

Mr. Lowell Trotter
Plant General Manager
FPLE Forney, L.P.
13770 West U.S. Highway 80
Forney, Texas 75126

Re: Effective Permit Approval
Initial Issuance
Permit Number: O2402
FPLE Forney, L.P.
Forney Energy Center
Forney, Kaufman County
Regulated Entity Number: RN100213420
Customer Reference Number: CN600126809

Dear Mr. Trotter:

The effective federal operating permit (FOP) for FPLE Forney, L.P., Forney Energy Center is enclosed. This FOP constitutes authority to operate the emission units identified in the FOP application. In addition, all acid rain requirements were incorporated into the FOP, and therefore, the acid rain only permit has been superceded.

All site operating permits are subject to public petition for 60 days following the expiration of the 45-day U.S. Environmental Protection Agency (EPA) review. The public petition period for the FOP extends from November 29, 2004 until January 27, 2005. If the EPA receives a valid petition and objects to the above-referenced permit, you will be notified promptly by the Texas Commission on Environmental Quality (TCEQ).

It should be noted that from the date of this letter FPLE Forney, L.P., Forney Energy Center must operate in accordance with the requirements of Title 30 Texas Administrative Code (30 TAC) Chapter 122 and the FOP. Some of the terms and conditions contained in the FOP include recordkeeping conditions, reporting conditions (which includes deviation reporting), and compliance certification conditions. All reports, along with any questions regarding the reports, shall be forwarded to the TCEQ's Dallas/Fort Worth Regional Office, 2309 Gravel Drive, Fort Worth, Texas 76118.

Mr. Lowell Trotter
Page 2

Consistent with 30 TAC Chapter 122, Subchapter C, the permit holder shall submit an application to the Air Permits Division (APD) for a revision to an FOP for those activities at a site which change, add, or remove one or more FOP terms or conditions. The permit holder shall also submit an application to the APD for a revision to a permit to address the following: the adoption of an applicable requirement previously designated as federally enforceable only; the promulgation of a new applicable requirement; the adoption of a new state-only requirement; or a change in a state-only designation.

Please reference the regulated entity number (RN), customer reference number (CN), and permit number noted in this document in all your future correspondence for the referenced facility or site. The RN replaces the former TCEQ account number for the facility (if portable) or site (if permanent). The CN is a unique number assigned to the company or corporation and applies to all facilities and sites owned or operated by this company or corporation.

Thank you again for your cooperation in this matter. If you have questions concerning the review or this notice, please contact Ms. Nancy White at (512) 239-1313.

Sincerely,

Glenn Shankle
Executive Director
Texas Commission on Environmental Quality

GS/NW/kjp

cc: Mr. William Haviland, Production Manager, FPLE Forney, L.P., Forney
Mr. Brian Fennell, Plant Environmental Leader, FPLE Forney, L.P., Forney
Mr. Tony L. Walker, Air Section Manager, Region 4 - Fort Worth

Enclosure: Effective Permit

cc: Air Permit Section Chief, U.S. Environmental Protection Agency, Region 6, Dallas

Project Numbers: 3042 and 6800

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Mr. Lowell Trotter
Page 3

bcc: Michael De La Cruz, TCEQ Office of Environmental Policy, Analysis and Assessment, Industrial Emissions Assessment Section (MC-164), Austin