



# FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

BOB MARTINEZ CENTER  
2600 BLAIR STONE ROAD  
TALLAHASSEE, FLORIDA 32399-2400

RICK SCOTT  
GOVERNOR

HERSCHEL T. VINYARD JR.  
SECRETARY

## NOTICE OF ADMINISTRATIVELY CORRECTED PERMIT

In the Matter of a Request for Administrative Correction:

Mr. W. Lance Schuler  
Executive Vice President  
Quantum Auburndale Power, LP  
1401 McKinney Street, Suite 1800  
Houston, Texas 77010

Project No. 1050221-018-AV  
Administrative Correction to Permit No. 1050221-016-AV  
Quantum Auburndale Power, LP  
Polk County

Dear Mr. Schuler,

Enclosed is an administrative correction for Title V Air Operation Permit No. 1050221-016-AV, for the operation of the Quantum Auburndale Power, LP located in Polk County at 1501 West Derby Avenue, Auburndale, 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 received on May 13, 2013, to change the name of the ownership from Auburndale Power Partners, LP to Quantum Auburndale Power, LP. This corrective action does not alter the effective dates of the existing permit.

The Department's proposed agency action shall become final unless a petition for an administrative hearing is timely 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this action will not be final and effective until further order of the Department or the petition has been dismissed or withdrawn.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](mailto: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.

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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](mailto: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 of ownership, please contact Tammy McWade at (850) 717-9086, or by email at: [tammy.mcwade@dep.state.fl.us](mailto:tammy.mcwade@dep.state.fl.us).

Executed in Tallahassee, Florida.

*for* Jeffery F. Koerner, 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. W. Lance Schuler, Quantum Auburndale Power: [lschuler@quantumug.com](mailto:lschuler@quantumug.com)  
Mr. Walter Lachney, Wood Group: [walter.lachney@woodgroup.com](mailto:walter.lachney@woodgroup.com)  
Ms. Kelley Boatwright, SW District: [kelley.boatwright@dep.state.fl.us](mailto:kelley.boatwright@dep.state.fl.us)  
Ms. Kathleen Forney, EPA Region 4: [forney.kathleen@epa.gov](mailto:forney.kathleen@epa.gov)  
Ms. Ana Oquendo, EPA-Region 4: [oquendo.ana@epamail.epa.gov](mailto:oquendo.ana@epamail.epa.gov)  
Ms. Barbara Friday, DEP OPC: [barbara.friday@dep.state.fl.us](mailto:barbara.friday@dep.state.fl.us)  
Ms. Lynn Searce, DEP OPC: [lynn.searce@dep.state.fl.us](mailto:lynn.searce@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.

**NOTICE OF ADMINISTRATIVELY CORRECTED PERMIT**

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Pursuant to the applicant's request, the change in the name of ownership contained in permit No. 1050221-016-AV has been corrected as indicated below.

FROM: Auburndale Power Partners, LP  
1501 West Derby Avenue  
Auburndale, Florida 33823

TO: Quantum Auburndale Power, LP  
1401 McKinney Street, Suite 1800  
Houston, Texas 77010