DEPARTMENT of ENVIRONMENT and NATURAL RESOURCES
PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

October 8, 2008

Oris Holden
47660 320th Street
Elk Point, SD 57025

Re: Request to extend comment period for the Hyperion Energy Project PSD permit

Dear Mr. Holden:

As per your request, the South Dakota Department of Environment and Natural Resources hereby grants your request to extend the public comment period on the draft Prevention of Significant Deterioration air quality pre-construction permit for the Hyperion Energy Center. The comment period for the draft permit will be extended until November 14, 2008. Since we have had similar requests from others, this extension applies to all parties and the public. For details on the extension, please review the enclosed public notice.

Please find enclosed a copy of a page from Hyperion's revised permit application that lists the annual emissions. The draft permit establishes the Best Available Controls Technology and the associated emission limits (e.g. pounds per hour) for each air pollutant that the Hyperion Energy Center must meet. The emission limits are inputted in a model that demonstrated the area will be able to attain the federal National Ambient Air Quality Standards and Prevention of Significant Deterioration increments established by the federal Environmental Protection Agency after the Hyperion Energy Center is operating. The actual emissions from Hyperion are required to be less than these emission limits and therefore the annual emissions will be less than those listed in the enclosure. This document can be found on our website at: *http://www.state.sd.us/DENR/Hyperion/Air/200805155RevisionsToApplicationText.pdf.*

During the extension, you also requested that we hold public meetings and/or hearings in the area of the proposed site to allow the public to better understand the draft permit. Based on the information DENR has gathered, this draft permit will be contested. If it is, a hearing will be held in front of the Board of Minerals of Environment. The Board typically first holds a public meeting in which everyone has an opportunity to voice their opinion. After the public meeting, a formal contested case hearing is held in front of the Board. During that hearing, all who petition to become parties to the hearing will have the opportunity to address the proposed permit in detail and that hearing is open for the public to attend as well.

Thank you for responding to our public notice and providing your comments thus far on the draft permit.

Sincerely,

Steven M. Pirner
Secretary

Enclosure:

cc: Preston V. Phillips, Hyperion (w/o enclosure)
Roxanne Giedd, Deputy Attorney General (w/o enclosure)
Carol Rushin, Acting Regional Administrator, EPA Region 8 (w/o enclosure)