator
To: Garlick, Jim
Sent: Tuesday, April 10, 2007 1:35 PM
Subject: Delivered:FINAL Title V Administrative Permit Correction No.: 1010373-005-AV - Shady Hills Generating Station

Your message

To: jim.garlick@mirant.com
Subject: FINAL Title V Administrative Permit Correction No.: 1010373-005-AV - Shady Hills Generating Station
Sent: 4/10/2007 1:32 PM

was delivered to the following recipient(s):

Garlick, Jim on 4/10/2007 1:33 PM

Friday, Barbara

To: james.garlick@mirant.com; danois.gracy@epa.gov; Zhang-Torres
Cc: Cascio, Tom
Subject: FINAL Title V Permit Administrative Correction No.: 1010373-005-AV - Shady Hills Generating Station

Attachments: 1010373005FinalAdministrativeCorrection.pdf

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).

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Thank you,

DEP, Bureau of Air Regulation

4/10/2007

Friday, Barbara

From: System Administrator
To: Cascio, Tom; Zhang-Torres
Sent: Tuesday, April 10, 2007 11:49 AM
Subject: Delivered:FINAL Title V Permit Administrative Correction No.: 1010373-005-AV - Shady Hills Generating Station

Your message

To: 'james.garlick@mirant.com'; 'danois.gracy@epa.gov'; Zhang-Torres
Cc: Cascio, Tom
Subject: FINAL Title V Permit Administrative Correction No.: 1010373-005-AV - Shady Hills Generating Station
Sent: 4/10/2007 11:49 AM

was delivered to the following recipient(s):

Cascio, Tom on 4/10/2007 11:49 AM
Zhang-Torres on 4/10/2007 11:49 AM

Friday, Barbara

From: Mail Delivery System [MAILER-DAEMON@mseive02.rtp.epa.gov]
Sent: Tuesday, April 10, 2007 11:49 AM
To: Friday, Barbara
Subject: Successful Mail Delivery Report

Attachments: Delivery report; Message Headers



Delivery report.txt
(466 B)

Message
Headers.txt (2 KB)

This is the mail system at host mseive02.rtp.epa.gov.

Your message was successfully delivered to the destination(s) listed below. If the message was delivered to mailbox you will receive no further notifications. Otherwise you may still receive notifications of mail delivery errors from other systems.

The mail system

<danois.gracy@epa.gov>: delivery via 127.0.0.1[127.0.0.1]:10025: 250 OK, sent
461BB1FB_3377_3571_1

Friday, Barbara

To: larry.curtin@hklaw.com
Cc: Cascio, Tom
Subject: FINAL Title V Permit Administrative Correction No.: 1010373-005-AV - Shady Hills Generating Station
Attachments: 1010373005FinalAdministrativeCorrection.pdf

Dear Sir/Madam:

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Thank you,

DEP, Bureau of Air Regulation

4/10/2007

Friday, Barbara

From: Exchange Administrator
Sent: Tuesday, April 10, 2007 11:53 AM
To: Friday, Barbara
Subject: Delivery Status Notification (Relay)

Attachments: ATT150297.txt; FINAL Title V Permit Administrative Correction No.: 1010373-005-AV - Shady Hills Generating Station



ATT150297.txt (289 B) FINAL Title V Permit Administr...

This is an automatically generated Delivery Status Notification.

Your message has been successfully relayed to the following recipients, but the requested delivery status notifications may not be generated by the destination.

larry.curtin@hkklaw.com

Friday, Barbara

From: larry.curtin@hklaw.com
To: Friday, Barbara
Sent: Tuesday, April 10, 2007 12:59 PM
Subject: Read: FINAL Title V Permit Administrative Correction No.: 1010373-005-AV - Shady Hills
Generating Station

Your message

To: larry.curtin@hklaw.com
Subject:

was read on 4/10/2007 12:59 PM.

Friday, Barbara

From: larry.curtin@hklaw.com
Sent: Wednesday, April 11, 2007 7:24 AM
To: Friday, Barbara
Cc: Cascio, Tom
Subject: RE: FINAL Title V Permit Administrative Correction No.: 1010373-005-AV - Shady Hills Generating Station

Got it. Thanks for taking care of this quickly.

Larry

Holland + Knight
Lawrence N. Curtin
Holland & Knight LLP
PO Box 810
Tallahassee, FL 32302

Main 850 224 7000
Direct 850 425 5678
Fax 850 222 8185
Email larry.curtin@hklaw.com

www.hklaw.com

NOTICE: This e-mail is from a law firm, Holland & Knight LLP ("H&K"), and is intended solely for the use of the individual(s) to whom it is addressed. If you believe you received this e-mail in error, please notify the sender immediately, delete the e-mail from your computer and do not copy or disclose it to anyone else. If you are not an existing client of H&K, do not construe anything in this e-mail to make you a client unless it contains a specific statement to that effect and do not disclose anything to H&K in reply that you expect it to hold in confidence. If you properly received this e-mail as a client, co-counsel or retained expert of H&K, you should maintain its contents in confidence in order to preserve the attorney-client or work product privilege that may be available to protect confidentiality.

From: Friday, Barbara [mailto:Barbara.Friday@dep.state.fl.us]
Sent: Tuesday, April 10, 2007 11:52 AM
To: larry.curtin@hklaw.com
Cc: Cascio, Tom
Subject: FINAL Title V Permit Administrative Correction No.: 1010373-005-AV - Shady Hills Generating Station

Dear Sir/Madam:

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4/11/2007

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

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Thank you,

DEP, Bureau of Air Regulation

Friday, Barbara

From: Garlick, Jim [jim.garlick@mirant.com]
Sent: Tuesday, April 10, 2007 3:05 PM
To: Friday, Barbara
Cc: Waggoner, Rick; Sacks, Jon
Subject: RE: FINAL Title V Administrative Permit Correction No.: 1010373-005-AV - Shady Hills Generating Station

Received.

Please note the e-mail referenced on the attached Title V Administrative Permit Correction for me is incorrect. Correct e-mail address is jim.garlick@mirant.com

From: Friday, Barbara [mailto:Barbara.Friday@dep.state.fl.us]
Sent: Tuesday, April 10, 2007 1:32 PM
To: Garlick, Jim
Subject: FINAL Title V Administrative Permit Correction No.: 1010373-005-AV - Shady Hills Generating Station

Dear Sir/Madam:

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Thank you,

DEP, Bureau of Air Regulation

Friday, Barbara

From: Zhang-Torres
Sent: Monday, April 16, 2007 8:52 AM
To: Friday, Barbara
Subject: RE: FINAL Title V Permit Administrative Correction No.: 1010373-005-AV - Shady Hills Generating Station

We got it. Thanks.

Cindy

From: Friday, Barbara
Sent: Tuesday, April 10, 2007 11:49 AM
To: 'james.garlick@mirant.com'; 'danois.gracy@epa.gov'; Zhang-Torres
Cc: Cascio, Tom
Subject: FINAL Title V Permit Administrative Correction No.: 1010373-005-AV - Shady Hills Generating Station

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Thank you,

DEP, Bureau of Air Regulation

4/18/2007