

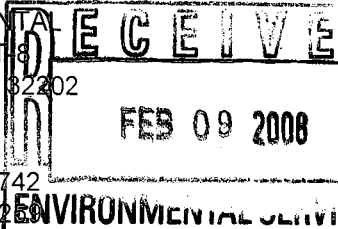
PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISIONS

Florida Department of Environmental Protection
Division of Air Resource Management, Bureau of Air Regulation
Draft/Proposed Title V Air Operation Permit Nos. 0310045-018-AV & 0310485-018-AV
JEA: NGS/SJRPP/ST Facility & Brandy Branch Generating Station
Revised Draft/Proposed Title V Air Operation Permit No: 0310047-017-AV
JEA: Kennedy Generating Station
Duval County, Florida

THE FLORIDA TIMES-UNION
Jacksonville, FL
Affidavit of Publication

Florida Times-Union

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State of Florida
County of Duval

Before the undersigned authority personally appeared Sharon Walker who on oath says he/she is a Legal Advertising Representative of The Florida Times-Union, a daily newspaper published 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 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 preceding 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.

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Name: Sharon Walker Title: Legal Advertiser
In testimony whereof, I have hereunto set my hand aforesaid.

NOTARY: *Sally W. Willis*



Sally W. Willis
Commission # DD482207
Expires January 30, 2010
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Applicant: The applicant for these projects is JEA. The applicant's designated representative and mailing address for these projects are: Mr. Michael Brost, Vice President, Electric Systems, JEA, 21 West Church Street, Jacksonville, Florida 32202.

Facility Location 1: JEA operates the NGS/SJRPP/ST, which is located in Duval County at 4377 Heckshire Drive, Jacksonville, Florida. The existing facility consists of the Northside Generating Station (NGS) and St. Johns River Power Park (SJRPP) facilities and the Separations Technology, LLC (ST) fly ash processing system.

Facility Location 2: JEA also operates the existing Brandy Branch Generating Station, which is located in Duval County at 15701 Beaver Street West, Baldwin City, Florida. The existing facility consists of the following emissions units: Three nominal 170 megawatt (MW) combustion turbine-electrical generators and two one-million gallon capacity fuel oil storage tanks. Two of the combustion turbines are configured for combined cycle mode (EU002, EU003) and one for simple cycle operation (EU001). The combustion turbines use natural gas as the primary fuel and low-sulfur distillate fuel oil as backup fuel.

Facility Location 3: JEA also operates the existing Kennedy Generating Station, which is located in Duval County at 4215 Talleyrand Avenue, Jacksonville, Florida. The existing facility consists of the following emissions units: Three combustion turbines (CT Nos. 3, 7 and 8) and a fuel oil storage tank farm. All three of the combustion turbines are authorized to fire distillate oil. CT Nos. 7 and 8 are also authorized to fire natural gas. New combustion turbine CT No. 8 is expected to commence commercial operation in April 2009.

Projects: The applicant has submitted complete and certified Clean Air Interstate Rule (CAIR) Part Forms and has requested their incorporation into the existing Title V air operation permits for the above listed facilities.

Permitting Authority: Applications for Title V air operation permits for CAIR Part revisions are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, 62-213 and 62-296.470 of the Florida Administrative Code (F.A.C.). The proposed projects are not exempt from air permitting requirements and Title V air operation permits are required to operate the facilities. The Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination for these projects. 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 850/488-0114.

Project Files: Complete project files are 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 draft/proposed permit, the Statement of Basis, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may view the draft/proposed permits by visiting the following website: <http://www.dep.state.fl.us/air/products/apds/default.asp> and entering the permit numbers shown above. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address or phone number listed above.

Notice of Intent to Issue Air Permits: The Permitting Authority gives notice of its intent to issue draft/proposed Title V air operation permit revisions to the applicant for the projects described above. The permit for the Kennedy Generating Station is a revised draft/proposed Title V air operation permit revision, which is being reissued to reflect the addition of the new Unit 8 to the list of CAIR-affected units. It replaces the draft/proposed Title V air operation permit revision that was previously issued on June 10, 2008. The applicant has provided reasonable assurance that operation of the proposed equipment will not adversely impact air quality and that the projects will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-214, 62-296 and 62-297, F.A.C. The Permitting Authority will issue final permits in accordance with the conditions of the draft/proposed permits 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 draft/proposed Title V air operation permits for a period of 30 days from the date of publication of this Public Notice. Written comments must be received by the close of business (5:00 p.m.), on or before the end of this 30-day period by the Permitting Authority at the above address. 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 official web site for notices at Florida Administrative Weekly (FAW) at <http://faw.dos.state.fl.us/> 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/proposed permits, the Permitting Authority shall issue revised permits 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 decisions 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 indicate; (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 Title V Air Operation Permit Revisions. 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.

EPA Review: EPA has agreed to treat the draft/proposed Title V air operation permits as proposed Title V air operation permits and to perform its 45-day review provided by the law and regulations concurrently with the public comment period. Although EPA's 45-day review period will be performed concurrently with the public comment period, the deadline for submitting a citizen petition to object to the EPA Administrator will be determined as if EPA's 45-day review period is performed after the public comment period has ended. The final Title V air operation permits will be issued after the conclusion of the 45-day EPA review period so long as no adverse comments are received that result in a different decision or significant change of terms or conditions. The status regarding EPA's 45-day review of these projects and the deadline for submitting a citizen petition can be found at the following website address: <http://www.epa.gov/region4/air/permits/Florida.htm>.

Objections: Finally, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 days of the expiration of the Administrator's 45-day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to the issuance of any Title V air operation permits. Any petition shall be based only on objections to the permits that were raised with reasonable specificity during the 30-day public comment period provided in the Public 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 permits properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of the 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. For more information regarding EPA review and objections, visit EPA's Region 4 web site at <http://www.epa.gov/region4/air/permits/Florida.htm>.