PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT

Florida Department of Environmental Protection
Northeast District Office
Air Resource Section
Revised Draft Air Permit No. 0010129-003-AF
Gainesville Regional Utilities
Alachua County, Florida

Applicant: The applicant for this project is Gainesville Regional Utilities. The applicant's authorized representative and mailing address is: Mr. Terry Gordon, Production Manager, Gainesville Regional Utilities, P.O. Box 147117 Sta. A136, Gainesville, Florida, 32614-7117.

Facility Location: Gainesville Regional Utilities, operates which is engaged in electric power generation (Standard Industrial Classification No. 4911). The facility is located in Alachua County at SW 14th Street between SW 13th and SW 14th Avenues, Gainesville, Florida.

Project: On March 3, 2011, Gainesville Regional Utilities submitted an application to the Department of Environmental Protection (Department) requesting a revision to their existing Federally Enforceable State Operation Permit (FESOP) No. 0010129-002-AF in order to reduce the visible emissions testing frequency from annually, each federal fiscal year to every five years prior to operation permit renewal for both Emission Unit 001 (Combustion Turbine Generator and Heat Recovery Steam Generator) and Emission Unit 003 (Auxiliary Boiler). On May 5, 2011, the Department issued a draft permit revision to the existing FESOP to reduce the visible emissions testing frequency from annually, each federal fiscal year, to every five years prior to operation permit renewal for Emission Unit 001, and to reduce the visible emissions testing frequency from annually, each federal fiscal year, to every five years prior to operation permit renewal for Emission Unit 003 only if the unit does not fire fuel oil. The applicant published the Public Notice in The Gainesville Sun on May 12, 2011. No requests for administrative hearings or requests for extensions of time to file a petition for administrative hearing were received. Subsequent to publication of the Public Notice, the applicant submitted comments on the draft permit revision and the Department has made changes to the draft permit revision based on the submitted comments. Pursuant to Rules 62-210.300(2)(b)1.b., and 62-110.106(7),F.A.C., publication of a new Public Notice is required. Based on these changes, the permitting authority is withdrawing the May 5, 2011 draft revision to FESOP No. 0010129-002-AF and is replacing it with the attached Revised Draft permit revision package

Permitting Authority: Applications for air FESOPs are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, and 62-210 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and an air permit is required to perform the proposed work. The Department of Environmental Protection, Northeast District, Air Resources Section is the Permitting Authority responsible for making a permit determination for this project. The Permitting Authority's physical and mailing address is: 7825 Baymeadows Way, Suite B200, Jacksonville, FL 32256-7590. The Permitting Authority's telephone number is 904/256-1700.

Project File: A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at address indicated above for the Permitting Authority. The complete project file includes the Revised Draft Permit, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address or phone number listed above. In addition, electronic copies of these documents are available on the following web site: http://www.dep.state.fl.us/air/emission/apds/default.asp.

Notice of Intent to Issue Air Permit: The Permitting Authority gives notice of its intent to issue a revision to the air permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of proposed equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296 and 62-297, F.A.C. The Permitting Authority will issue a Final Permit in accordance with the conditions of the proposed Revised Draft Permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or

conditions.

Comments: The Permitting Authority will accept written comments concerning the proposed Revised Draft Permit for a period of 14 days from the date of publication of the Public Notice. Written comments must be received by the Permitting Authority by close of business (5:00 p.m.) on or before the end of this 14-day period. If written comments received result in a significant change to the Revised Draft Permit, the Permitting Authority shall revise the Revised Draft Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

Petitions: 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: 850/245-2242). 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 this Public Notice or receipt of a written notice, 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 rights will be affected by the agency determination; (c) A statement of when and how the 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 Public 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 for this proceeding.

(Public Notice to be Published in the Newspaper)