



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
REGION 4  
ATLANTA FEDERAL CENTER  
61 FORSYTH STREET  
ATLANTA, GEORGIA 30303-8960

**March 7, 2013**

**Kyle Baker**  
Protected Resources Division  
NOAA National Marine Fisheries Service  
Southeast Regional Office  
263 13<sup>th</sup> Avenue South  
St. Petersburg, Florida 33701-5505

**Subject: Designation of Non-Federal Representative and Request for Informal Consultation under Section 7 of the Federal Endangered Species Act for the Proposed New Hope Power Company – Okeelanta Cogeneration Station Project**

**Dear Mr. Baker:**

By this letter, the United States Environmental Protection Agency Region 4 requests informal consultation and concurrence under Section 7 of the federal Endangered Species Act (ESA) for the proposed New Hope Power Company (NHPC) – Okeelanta Cogeneration Station (Project). NHPC is proposing to install an additional boiler fired by natural gas with fuel oil as back up.

The Project will result in net emission increases greater than Prevention of Significant Deterioration (PSD) threshold limits for particulate matter of less than or equal to ten microns in diameter, particulate matter of less than or equal to 2.5 microns in diameter, oxides of nitrogen, carbon monoxide, sulfuric acid mist, and greenhouse gases (GHGs); therefore, the project is subject to PSD review. Region 4 will be responsible for issuing a PSD permit regulating GHG emissions and the Florida Department of Environmental Protection (FDEP) is responsible for issuing a PSD permit for the remaining pollutants. The proposed project is located near South Bay in Palm Beach County, Florida.

In processing NHPC's PSD permit application, the EPA must assure that listed species or their critical habitat will not be jeopardized by the changes at the NHPC facility. Although endangered species are discussed in the application, the information contained therein does not appear to be sufficient enough to adequately support a determination that there will be no additional impacts on biological resources. Consequently, we are unable to determine our obligations, if any, under Section 7 of the ESA.

Region 4 would like to begin an informal consultation with the NOAA National Marine Fisheries Service (NMFS) regarding the proposed project. NHPC has been designated by Region 4 as the non-federal representative and will be responsible for preparing and submitting a complete Biological Assessment to Region 4 and the NMFS.

If you have any questions concerning the review of this application, please contact James Purvis of the Air Permits Section at (404) 562-9139.

Sincerely,



Kelly A. Fortin  
Acting Chief  
Air Permits Section

Enclosure (CD of Application)

cc: Jeff Koerner, FDEP  
Mathew Capone, NHPC  
Phil Scott, P.E., Golder Associates Inc.