

21 West Church Street
Jacksonville, Florida 32202-3139

RECEIVED

JAN 25 2002

BUREAU OF AIR REGULATION



January 24, 2002

Mr. Bruce Mitchell
Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, FL. 32399-2400

Dear Mr. Mitchell:

RE: Proof of Publication
Permits 0310045-008-AV and 0310047-011-AV

ELECTRIC

WATER

SEWER

I am enclosing for your review proof of publication for the public notice of intent to issue the Title V Air Operation Permit revision for permits 0310045-008-AV and 0310047-011-AV.

Should you have any questions, please contact me at (904) 665-5501.

Sincerely,

A handwritten signature in cursive script that reads 'David Norse'.

David Norse
Environmental Permitting
& Compliance Group

Enclosure

BEST AVAILABLE COPY

PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Title V Air Operation Permit Revision
DRAFT Permit No. 0310047-011-AV
Jacksonville Electric Authority
Kennedy Generating Station
Duval County

THE FLORIDA TIMES-UNION
Jacksonville, FL
Affidavit of Publication

Florida Times-Union

J.E.A./ENVIRONMENTAL
ATTN: DAVE ENGLISH
21 W CHURCH ST T-8
JACKSONVILLE FL 32202

REFERENCE: 0334984 Dave English
R76200 Pub Not. of Intent

State of Florida
County of Duval

Before the undersigned authority personally appeared Valerie Vest 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: 01/18

FILED ON: 01/21/02

Valerie Vest

Name: Valerie Vest Title: Legal Advertising Representative

In testimony whereof, I have hereunto set my hand and affixed my official seal, the day and year aforesaid.

NOTARY:

Joan Miller

OFFICIAL NOTARY SEAL
JOAN MILLER
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CC996195
MY COMMISSION EXP. JAN. 23, 2005

The Department of Environmental Protection (permitting authority) gives notice of its intent to issue a Title V Air Operation Permit Revision to Jacksonville Electric Authority for the Kennedy Generating Station located at 4215 Talleyrand Avenue, Jacksonville, Duval County. The purpose of the revision is for the authorization to operate direct water spray fogging devices ahead of the compressore on three identical and existing Westinghouse Model W 501G simple cycle combustion turbines (Nos. 3 thru 5) located at the Jacksonville Electric Authority's Kennedy Generating Station. The applicant's name and address are: Mr. Walter P. Bussells, CEO and Managing Director, Jacksonville Electric Authority, 21 West Church Street, Jacksonville, Florida 32202.

The permitting authority will issue the PROPOSED Permit, and subsequent FINAL Permit, in accordance with conditions of the DRAFT Permit. A response received in accordance with the following procedure, results in a different decision or significant change of terms or conditions.

The permitting authority will accept written comments concerning the proposed 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 results in a significant change in this DRAFT Permit, the permitting authority shall issue a 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, 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 must be filed within 14 (fourteen) days of publication of the public notice or within 14 (fourteen) days of receipt of the notice of intent, whichever occurs first. A petitioner must 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 (or a request for mediation, as discussed below) 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 28-5.207, Florida Administrative Code (F.A.C.).

A petition 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 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 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.

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 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:

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 Local Program: City of Jacksonville Regulatory and Environmental Services Department Air & Water Quality Division 421 West Church Street, Suite 422 Jacksonville, Florida 32202-4111 Telephone: 904/630-3484 Fax: 904/630-3638
--	---

The complete project file includes the 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.