

THE FLORIDA TIMES-UNION
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Florida Times-Union
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J.E.A./ENVIRONMENTAL
ATTN: KASEY CLEGHORN
21 W CHURCH ST T-8
JACKSONVILLE FL 32202

BUREAU OF AIR REGULATION

REFERENCE: 0334984
R101196 NOTICE OF INTENT

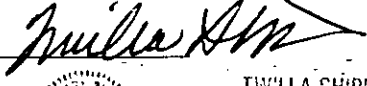
State of Florida
County of Duval

Before the undersigned authority personally appeared Tiffany Powell who on oath says she is a Legal Advertising Representative of The Florida Times-Union, a daily newspaper published in Jacksonville in Duval County, Florida; that the attached copy of advertisement is a legal ad published in The Florida Times-Union. Affiant further says that The Florida Times-Union is a newspaper published in Jacksonville, in Duval County, Florida, and that the newspaper has heretofore been continuously published in Duval County, Florida each day, has been entered as second class mail matter at the post office in Jacksonville, in Duval County, Florida for a period of one year preceeding the first publication of the attached copy of advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission, or refund for the purpose of securing this advertisement for publication in said newspaper.

PUBLISHED ON: 02/13

FILED ON: 02/13/06

Name: Tiffany Powell Title: Legal Advertising Represen
In testimony whereof, I have hereunto set my hand and affixed seal, the day and year aforesaid.

NOTARY: 
TWILLA SHIPP
Notary Public, State of Florida
My comm. expires May 13, 2006
Comm. No. DD 117248



Applicant: The applicant for this project is the JEA, Kennedy Generating Station (KGS), located at 4215 Talleyrand Avenue, Jacksonville, Duval County. The applicant's Responsible Official and Authorized Representative is: Mr. James M. Chansler, P.E., RO and V.P. of Operations and Maintenance, JEA, 21 West Church Street, Jacksonville, Florida 32202-3139. **Facility Location:** The applicant operates the KGS, which is an electrical utility located at 4215 Talleyrand Avenue, Jacksonville, Duval County. **Projects:** The applicant, JEA, applied on November 5, 2004, to the permitting authority for an AC and a Title V Permit Revision regarding the AC language changes requested for the CT No. 7. On August 29, 2005, additional requests were received.

Air Construction Permit. Regarding CT No. 7, the AC is being issued to: 1) remove the federally enforceable requirement to analyze the nitrogen in the fuel oil (No. 2 diesel, a distillate fuel oil), since there is no permitted allowance for any fuel bound nitrogen; 2) make a correction to a rule citing within the specific condition for clarity purposes; 3) clarify when to correct for ISO conditions; and, 4) when to use data substitution related to compliance demonstration for NOx.

Title V Permit Revision. Incorporate the terms and conditions from AC permit, No. 0320047-013-AC, regarding CT No. 7. Therefore, the Title V Permit Revision is being issued to: 1) Incorporate the removal of a requirement to test for fuel bound nitrogen in the No. 2 diesel fuel oil; 2) correct a rule citing within a specific condition for clarity purposes; 3) clarify when to correct for ISO conditions; and, 4) when to use data substitution related to compliance demonstration for NOx.

Permitting Authority: Applications for ACs and Title V Permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, 62-212, 62-213 and 62-214 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and air permits are required to perform the proposed work. The Florida Department of Environmental Protection's Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination for this project. The Bureau of Air Regulation's physical address is 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301 and the mailing address is 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Bureau of Air Regulation's phone number is 850-488-0114; and, the facsimile number is 850/922-6979. The contact for the project is Bruce Mitchell at 850/413-9198.

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 address indicated above for the Permitting Authority. The complete project file includes the Technical Evaluation and Preliminary Determination, the Draft AC, the DRAFT Title V Permit, the request/application, 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 and phone number listed above. A copy of the complete project file is also available at the City of Jacksonville, Environmental Resource Management Department, Environmental Quality, Division, 117 West Duval Street, Suite 225, Jacksonville, Florida 32202, (Telephone: 904/630-4900; and, Fax: 904/630-3638).

Notice of Intent to Issue Permits: The Permitting Authority gives notice of its intent to issue an AC and a Title V Permit Revision 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 applicable provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-214, 62-296, and 62-297, F.A.C.; and, the City of Jacksonville Ordinance Code, Title X, Chapter 376; and, the Jacksonville Environmental Protection Board Rule 2, Parts I thru VII and Parts IX thru XII. The permitting authority will issue the Final AC and the PROPOSED Title V Permit and subsequent FINAL Title V Permit, in accordance with the conditions of the attached Draft AC and the DRAFT Title V 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: Draft AC: The Permitting Authority will accept written comments concerning the proposed Draft AC for a period of fourteen (14) days from the date of publication of the Public Notice. Written comments must be provided to the Permitting Authority at the above address. Any written comments filed will be made available for public inspection. If written comments received result in a significant change to the Draft AC, the Permitting Authority shall revise the Draft AC and require, if applicable, another Public Notice.

Comments: DRAFT Title V Permit: The Permitting Authority will accept written comments concerning the DRAFT Permit for a period of thirty (30) days from the date of publication of the "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT AND A TITLE V AIR OPERATION PERMIT RENEWAL." Written comments must be post-marked and all facsimile comments must be received by the close of business (5:00 pm), on or before the end of this 30-day period, by the Permitting Authority at the above address or facsimile. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location on the Department's official web site for notices at <http://flhraq6.dep.state.fl.us/onw> and in a newspaper of general circulation in the area affected by the permitting action. For additional information, contact the Permitting Authority at the above address or phone number. If written comments or comments received at a public meeting result in a significant change to the DRAFT Permit, the Permitting Authority shall issue a 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, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by the applicant or any of the parties listed below must be filed within fourteen (14) days of receipt of this Written Notice of Intent to Issue Air Permits. Petitions filed by any persons other than those entitled to write petitions must be filed within 30 days of receipt of this Written Notice of Intent to Issue Air Permits.

another Public Notice. Comments: **DRAFT Title V Permit.** The Permitting Authority will accept written comments concerning the DRAFT Permit for a period of thirty (30) days from the date of publication of the "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT AND A TITLE V AIR OPERATION PERMIT RENEWAL." Written comments must be post-marked and all facsimile comments must be received by the close of business (5:00 pm), on or before the end of this 30-day period, by the Permitting Authority at the above address or facsimile. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location on the Department's official web site for notices at <http://flhraq6.dep.state.fl.us/oww> and in a newspaper of general circulation in the area affected by the permitting action. For additional information, contact the Permitting Authority at the above address or phone number. If written comments or comments received at a public meeting result in a significant change to the DRAFT Permit, the Permitting Authority shall issue a 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, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by the applicant or any of the parties listed below must be filed within fourteen (14) days of receipt of this Written Notice of Intent to Issue Air Permits. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within fourteen (14) days of publication of the attached Public Notice or within fourteen (14) days of receipt of this Written Notice of Intent to Issue Air Permits, 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 (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 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 interests will be affected by the agency determination; (c) A statement of how and when each 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, 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; 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 Written Notice of Intent to Issue Air Permits. 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 above.

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 Title V 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 objections arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any Title V 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 or 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. For more information regarding the EPA review and objections, visit EPA's Region 4 web site at: <http://www.epa.gov/region4/air/permits/Florida.htm>.

Mediation: Mediation is not available in this proceeding.

Represent
affixed