



June 29, 1999

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BUREAU OF
AIR REGULATION

Mr. Scott Sheplak, P.E.
Florida Dept. of Environmental Protection
Bureau of Air Regulation
2600 Blair Stone Road, MS 5505
Tallahassee, FL 32399-2400

RE: Gainesville Regional Utilities
Deerhaven Generating Station
Intent to Issue Title V Air Operation Permit

Dear Mr. Sheplak:

Enclosed is proof of publication of the Department's Intent To Issue Title V Air Operation Permit for the above-referenced facility.

Sincerely,

Yolanta E. Jonynas
Sr. Environmental Engineer

xc: T. Cascio, FDEP - Tall.
R. Casserleigh
D. DuBose
S. Manasco
CAA Title V

7/1/99 cc: Tom Cascio

DHTVproofofpub.y29

Legal Notice

Legal Notice

PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Title V Revised DRAFT Permit
No.: 0010006-001-AV
Deerhaven Generating Station
Alachua County

The Department of Environmental Protection (permitting authority) gives notice of its intent to issue a Title V air operation permit to the City of Gainesville, Gainesville Regional Utility for the Deerhaven Generating Station located off U.S. 441 North/SR 20/SR 25, Gainesville, Alachua County. The applicant's name and address are: Mr. Michael L. Kurtz, General Manager, Gainesville Regional Utilities, P.O. Box 147117, Station A134, Gainesville, Florida 32614-7117. The permitting authority will issue the Title V PROPOSED Permit, and subsequent Title V FINAL Permit, in accordance with the conditions of the Title V Revised DRAFT Permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions. The Revised DRAFT Permit incorporates Phase I/II NOx standards into the Title IV Acid Rain Part pursuant to Rule 62-214.360(6), Florida Administrative Code (F.A.C.). The permitting authority will accept written comments concerning the proposed Title V Revised DRAFT Permit issuance action for a period of 30 (thirty) days from the date of publication of this Notice. Written comments should be provided to the Department's Bureau of Air Regulation, 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this Revised DRAFT Permit, the permitting authority shall issue another Revised DRAFT Permit and require, if applicable, another Public Notice. 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 of the Florida Statutes (F.S.). The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. (Telephone: 850/488-9730; Fax: 850/487-4938). Petitions filed by any persons other than those entitled to written

petitioner's substantial rights will be affected by the agency determination.
(c) A statement of how and when the petitioner received notice of the agency action or proposed action.
(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, as well as the rules and statutes which entitle petitioner to relief; and
(f) A demand for relief.
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 a 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 notice of intent. 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 is not available for this proceeding.
In addition to the above, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 (sixty) days of the expiration of the Administrator's 45 (forty-five) day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to issuance of any permit. Any petition shall be based only on objections to the permit that were raised with reasonable specificity during the 30 (thirty) day public comment period provided in this notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460.
A complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

notice under Section 120.60(3), F.S., must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of the notice of intent, 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 fourteen 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 applicable 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 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, 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

Permitting Authority:
Department of Environmental Protection
Bureau of Air Regulation
111 South Magnolia Drive, Suite 4
Tallahassee, Florida 32301
Telephone: 850/488-1344
Fax: 850/922-6979

Affected District Program:
Department of Environmental Protection
Northeast District Office
7825 Baymeadows Way, Suite 200B
Jacksonville, Florida 32256-7590
Telephone: 905/448-4300
Fax: 904/448-4364

Affected District Branch Office:
Department of Environmental Protection
Northeast District Branch Office
101 NW 75 Street, Suite 3
Gainesville, Florida 32607-1609
Telephone: 352/333-2850
Fax: 352/377-5671

The complete project file includes the Revised DRAFT Permit, the application, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact Scott M. Sheplak, P.E., at the above address, or call 850/921-9532, for additional information.