



Jack Long, Director  
Southeast District Office

April 26, 2010

# Florida Department of Environmental Protection

Southeast District Office  
400 N. Congress Avenue, Suite 200  
West Palm Beach, FL 33401  
(561) 681-6600

Charlie Crist  
Governor

Jeff Kottkamp  
Lt. Governor

Michael W. Sole  
Secretary

*Sent by Electronic Mail – Received Receipt Requested*  
[potero@ls9.com](mailto:potero@ls9.com)

Mr. Pablo Otero, Director Capital Projects  
LS9 Properties, Inc.  
600 Gateway Blvd.  
South San Francisco, CA 94080

DEP File No. 0930109-010-AO  
Okeechobee County  
Project: Air Operation Permit Transfer

RE: Transfer of an Air Operation Permit Issued July 7, 2005 to BP Technology, Inc. to the new facility owner  
LS9 Properties, Inc.

Dear Mr. Otero:

We have reviewed your request for transfer of the above permit. Pursuant to that request, the permit is changed as follows:

**FROM:**

**PERMITTEE:**

Mr. Larry L. Denney, President  
BP Technology  
4173 NE 80 Avenue  
Okeechobee, Florida 34972

**TO:**

**PERMITTEE:**

Mr. Pablo Otero, Director Capital Projects  
LS9 Properties, Inc.  
600 Gateway Blvd.  
South San Francisco, CA 94080

This letter must be attached to the original permit and becomes part of that permit. This modification does not alter the expiration date, specific or general conditions, or other requirements of the original permit.

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 at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/245-2241). Petitions filed by the applicant or any of the

**AIR OPERATION PERMIT TRANSFER NO. 0930104-010-AO**

---

parties listed below must be filed within 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 14 days of publication of the attached Public Notice or within 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 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 decision; (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 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.

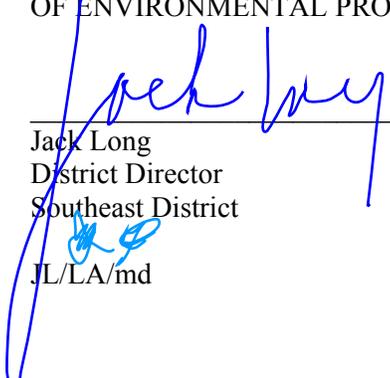
Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Permitting Authority's final action may be different from the position taken by it in this Written Notice of Intent to Issue Air Permit. Persons whose substantial interests 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.

If you have questions regarding this modification, you may contact Manuel P. Delosantos at 561-681-6628.

Executed in West Palm Beach, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

  
\_\_\_\_\_  
Jack Long  
District Director  
Southeast District

JL/LA/md

4-26-2016  
Date

**AIR OPERATION PERMIT TRANSFER NO. 0930104-010-AO**

---

cc: Pradeep Raval, Consultant: [praval@kooglerassociates.com](mailto:praval@kooglerassociates.com)

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



Clerk



Date