FLORIDA DEPARTMENT OF
Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Noah Valenstein
Secretary

NOTICE OF ADMINISTRATIVELY CORRECTED PERMIT

In the Matter of a Request for Administrative Correction:

Mr. Richard Christmas, Plant Manager
Florida Power Development, LLC
10311 Cement Plant Road
Brooksville, Florida 34601

Mr. Jeff Winkler, Class A Management Committee Member
Florida Power Development, LLC
1111 Fannin Street
Houston, Texas 77002

Project No. 0530380-017-AV
Administrative Correction to
Permit No. 0530380-002-AV
Brooksville Power Plant
Hernando County

Dear Mr. Christmas and Mr. Winkler:

Enclosed is an Administrative Correction to Title V Air Operation Permit No. 0530380-002-AV, to recognize the cessation of operation of the Brooksville Power Plant located in Hernando County at 10311 Cement Plant Road, Brooksville, Florida. This correction is issued pursuant to Rule 62-210.360, Florida Administrative Code (F.A.C.), and Chapter 403, Florida Statutes (F.S.). This change is made at the applicant's request dated November 30, 2018, to expire the Title V air operation permit for the facility as of November 30, 2018, due to the fact that Florida Power Development officially shut down the plant and has transferred its ownership interests in all assets remaining at the site to an unrelated entity, Brooksville PP Assets Holding Company, LLC.

The Department's proposed agency action shall become final unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition set forth below. On the filing of a timely petition, this action will not be final and effective until further order of the Department or the petition has been dismissed or withdrawn. Because the administrative hearing process is designed to formulate final agency action, the hearing process may result in a modification of the agency action or even reversal of the agency action.

A person whose substantial interests are affected by the proposed decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. Petitions filed by the applicant or any of the parties listed below must be filed within 14 days of receipt of this written notice. Petitions filed by any other person must be filed within 14 days of receipt of this proposed action. A petitioner must mail a copy of the petition to the applicant at the address indicated above, at the time of filing. A petition for administrative hearing must contain the information set forth below and must be filed (received) with the Agency Clerk in the Office of General Counsel, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399-3000, Agency_Clerk@dep.state.fl.us, before the deadline.

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 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, any email address, telephone number and any facsimile number of the petitioner; the name, address, any email address, telephone number, and any facsimile 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 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 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.

Once this decision becomes final, any party to this order has the right to seek judicial review by the filing of a Notice of Appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida, 32399-3000, Agency_Clerk@dep.state.fl.us; 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 of Appeal must be filed within thirty days from the date this action is filed with the Agency Clerk.

Should you have questions concerning this change, please contact Jon Holtom, P.E., at (850) 717-9079, or by email at: jon.holtom@dep.state.fl.us.

Executed in Tallahassee, Florida.

Jonathan Holtom

Digitally signed by Jonathan Holtom, P.E.
Date: 2018.12.07 10:22:02 -05'00'

for:

Syed Arif, P.E., Program Administrator
Office of Permitting and Compliance
Division of Air Resource Management

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Notice of Administratively Corrected Permit, or a link to this document available electronically on a publicly accessible server, was sent by electronic mail with received receipt requested before the close of business on the date shown in the Clerk's stamp to the persons listed below:

Mr. Richard Christmas, Florida Power Development, Plant Manager: richard.christmas@fpdbrooksville.com
Mr. Jeff Winkler, JPMorgan Chase: jeff.winkler@jpmchase.com
Mr. John Lambert, Tateswood Energy: jlambert@tateswood.com
Mr. James Runk, Tateswood Energy: jrunk@tateswood.com
Dr. Max Lee, Koogler & Associates: mlee@kooglerassociates.com
Ms. Angela Morrison, Morrison Law: amorrison@morrisonlaw.com
Florida DEP Siting Coordination Office: SCO@dep.state.fl.us
Mr. Robert Hayden, DEP-SWD Compliance Office: robert.hayden@dep.state.fl.us
EPA Region 4: R4TitleVFL@epa.gov
Ms. Lynn Scearce, DEP OPC: lynn.scearce@dep.state.fl.us

Clerk Stamp

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

Lynn Scearce

Digitally signed by Lynn Scearce
Date: 2018.12.07 10:35:06 -05'00'

NOTICE OF ADMINISTRATIVELY CORRECTED PERMIT

This permitting action makes administrative corrections to the expiration date of the existing Title V air operation permit No. 0530380-002-AV, which was effective November 24, 2014.

Pursuant to the applicant's request, the expiration date listed on the signature page of permit No. 00530380-002-AV has been changed as follows:

From: November 24, 2019

To: November 30, 2018

All rights to operate any emissions units/activities at this site have been surrendered and are hereby terminated.