

February 25, 2011

Mr. Jeff Koerner, P.E.
Professional Engineer Administrator
Florida Department of Environmental Protection
Division of Air Resource Management
111 South Magnolia Drive, Suite 23
Tallahassee, Florida 32301

RECEIVED

MAR 18 2011

**BUREAU OF
AIR REGULATION**

Re: Gainesville Regional Utilities
Deerhaven Generating Station (DGS)
Low NO_x Burners (LNB)
Project No. 0010006-014-AC
Affidavit of Publication

Dear Mr. Koerner:

Please find attached an Affidavit of Publication from the Gainesville Sun which published the Notice of Intent to Issue Air Permit on Saturday February 19, 2011. Also attached is a copy of the actual page from the newspaper.

GRU greatly appreciates the Department's assistance with the processing of this application. If you have any additional questions, please contact me by phone at (352) 393-1283, by e-mail at klemansrw@gru.com.

Sincerely,



Robert W. Klemans, P.E.
Supervising Utility Engineer

RWK

file: DHNSR A 4.2 – Air Correspondence

C:\Documents and Settings\klemansrw\My Documents\WINWORD\LETTERS\tr to J Koerner trans affidavit for NOI to issue permit for DH2 LNB.docx

AFFIDAVIT OF PUBLICATION

The Gainesville Sun
Published – Daily
Gainesville, Alachua County, Florida

STATE OF FLORIDA
COUNTY OF ALACHUA

Before the undersigned, a Notary Public of Said County and State, Ernest Blake, III, who on oath says that he is Legal Advertising Coordinator of THE GAINESVILLE SUN, a daily newspaper published at Gainesville, in Alachua County, Florida; that the attached copy of advertisement, being a notice in the matter of

PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT Florida Department of Environmental Protection Division of Air Resource Management, Bureau of Air Regulation Draft Air Construction Permit Project No. 0010006-014-AC City of Gainesville, Gainesville Regional

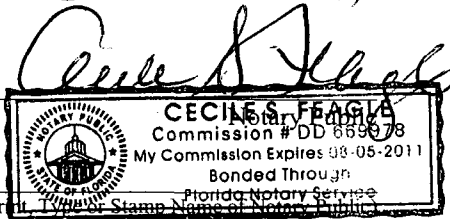
was published in said newspaper in the issues of:

2/19 1x

Affiant further says that the said THE GAINESVILLE SUN is a daily newspaper published at Gainesville, in said Alachua County, Florida, and that the said newspaper has heretofore been continuously published in said Alachua County, Florida, daily, and has been entered as second class mail matter at the post office in Gainesville in said Alachua County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the person of securing this advertisement for publication in the said newspaper.



Sworn to and subscribed before me this 20 day of Feb, A.D., 2011



My commission expires 5 day of Aug, 2011

Ad #: A000684913

**PUBLIC NOTICE OF INTENT
TO ISSUE AIR PERMIT**

Florida Department of
Environmental Protection
Division of Air Resource Management,
Bureau of Air Regulation
Draft Air Construction Permit
Project No. 0010006-014-AC
City of Gainesville,
Gainesville Regional Utilities (GRU)
Deerhaven Generating Station
Alachua County, Florida

Applicant: The applicant for this project is Gainesville Regional Utilities. The applicant's authorized representative and mailing address is: Mr. John W. Stanton, Assistant General Manager, Energy Supply, Post Office Box 147117 (A132), Gainesville, Florida 32614-7117.

Facility Location: Gainesville Regional Utilities operates the existing Deerhaven

Generating Station, which is located in Alachua County at 10001 NW 13th Street in Gainesville, Florida.

Project: Deerhaven Unit 2 is an existing 251 megawatt coal-fired steam electrical generating unit, which includes the following control equipment: selective catalytic reduction (SCR) to reduce nitrogen oxides (NOx) emissions; a circulating dry scrubber to reduce sulfur dioxide emissions; and a baghouse to reduce particulate matter emissions. On January 13th, the applicant requested authorization to replace the existing Unit 2 coal burners with a state-of-the-art low-NOx burner system and a modified over-fire air system. The goal of the project is to reduce the ammonia consumption associated with the SCR system and the related costs. The proposed project will not change the unit capacity and is not expected to increase emissions.

Permitting Authority: Applications for air construction permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210 and 62-212 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 Permitting Authority responsible for making a permit determination for this project is the Bureau of Air Regulation in the Department of Environmental Protection's Division of Air Resource Management. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, Tallahassee, Florida. The Permitting Authority's mailing address is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/717-9000.

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 the physical address indicated above for the Permitting Authority. The complete project file includes the Draft Permit, the Technical Evaluation and Preliminary Determination, the application and information submitted by the applicant (exclusive of confidential records under Section 403.111, F.S.). Interested persons may contact the Permitting Authority's project engineer for additional information at the address and phone number listed above. In addition electronic copies of these documents are available on the following web site by entering draft permit number <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 an air construction 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 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 Draft Permit for a period of 14 days from the date of publication of this 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 the 14-day period. If written comments received result in a significant change to the Draft Permit, the Permitting Authority shall revise the 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. 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.

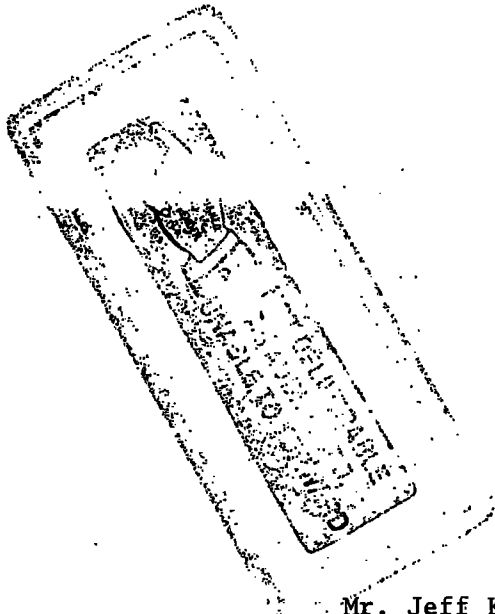
Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Permitting Authority's final action may be different from the position taken by it in this Public Notice of Intent to Issue Air Permit. Persons whose substantial interests 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.

February 19, 2011
#A000684913



P.O. Box 147117, Station A136
301 S.E. 4th Avenue
Gainesville, FL 32614-7117

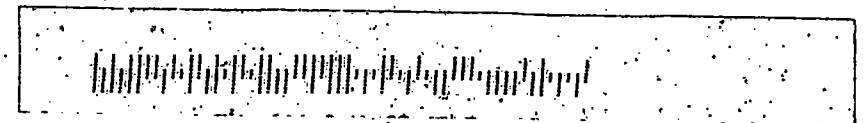


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Mr. Jeff Koerner, P.E.
~~Professional Engineer Administrator~~
~~Florida Department of Environmental Protection~~
~~Division of Air Resource Management~~
~~111 South Magnolia Drive Suite 23~~
Tallahassee, FL 32301



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