

BOARD OF MINERALS AND ENVIRONMENT  
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

|                                     |   |                     |
|-------------------------------------|---|---------------------|
| IN THE MATTER OF THE                | ) | Permit #28.0701-PSD |
| PREVENTION OF SIGNIFICANT           | ) |                     |
| DETERIORATION (PSD) AIR             | ) |                     |
| QUALITY PERMIT APPLICATION          | ) |                     |
| OF HYPERION ENERGY CENTER-          | ) |                     |
| HYPERION REFINING LLC               | ) |                     |
|                                     | ) |                     |
| Draft Permit Issued: 9-08           | ) |                     |
| Final Proposed Permit Issued: 12-08 | ) |                     |

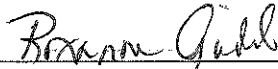
**NOTICE OF ENTRY OF FINDINGS OF FACT,  
CONCLUSIONS OF LAW, AND FINAL DECISION  
OF BOARD OF MINERALS AND ENVIRONMENT  
AND  
PERMIT ISSUANCE**

NOTICE IS HEREBY GIVEN that the Findings of Fact, Conclusions of Law, and Final Decision of the Board of Minerals and Environment in the above entitled matter, copies of which are attached hereto and by reference incorporated herein, were entered by approval of the Board of Minerals and Environment and signed by the Hearing Chair for the Board of Minerals and Environment on the 20<sup>th</sup> day of August, 2009.

NOTICE IS ALSO HEREBY GIVEN that the Prevention of Significant Deterioration (PSD) Air Quality Permit of Hyperion Energy Center – Hyperion Refining LLC, a copy of which is attached hereto and by reference incorporated herein, was issued

in accordance with the decision of the Board of Minerals and Environment on the 20<sup>th</sup>  
day of August, 2009.

Dated this 28th day of August, 2009.

  
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Roxanne Giedd  
Assistant Attorney General

### CERTIFICATE OF SERVICE

The undersigned hereby certifies that true and correct copies of  
Notice of Entry of Findings of Fact, Conclusions of Law and Final Decision of Board of  
Minerals and Environment and Permit Issuance in *In the Matter of the Prevention of  
Significant Deterioration (PSD) Air Quality Permit Application of Hyperion Energy  
Center – Hyperion Refining LLC* were served upon each of the following by electronic  
mail and by United States mail, first class, postage pre-paid, on this 28th day of August,  
2009:


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Roxanne Giedd  
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