



Lawton Chiles
Governor

Florida Department of Environmental Protection

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Virginia B. Wetherell
Secretary

December 29, 1993

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. William R. Malenius
Senior Program Manager
Polk Power Partners
23293 South Pointe Drive
Laguna Hills, California 92653

Dear Mr. Malenius:

Attached is one copy of the Revised Technical Evaluation and Preliminary Determination and revised permit for Polk Power Partners to construct a cogeneration facility in Polk County.

Please submit any written comments for consideration concerning the Department's proposed action to Mr. Preston Lewis, P.E., at the above address.

Sincerely,

A handwritten signature in cursive script, appearing to read "C. H. Fancy".

C. H. Fancy, P.E.
Chief
Bureau of Air Regulation

CHF/JR/plm

Attachments

cc: B. Thomas, SWD
J. Harper, EPA
C. Shaver, NPS
K. Kosky, KBN
D. Roberts, HBGS
D. Martin, Polk Co.

242805
PATB updated
12/30/93

Is your RETURN ADDRESS completed on reverse side.

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:
Mr. William R. Malenius
Senior Program Manager
Polk Power Partners
23046 Avenida De La Carlota, Ste 400
Laguna Hills, CA 92653

4a. Article Number
P 872 562 596

4b. Service Type
 Registered Insured
 Certified COD
 Express Mail Return Receipt for Merchandise

7. Date of Delivery
1-24-94

5. Signature (Addressee)

6. Signature (Agent)
[Signature]

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1991 U.S. GPO: 1992-323-402 **DOMESTIC RETURN RECEIPT**

Thank you for using Return Receipt Service.

P 872 562 596



Receipt for Certified Mail
No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

Sent to Mr. William R. Malenius	
Street and No. 23046 Avenida De La Carlota	
P.O., State and ZIP Code Laguna Hills, CA 92653	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date Mailed: 1-20-94 Permit: AC53-211670 PSD-FL-187	

PS Form 3800, JUNE 1991

P 872 562 591



Receipt for Certified Mail
No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

Sent to Mr. William R. Malenius	
Street and No. Polk Power Partners 23293 South Point Dr.	
P.O., State and ZIP Code Laguna Hills, CA 92653	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date Mailed: 12-30-93 Permit: AC 53-211670 PSD-FL-187	

PS Form 3800, JUNE 1991



October 12, 1992

Mr. Clair H. Fancy
Bureau of Air Regulation
Florida Department of Environmental Regulation
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, FL 32399-2400

RE: Polk County--A.P.
Polk Power Partners, L.P.--Mulberry Cogeneration Project
Permit Application AC 53-211670 and PSD-FL-187

Dear Clair:

Enclosed please find a copy of the notice of intent to issue the air construction permit for this project which was published in The Polk County Democrat on October 8, 1992.

We have provided several minor clarifications to the draft permit to John Reynolds, which he indicated would be made in the final permit. These clarifications involved:

1. Presenting emission limits for NO_x, sulfur content for SO₂, and opacity limits using fuel oil as backup after the first 3 years of operation (Specific Condition No. 2).
2. Specifying that natural gas and fuel oil can be fired until December 31, 1997 (3 years after the construction permit expiration date). After that date, the primary fuel will be natural gas; fuel oil can be used as a backup for no more than 30 days (Specific Condition No. 3). Fuel consumption rates for natural gas and fuel oil will be based on a temperature of 59°F or the benchmark. The number of hours of operation for the turbine firing fuel oil is 6,833, or 78 percent of the year.

In addition, a few clarifications to the BACT determination were discussed which made it more consistent with the specific conditions.

I greatly appreciate your staff's efforts in completing the review and issuing the draft permit.

Sincerely,

Robert C. McCann
Kennard F. Kosky, P.E.
President

KFK/tyf

cc: Mr. William Malenius, Ark Energy, Inc.
Mr. Ward Marshall, Central and South West Services, Inc.
File (2)

91193A1/13

KBN ENGINEERING AND APPLIED SCIENCES, INC.

1034 Northwest 57th Street Gainesville, Florida 32605 904/331-9000 FAX: 904/332-4189

RECEIVED

OCT 13 1992

Division of Air
Resources Management

FEDERAL EXPRESS

QUESTIONS? CALL 800-238-5355 TOLL FREE.

1028817643

AIRBILL
PACKAGE
TRACKING NUMBER

1028817643

RECIPIENT'S COPY

From (Your Name) Please Print M.F. Kosky/VJP Company Street Address City State ZIP Required		Date 10/17/92 Your Phone Number (Very Important) Department/Floor No	To (Recipient's Name) Please Print Clair H. Mandy Company Florida Dept. of Environmental Regulation Exact Street Address (We Cannot Deliver to P.O. Boxes or P.O. Zip Codes) 2600 State Stone Road City Tallahassee State FL ZIP Required 32399	
YOUR INTERNAL BILLING REFERENCE INFORMATION (First 24 characters will appear on invoice.) 01193-0206			IF HOLD FOR PICK-UP, Print FEDEX Address Here Street Address City State ZIP Required	
PAYMENT 1 <input checked="" type="checkbox"/> Bill Sender 2 <input type="checkbox"/> Bill Recipient's FedEx Acct No 3 <input type="checkbox"/> Bill 3rd Party FedEx Acct No 4 <input type="checkbox"/> Bill Credit Card 5 <input type="checkbox"/> Cash/Check				
4 SERVICES (Check only one box) Priority Overnight (Delivery by next business morning) 11 <input type="checkbox"/> YOUR PACKAGING 16 <input checked="" type="checkbox"/> FEDEX LETTER 12 <input type="checkbox"/> FEDEX PAK 13 <input type="checkbox"/> FEDEX BOX 14 <input type="checkbox"/> FEDEX TUBE Economy Two-Day (Delivery by second business day) 30 <input type="checkbox"/> ECONOMY Standard Overnight (Delivery by next business afternoon) 51 <input type="checkbox"/> YOUR PACKAGING 56 <input type="checkbox"/> FEDEX LETTER 52 <input type="checkbox"/> FEDEX PAK 53 <input type="checkbox"/> FEDEX BOX 54 <input type="checkbox"/> FEDEX TUBE Government Overnight (Reserved for authorized users only) 46 <input type="checkbox"/> GOVT LETTER 41 <input type="checkbox"/> GOVT PACKAGE Freight Service (An Extra Charge of any package over 150 lbs.) 70 <input type="checkbox"/> OVERNIGHT FREIGHT 80 <input type="checkbox"/> TWO-DAY FREIGHT		5 DELIVERY AND SPECIAL HANDLING (Check services required) 1 <input type="checkbox"/> HOLD FOR PICK-UP (if in P.O. #) 2 <input checked="" type="checkbox"/> DELIVER WEEKDAY 3 <input type="checkbox"/> DELIVER SATURDAY (if extra charge) 4 <input type="checkbox"/> DANGEROUS GOODS (if extra charge) 5 <input type="checkbox"/> 6 <input type="checkbox"/> DRY ICE lbs. 7 <input type="checkbox"/> OTHER SPECIAL SERVICE 8 <input type="checkbox"/> 9 <input type="checkbox"/> SATURDAY PICK-UP (if extra charge) 10 <input type="checkbox"/> 11 <input type="checkbox"/> 12 <input type="checkbox"/> HOLIDAY DELIVERY (if extra charge)		6 PACKAGES WEIGHT in Pounds Ounces Total Total DIM SHIPMENT (Check inside Weight) Recipient At 1 <input type="checkbox"/> Regular Ship 2 <input type="checkbox"/> Drop Box 3 <input type="checkbox"/> On Call Ship 4 <input type="checkbox"/> Station
		Emp No Date <input type="checkbox"/> Cash Received <input type="checkbox"/> Return Shipment <input type="checkbox"/> Third Party <input type="checkbox"/> Chg. to Del <input type="checkbox"/> Chg. to Hold Street Address City State Zip Received By: <input checked="" type="checkbox"/> Date/Time Received FedEx Employee Number Release Signature FedEx Bill No Date/Time		Federal Express Up-Base Charge Declared Value Charge Other 1 Other 2 Total Charges REVISION DATE 4/91 9501 413204 (REV. 5/91) FORMAT #082 082 PRINTED IN USA

STATE OF FLORIDA
DEPARTMENT OF
ENVIRONMENTAL
REGULATION
NOTICE OF
INTENT TO
ISSUE PERMIT

The Department of Environmental Regulation gives notice of its intent to issue a permit to POLK POWER PARTNERS, 23293 South Pointe Drive, Laguna Hills, California 92653, to construct a cogeneration and CO2 recovery facility 3.7 miles southwest of Bartow, Polk County, Florida. A determination of Best Available Control Technology (BACT) is required. The proposed project is subject to Prevention of Significant Deterioration (PSD) regulations and federal new source performance standards. Modeling results show that increases in ground-level concentrations are less than PSD significant impact levels. The Department is issuing this Intent to Issue for the reasons stated in the Technical Evaluation and Preliminary Determination.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, 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 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within (14) days of publication of this notice. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, Florida Statutes.

The Petition shall contain the following information; (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department Permit File Number and the county in which the project is proposed; (b) A statement of how and when each petitioner received notice of the Department's action or proposed action; (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action; (d) A statement of the material facts disputed by Petitioner, if any; (e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action; (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, 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 decision of the Department with regard to the application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received)

AFFIDAVIT OF PUBLICATION

The Polk County Democrat

Published Semi-Weekly
Bartow, Polk County, Florida

Case No. _____

STATE OF FLORIDA
COUNTY OF POLK

Before the undersigned authority personally appeared _____
S. L. Frisbie, IV, who on oath says that (s)he is
Publisher of The Polk County Democrat, a newspaper
published at Bartow, Polk County, Florida; that the attached copy of advertisement,
being a Notice of Intenet to Issue Permit in the
matter of POLK POWER PARTNERS

in the _____ Court, was published in said newspaper in the issues
of October 8, 1992

Affiant further says that The Polk County Democrat is a newspaper published at Bartow, in said Polk County, Florida, and that said newspaper has heretofore been continuously published in said Polk County, Florida, each Monday and Thursday, and has been entered as second class matter at the post office in Bartow, in said Polk County, Florida, for a period of one year next preceeding 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 said newspaper.

Signed *S. L. Frisbie, IV*

The foregoing instrument was acknowledged before me this 9th day of Oct.,

1992, by S. L. Frisbie, IV,

who is personally known to me.

Teresa M Pacetti
(Signature of Notary Public)

Teresa M. Pacetti
(Printed or typed name of Notary Public)

Notary Public

My Commission Expires:



Notary Public, State of Florida
TERESA M. PACETTI
My Comm. Exp. Dec. 19, 1995
Comm. No. CC 169408

0102473

139

POLK POWER PARTNERS, L.P.

1125 US 98 SOUTH, SUITE 100
LAKELAND, FL 33801
PH. (813) 682-6338

CITRUS & CHEMICAL BANK
LAKELAND, FL 33801

63-597/631

FIFTY DOLLARS AND NO/100-----

DATE
4/11/95

AMOUNT
\$50.00

PAY TO THE ORDER OF
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF AIR REGULATION
2600 BLAIR STONE ROAD
TALLAHASSEE, FL 32399

Amody L Burke

AUTHORIZED SIGNATURE

⑈001394⑈ ⑈063105971⑈ 0200024249⑈

POLK POWER PARTNERS, L.P.

1394

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF AIR REGULATION
2600 BLAIR STONE ROAD
TALLAHASSEE, FL 32399

CONSTRUCTION PERMIT EXTENSION FOR MULBERRY COGEN
PERMIT # AC53-211670 PSD-FL-187

\$50.00

April 11, 1995

Mr. Clair H. Fancy, P.E., Chief
Bureau of Air Regulation
Florida Department of Environmental Protection
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, FL 32399-2400

RE: Mulberry Cogeneration Facility PSD-FL-187, Permit Number AC 53-211670
Extension of Construction Permit

Dear Mr. Fancy:

This correspondence is submitted on behalf of Polk Power Partners, LP to request that the construction permit for the Mulberry Cogeneration Facility be extended until December 31, 1998. The current construction permit expires December 31, 1995. David Zell, permit engineer from the Southwest District, recommended that we make this request to ensure that the facility has a permit in effect until a Title V permit is issued. A Title V permit application will be submitted for the facility as required by FDEP rules and policies. However, we were told that FDEP has up to three years to review a Title V permit application before issuing a permit. It is probable that a Title V permit will not be issued prior to the expiration of our construction permit. Specific condition (8.) of our construction permit states that the permittee, for good cause, may request that the construction permit be extended (FAC 62-4.090).

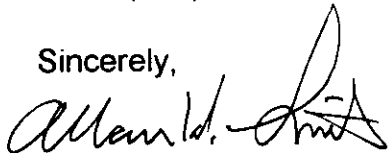
All of the compliance testing required by the construction permit has been completed and the results have been forwarded to both your office and the Southwest District office in Tampa.

1995 APR 13 PM 3:05
AIR - MAIL ROOM

Mr. Clair H. Fancy, P.E., Chief
Bureau of Air Regulation
April 11, 1995
Page Two

I have enclosed the Fifty Dollar (\$50.00) fee required by FAC 62-4.050(4)(q) for a minor modification to a permit. If you have any questions concerning this request, please call me at (813)682-6338.

Sincerely,



Wade Smith
Business Operations Director
Polk Power GP, Inc.

cc: Jerry Kissel, FDEP Southwest District
Roger Anderson, KBN
Les Confair, Ark Energy
Charlie Costenbader, GECC
John Paul Jones, CSWE Operations
Nancy Jones, PPP
Bill Malenius, Ark Energy
Mike Moran, CSWE



Department of Environmental Protection

Lawton Chiles
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Virginia B. Wetherell
Secretary

September 27, 1994

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

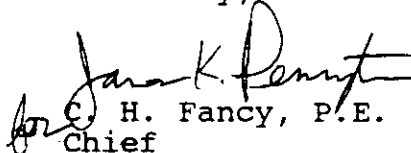
Ms. Nancy Henning Jones
Vice President & General Manager
Polk Power Partners
1125 U.S. 98 South - Suite 100
Lakeland, Florida 33801

Re: Permit No. AC53-211670, PSD-FL-187

Dear Ms. Jones:

This is in reply to your September 22 letter requesting an extension of the 180-day period for initial performance testing of the Polk Power facility pursuant to 40 CFR 60.8(a). Also, this confirms our phone discussion today with Mr. Kelly Spencer of your firm concerning this request. As discussed with Mr. Kelly, the federal requirements under 40 CFR 60.8(a) do not provide for an automatic extension of the performance testing period. Therefore, such a request must be approved by the EPA. Mr. Kelly indicated that he will provide the Department with more detailed documentation of the mechanical difficulties sufficient to allow the EPA to make a decision on this request.

Sincerely,

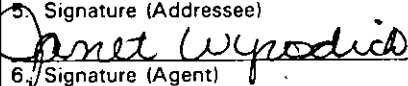

Jan K. Penney, P.E.
Chief

Bureau of Air Regulation

CHF/JR/bb

cc: W. Thomas, SWD
J. Harper, EPA
D. Martin, Polk Co.
J. Bunyai, NPS
K. Kosky, KBN
D. Roberts, HBGS

Is your RETURN ADDRESS completed on the reverse side?

SENDER: <ul style="list-style-type: none"> • Complete items 1 and/or 2 for additional services. • Complete items 3, and 4a & b. • Print your name and address on the reverse of this form so that we can return this card to you. • Attach this form to the front of the mailpiece, or on the back if space does not permit. • Write "Return Receipt Requested" on the mailpiece below the article number. • The Return Receipt will show to whom the article was delivered and the date delivered. 		I also wish to receive the following services (for an extra fee): 1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery Consult postmaster for fee.	
3. Article Addressed to: Ms. Nancy Henning Jones Vice President & General Manager Polk Power Partners 1125 U.S. 98 South Suite 100 Lakeland, Florida 33801		4a. Article Number P 872 562 689	
		4b. Service Type <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise	
		7. Date of Delivery 9-30-94	
5. Signature (Addressee) 		8. Addressee's Address (Only if requested and fee is paid)	
6. Signature (Agent)			

Thank you for using Return Receipt Service.

P 872 562 689



Receipt for Certified Mail

No Insurance Coverage Provided
 Do not use for International Mail
 (See Reverse)

Sent to		Ms. Nancy Henning Jones	
Street and No.		1125 U.S. 98 South -	
P.O., State and ZIP Code		Lakeland, FL 33801	
Postage		\$	
Certified Fee			
Special Delivery Fee			
Restricted Delivery Fee			
Return Receipt Showing to Whom & Date Delivered			
Return Receipt Showing to Whom, Date, and Addressee's Address			
TOTAL Postage & Fees		\$	
Postmark or Date			
Mailed: 9/27/94			
AC 53-211670			
PSD-FL-187			

PS Form 3800, JUNE 1991