



Jeb Bush
Governor

Department of Environmental Protection

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

Colleen M. Castille
Secretary

October 10, 2006

Mr. Alex C. George
V.P. and Responsible Official
Hardee Power Partners (A Subsidiary of Invenergy, LLC)
One South Wacker Drive, Suite 2020
Chicago, Illinois 60606

Re: Title V Air Operation Permit Revision
DRAFT/PROPOSED Permit Project No.: 0490015-007-AV
Hardee Power Station

Dear Mr. George:

One copy of the DRAFT/PROPOSED Permit for the revision of a Title V Air Operation Permit for Hardee Power Station located at 6695 County Road 663 North, Fort Green Springs, Hardee County, is enclosed. The permitting authority's "INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION" and the "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION" are also included.

An electronic version of the DRAFT/PROPOSED Title V Air Operation Permit Revision has been posted on the Division of Air Resource Management's world wide web site for the United States Environmental Protection Agency (USEPA) Region 4 office's review. The web site address is:

"<http://www.dep.state.fl.us/air/eproducts/ards/default.asp>"

The "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION" must be published as soon as possible. Proof of publication, i.e., newspaper affidavit, must be provided to the permitting authority's office within 7 (seven) days of publication pursuant to Rule 62-110.106(5), F.A.C. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit pursuant to Rule 62-110.106(11), F.A.C.

Please submit any written comments you wish to have considered concerning the permitting authority's proposed action to Jeff Koerner, P.E., at the above letterhead address. If you have any other questions, please contact Jonathan Holtom, P.E. at 850/921-9531.

Sincerely,

Trina L. Vielhauer, Chief
Bureau of Air Regulation

TLV/jk/jh

Enclosures

"More Protection, Less Process"

Printed on recycled paper.

WRITTEN NOTICE OF INTENT TO ISSUE AIR PERMIT

*In the Matter of an
Application for Air Permit by:*

Mr. Alex C. George
V.P. and Responsible Official
Hardee Power Partners
A Subsidiary of Invenergy, LLC
One South Wacker Drive, Suite 2020
Chicago, Illinois 60606

DRAFT/PROPOSED Permit Project No.: 0490015-007-AV
Hardee Power Station
Hardee County, Florida

Facility Location: The Hardee Power Partners operate the existing Hardee Power Station, which is located at 6695 County Road 663, Fort Green Springs, Hardee County.

Project: The applicant requested a revision to change various permit conditions, that are contained in Air Operation Permit No. 0490015-005-AV, to match the updated requirements of 40 CFR 60, Subpart GG, which was revised on July 8, 2004. Such changes are primarily related to fuel monitoring and additional emissions monitoring options. This permitting action will also be used to replace Appendix TV-4, Title V Conditions (version dated 02/12/02) with Appendix TV-6, Title V Conditions (version dated 6/23/06), as well as other minor administrative corrections as described below. It was determined that a concurrent Air Construction permit revision was not required because the changes contained in this revision do not alter the requirements contained in the construction permits to comply with the applicable portions of 40 CFR 60, Subpart GG. The only referenced attachments that are being issued with this revision are Appendix GG - Standards of Performance for Stationary Gas Turbines and Appendix TV-6, Title V Conditions (version dated 6/23/06), which is replacing the existing Appendix TV-4. The other referenced attachments are unchanged by this permitting action and will remain as issued with the Title V Air Operation Permit Renewal (permit no. 0490015-005-AV) that was effective on January 1, 2005.

Permitting Authority: Applications for air operation permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, 62-213 and 62-214 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and an air permit is required to approve the requested changes. The Department of Environmental Protection is the Permitting Authority responsible for making a permit determination for this project. The Permitting Authority's physical address is: 111 S. Magnolia Drive, Tallahassee, Florida 32301. The Permitting Authority's mailing address is: 2600 Blair Stone Road, Mail Station 5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/488-0114.

Notice of Intent to Issue Permit: The Permitting Authority gives notice of its intent to issue an air operation permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of proposed equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-256, 62-257, 62-281, 62-296 and 62-297, F.A.C. The Permitting Authority will issue a Final Permit in accordance with the conditions of this DRAFT/PROPOSED Permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

Public Notice: Pursuant to Sections 403.087 & 403.815, F.S. and Rules 62-110.106 & 62-210.350, F.A.C., you (the applicant) are required to publish at your own expense the enclosed "Public Notice of Intent to Issue Air Permit" (Public Notice). The Public Notice shall be published one time only as soon as possible in the legal advertisement section of a newspaper of general circulation in the area affected by this project. The newspaper used must meet the requirements of Sections 50.011 and 50.031, F.S. in the county where the activity is to take place. If you are uncertain that a newspaper meets these

WRITTEN NOTICE OF INTENT TO ISSUE AIR PERMIT

requirements, please contact the Permitting Authority at above address or phone number. Pursuant to Rule 62-110.106(5), F.A.C., the applicant shall provide proof of publication to the Permitting Authority at the above address within seven (7) days of publication. Failure to publish the notice and provide proof of publication may result in the denial of the permit pursuant to Rule 62-110.106(11), F.A.C.

Comments: The Permitting Authority will accept written comments concerning this DRAFT/PROPOSED Permit for a period of fourteen (30) days from the date of publication of the Public Notice. Written comments must be provided to the Permitting Authority at the above address. Any written comments filed will be made available for public inspection. If written comments received result in a significant change to the DRAFT/PROPOSED Permit, the Permitting Authority shall revise the DRAFT/PROPOSED Permit and require, if applicable, another Public Notice.

Petitions: 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, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by the applicant or any of the parties listed below must be filed within fourteen (14) days of receipt of this Written Notice of Intent to Issue Air Permit. 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 publication of the attached Public Notice or within fourteen (14) days of receipt of this Written Notice of Intent to Issue Air Permit, 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 (14) 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 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 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; 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 Written Notice of Intent to Issue 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.

Mediation: Mediation is not available in this proceeding.

WRITTEN NOTICE OF INTENT TO ISSUE AIR PERMIT

DRAFT/PROPOSED Permit Processing: EPA has agreed to treat the DRAFT Title V Permit as a PROPOSED Title V Permit and to perform its 45-day review provided by the law and regulations concurrently with the public comment period. Although EPA's 45-day review period will be performed concurrently with the public comment period, the deadline for submitting a citizen petition to object to the EPA Administrator will be determined as if EPA's 45-day review period is performed after the public comment period has ended. The FINAL Title V Air Operation Permit will be issued after the conclusion of the 45-day EPA review period so long as no adverse comments are received that results in a different decision or significant change of terms or conditions.

The status regarding EPA's 45-day review of this project and the deadline for submitting a citizen petition can be found at the following website address:

<http://www.epa.gov/region4/air/permits/Florida.htm>

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 Title V permit. Any petition shall be based only on objections to the Title V 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 Title V permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of 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.

Executed in Tallahassee, Florida.



Trina L. Vielhauer, Chief
Bureau of Air Regulation

WRITTEN NOTICE OF INTENT TO ISSUE AIR PERMIT

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION (including the PUBLIC NOTICE and the DRAFT/PROPOSED Permit package) and all copies were sent electronically (with Received Receipt) before the close of business on 10/11/06 to the person(s) listed:

Mr. Alex C. George, V.P. and R.O., Hardee Power Partners (ageorge@invenegyllc.com)

Mr. Thomas W. Davis, P.E., ECT, Inc. (tdavis@ectinc.com)

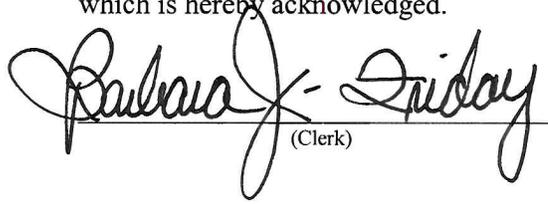
Mr. Frank Sarduy, Hardee Power Partners (fsarduy@invenegyservices.com)

Ms. Mara Nasca, DEP – SWD (mara.nasca@dep.state.fl.us)

EPA Region 4

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) 10/11/06
(Date)

PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT

Florida Department of Environmental Protection
DRAFT/PROPOSED Air Permit No. 0490015-007-AV
Hardee Power Partners – Hardee Power Station
Hardee County

Applicant: The applicant for this project is Hardee Power Partners, A Subsidiary of Invenergy, LLC. The applicant's Responsible Official is Mr. Alex C. George, V.P., One South Wacker Drive, Suite 2020, Chicago, Illinois 60606.

Facility Location: The Hardee Power Partners operate the existing Hardee Power Station, which is located at 6695 County Road 663, Fort Green Springs, Hardee County.

Project: The applicant requested a revision to change various permit conditions, that are contained in Air Operation Permit No. 0490015-005-AV, to match the updated requirements of 40 CFR 60, Subpart GG, which was revised on July 8, 2004. Such changes are primarily related to fuel monitoring and additional emissions monitoring options. This permitting action will also be used to replace Appendix TV-4, Title V Conditions (version dated 02/12/02) with Appendix TV-6, Title V Conditions (version dated 6/23/06), as well as other minor administrative corrections as described below. It was determined that a concurrent Air Construction permit revision was not required because the changes contained in this revision do not alter the requirements contained in the construction permits to comply with the applicable portions of 40 CFR 60, Subpart GG. The only referenced attachments that are being issued with this revision are Appendix GG - Standards of Performance for Stationary Gas Turbines and Appendix TV-6, Title V Conditions (version dated 6/23/06), which is replacing the existing Appendix TV-4. The other referenced attachments are unchanged by this permitting action and will remain as issued with the Title V Air Operation Permit Renewal (permit no. 0490015-005-AV) that was effective on January 1, 2005.

Permitting Authority: Applications for air operation permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, 62-213 and 62-214 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and an air permit is required to approve the requested changes. The Department of Environmental Protection's Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination for this project. The Permitting Authority's physical address is: 111 S. Magnolia Drive, Tallahassee, Florida 32301. The Permitting Authority's mailing address is: 2600 Blair Stone Road, Mail Station 5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/488-0114.

Project File: A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at address indicated above for the Permitting Authority. The complete project file includes the DRAFT/PROPOSED Permit, the Technical Evaluation and Preliminary Determination, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address and phone number listed above. A copy of the complete project file is also available at the Department of Environmental Protection's Southwest District Office at 13051 North Telecom Parkway, Temple Terrace, FL 33637-0926 (Telephone: 813/632-7600).

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PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT

120.569 and 120.57, F.S. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

Comments: The Permitting Authority will accept written comments concerning the DRAFT/PROPOSED Permit for a period of thirty (30) days from the date of publication of this Public Notice. Written comments must be post-marked and all facsimile comments must be received by the close of business (5:00 pm), on or before the end of this 30-day period, by the Permitting Authority at the above address. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location in the Florida Administrative Weekly (<http://faw.dos.state.fl.us/>) and in a newspaper of general circulation in the area affected by the permitting action. For additional information, contact the Permitting Authority at the above address or phone number. If written comments or comments received at a public meeting result in a significant change to the DRAFT/PROPOSED Permit, the Permitting Authority shall issue a Revised DRAFT/PROPOSED Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

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(Public Notice to be Published in the Newspaper)

PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT

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