



# Florida Department of Environmental Protection

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

Charlie Crist  
Governor

Jill Kottkamp  
Lt. Governor

Michael W. Sole  
Secretary

October 9, 2007

*Sent Electronically – Received Receipt Requested*

Mr. Jason Goodwin, Director of Environmental Health and Safety  
Calpine Corporation  
717 Texas Avenue, Suite 100  
Houston, Texas 77002

Re: Project No. 1050221-013-AV  
Title V Air Operation Permit Renewal  
Auburndale Energy Complex

Dear Mr. Goodwin:

One copy of the draft Title V air operation permit renewal is enclosed for the Auburndale Energy Complex in Polk County, Florida. The Bureau of Air Regulation's Intent to Issue an Air Permit and the Public Notice of Intent to Issue an Air Permit are also included. An electronic version of the draft Title V air operation permit renewal has been posted on the Division of Air Resource Management's World Wide Web site for review by the Region 4 Office of the U.S. Environmental Protection Agency. The web site address is:

["http://www.dep.state.fl.us/air/eproducts/apds/default.asp"](http://www.dep.state.fl.us/air/eproducts/apds/default.asp)

The Public Notice of Intent to Issue a Title V Air Operation Permit Renewal must be published as soon as possible. Proof of publication, i.e., newspaper affidavit, must be provided to the permitting authority's office within seven days of publication pursuant to Rule 62-110.106(5), Florida Administrative Code (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 the Program Administrator at the above letterhead address. If you have any other questions, please contact project engineer Bruce Thomas, at 850/488-0114.

Sincerely,

Trina L. Vielhauer, Chief  
Bureau of Air Regulation

Enclosures

TLV/jfk/bxt

## WRITTEN NOTICE OF INTENT TO ISSUE AN AIR PERMIT

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

Calpine Corporation  
717 Texas Avenue, Suite 100  
Houston, Texas 77002

Draft Permit No. 1050221-013-AV  
Title V Air Operation Permit Renewal  
Auburndale Energy Complex  
Polk County, Florida

*Responsible Official:* Mr. Jason Goodwin, Director  
Environmental Health and Safety

**Facility Location:** The Calpine Corporation operates the existing Auburndale Energy Complex, which is located in Polk County at 1501 and 1651 Derby Avenue, Auburndale, Florida.

**Project:** On July 5, 2007, Calpine Corporation applied for a renewal of the Title V air operation permit for the Auburndale Energy Complex, which consists of three power plants. The Auburndale Power Plant consists of a nominal 156 MW combined cycle unit, fuel oil storage tanks, emergency generators, heating units and engines, and surface coating operations. The Auburndale Peak Energy Center consists of a nominal 120 MW simple cycle combustion turbine-electrical generator set. The Osprey Energy Center includes a nominal 540 MW combined cycle unit consisting of two combustion turbines, two HRSG with duct burner systems, one shared nominal 200 MW steam-electrical generator set and a cooling tower. The combustion turbine units are subject to the federal Acid Rain Program. The facility also operates other miscellaneous unregulated and insignificant emissions units and activities.

**Permitting Authority:** The application for a Title V Permit is subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.), and Chapters 62-4, 62-210, 62-212, 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 perform the proposed work. The Florida Department of Environmental Protection's Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination for this project. The Bureau of Air Regulation's physical address is 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301 and the mailing address is 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Bureau of Air Regulation's phone number is 850/488-0114; and, the facsimile number is 850/921-9533.

**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 Title V air operation permit (Draft Permit), the Statement of Basis, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may view the Draft Permit by visiting the following website <http://www.dep.state.fl.us/air/eproducts/apds/default.asp>.

**Notice of Intent to Issue Air Permit:** The Permitting Authority gives notice of its intent to issue a permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of the facility 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, 62-214, 62-296, and 62-297, F.A.C. The Permitting Authority will issue a Proposed Permit and subsequent Final Permit in accordance with the conditions of the Draft Permit unless a response received in accordance with the following procedures results in a different decision or a significant change of terms or conditions.

**Public Notice:** Pursuant to Section 403.815, F.S., and Rules 62-110.106 and 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 an 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 requirements, please contact the Permitting Authority at the address or phone number listed above. Pursuant to Rules 62-110.106(5) & (9), F.A.C., the applicant shall provide proof of publication to the Permitting Authority at the above address within seven 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 the Draft Permit for a period of 30 days from the date of publication of the Public Notice of Intent to Issue a Title V Air Operation Permit Renewal. 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 or facsimile. As part of his or her comments, any person

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## WRITTEN NOTICE OF INTENT TO ISSUE AN AIR PERMIT

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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. *Subsequent action on the Title V and Title IV parts of the Draft Permit renewal may be split if comments are received on the Title V portion of the Draft Permit.* 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 Permit, the Permitting Authority shall issue a revised Draft Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

**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 14 days of receipt of this Written Notice of Intent to Issue A Title V Air Operation Permit Renewal. 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 publication of the attached Public Notice or within 14 days of receipt of this Written Notice of Intent to Issue A Title V Air Operation Permit Renewal, 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 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 (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 interests will be affected by the agency determination; (c) A statement of when and how 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 decision; (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 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 a Title V Air Operation Permit Renewal. 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.

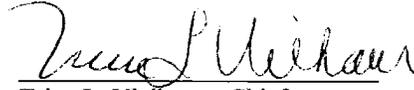
**Mediation:** Mediation is not available in this proceeding.

**Objections:** Finally, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 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 Permit. Any petition shall be based only on objections to the Permit that were raised with reasonable specificity during the 30 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 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.

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20460. For more information regarding objections, visit EPA's Region 4 web site at:  
<http://epa.gov/region4/air/permits/Florida.htm>.

Executed in Tallahassee, Florida.



Trina L. Vielhauer, Chief  
Bureau of Air Regulation

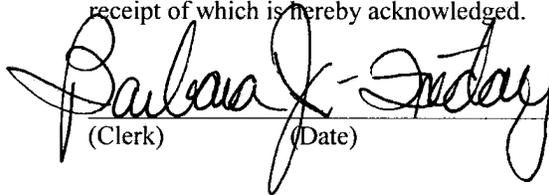
**CERTIFICATE OF SERVICE**

The undersigned duly designated deputy agency clerk hereby certifies that this Written Notice of Intent to Issue An Air Permit package (including the Public Notice and Draft Permit) was sent electronically with received receipt requested before the close of business on 10/11/07 to the persons listed below.

Mr. Jason Goodwin, Calpine Corporation ([jgoodwin@calpine.com](mailto:jgoodwin@calpine.com))  
Ms. Heidi Whidden, Calpine Corporation ([hwhidden@calpine.com](mailto:hwhidden@calpine.com))  
Mr. Thomas Davis, ECT ([tdavis@ectinc.com](mailto:tdavis@ectinc.com))  
Ms. Cindy Zhang-Torres, Southwest District Office ([Cindy.Zhang-Torres@dep.state.fl.us](mailto:Cindy.Zhang-Torres@dep.state.fl.us))  
Ms. Kathleen Forney, EPA Region 4 ([forney.kathleen@epa.gov](mailto:forney.kathleen@epa.gov))  
Posted for EPA Region 4 Review

Clerk Stamp

**FILING AND ACKNOWLEDGMENT FILED**, on this date, pursuant to Section 120.52(7), F.S., with the designated agency Clerk, receipt of which is hereby acknowledged.

 10/11/07  
(Clerk) (Date)

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## PUBLIC NOTICE OF INTENT TO ISSUE AN AIR PERMIT

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Department of Environmental Protection  
Draft Permit No. 1050221-013-AV  
Auburndale Energy Complex  
Polk County, Florida

**Applicant:** The applicant for this project is the Calpine Corporation for the Auburndale Energy Complex. The applicant's responsible official is Mr. Jason Goodwin, Director of Environmental Health and Safety, Calpine Corporation, 717 Texas Avenue, Suite 100, Houston, Texas 77002.

**Location:** The Calpine Corporation operates the existing Auburndale Energy Complex, which is located in Polk County at 1501 and 1651 Derby Avenue, Auburndale, Florida.

**Project:** On July 5, 2007, Calpine Corporation applied for a renewal of the Title V air operation permit for the Auburndale Energy Complex, which consists of three power plants. The Auburndale Power Plant consists of a nominal 156 MW combined cycle unit, fuel oil storage tanks, emergency generators, heating units and engines, and surface coating operations. The Auburndale Peak Energy Center consists of a nominal 120 MW simple cycle combustion turbine-electrical generator set. The Osprey Energy Center includes a nominal 540 MW combined cycle unit consisting of two combustion turbines, two HRSG with duct burner systems, one shared nominal 200 MW steam-electrical generator set and a cooling tower. The combustion turbine units are subject to the federal Acid Rain Program. The facility also operates other miscellaneous unregulated and insignificant emissions units and activities.

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**PUBLIC NOTICE OF INTENT TO ISSUE AN AIR PERMIT**

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**Mediation:** Mediation is not available in this proceeding.

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