

Department of Environmental Protection

Jeb Bush
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

David B. Struhs
Secretary

April 12, 2001

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Walter P. Bussells
Chief Executive Officer
Jacksonville Electric Authority (JEA)
21 West Church Street
Jacksonville, Florida 32202-3139
RE: Brandy Branch Facility (Permit No. 0310485-004-AC, PSD-FL-267)
Intent to Issue PSD Permit Modification

The applicant, JEA, applied on March 12, 2001, to the Department for a modification to permit language, clarifying the monitoring requirements for sulfur dioxide. This requirement is specified within air construction permit number 0310485-001-AC, which allows for construction of the Brandy Branch Facility located at Baldwin City, Duval County. The Department has reviewed the request. The wording specified in Specific Condition 23 of **Section III. Emission Units Specific Conditions** is hereby modified as follows, consistent with other recently issued permits:

23. Sulfur Dioxide (SO₂) emissions: SO₂ emissions (at ISO conditions) shall not exceed 1.1 pounds per hour when firing pipeline natural gas and 98.2 pounds per hour when firing maximum 0.05 percent sulfur No. 2 or superior grade distillate fuel oil as measured by applicable compliance methods described below. [Rule 62-212.400, F.A.C.] shall be limited by firing pipeline natural gas (sulfur content not greater than 2 grains per 100 standard cubic foot) and 0.05% sulfur oil. Compliance with this requirement in conjunction with implementation of the Custom Fuel Monitoring Schedule in Specific Conditions 44 and 45 will demonstrate compliance with the applicable NSPS SO₂ emissions limitations from the combustion turbine. Note: This will effectively limit the combined SO₂ emissions for EU-001 through EU-003 to 117 tons per year. [BACT, 40CFR60 Subpart GG and Rules 62-4.070, 62-212.400, and 62-204.800(7), F.A.C.]

A copy of this letter shall be filed with the referenced permit and shall become part of the permit. This permitting decision is issued pursuant to Chapter 403, Florida Statutes.

Any party to this order (permit modification) has the right to seek judicial review of it under Section 120.68, F.S., by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department of Environmental Protection in the Office of General Counsel, Mail Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The notice must be filed within thirty days after this order is filed with the clerk of the Department.

Executed in Tallahassee, Florida.

Howard L. Rhodes, Director
Division of Air Resources
Management

"More Protection, Less Process"

Printed on recycled paper.

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Received by <i>(Please Print Clearly)</i> T. HEANEY</p>	<p>B. Date of Delivery 4.17.01</p>
	<p>C. Signature X <i>T. Heaney</i></p>	<p><input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>
<p>1. Article Addressed to:</p> <p style="padding-left: 40px;">Mr. N. Bert Gianazza, P.E. JEA 21 W. Church St. Jacksonville, FL 32202-3139</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below:</p>	
	<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
	<p>4. Restricted Delivery? <i>(Extra Fee)</i> <input type="checkbox"/> Yes</p>	
<p>2. Article Number <i>(Copy from service label)</i> 7099 3400 0000 1450 2941</p>		
<p>PS Form 3811, July 1999 Domestic Return Receipt 102595-00-M-0952</p>		

U.S. Postal Service CERTIFIED MAIL RECEIPT <i>(Domestic Mail Only; No Insurance Coverage Provided)</i>	
<p>Article Sent To: Mr. N. Bert Gianazza, P.E.</p>	
<p>Postage \$ _____</p> <p>Certified Fee _____</p> <p>Return Receipt Fee <i>(Endorsement Required)</i> _____</p> <p>Restricted Delivery Fee <i>(Endorsement Required)</i> _____</p> <p>Total Postage & Fees \$ _____</p>	<p>Postmark Here</p>
<p>Name <i>(Please Print Clearly)</i> <i>(to be completed by mailer)</i> JEA</p> <hr/> <p>Street, Apt. No., or PO Box No. 21 W. Church St.</p> <hr/> <p>City, State, and ZIP+4® Jacksonville, FL 32202-3139</p>	
<p>PS Form 3800, July 1999 See Reverse for Instructions</p>	

7099 3400 0000 1450 2941

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<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Received by (Please Print Clearly) T. HEANEY B. Date of Delivery 4.17.01</p>
<p>1. Article Addressed to:</p> <p>Mr. Walter P. Bussells Jacksonville Electric Authority 21 West Church Street Jacksonville, Florida 32202</p>	<p>C. Signature <input checked="" type="checkbox"/> T. Heaney <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>
<p>2. Article Number (Copy from service label) 7099 3400 0000 1450 3061</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>PS Form 3811, July 1999</p>	<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>
	<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p> <p>Domestic Return Receipt 102595-00-M-0952</p>

U.S. Postal Service CERTIFIED MAIL RECEIPT <i>(Domestic Mail Only; No Insurance Coverage Provided)</i>									
Article Sent To:									
<table border="1"> <tr> <td>Postage</td> <td>\$</td> </tr> <tr> <td>Certified Fee</td> <td></td> </tr> <tr> <td>Return Receipt Fee (Endorsement Required)</td> <td></td> </tr> <tr> <td>Restricted Delivery Fee (Endorsement Required)</td> <td></td> </tr> </table>	Postage	\$	Certified Fee		Return Receipt Fee (Endorsement Required)		Restricted Delivery Fee (Endorsement Required)		<p style="font-size: 2em; text-align: center;">JE A -</p> <p style="text-align: center;">Postmark Here</p>
Postage	\$								
Certified Fee									
Return Receipt Fee (Endorsement Required)									
Restricted Delivery Fee (Endorsement Required)									
<p>To</p> <p>Mr. Walter P. Bussells</p> <p>Jacksonville Electric Authority</p> <p>21 West Church Street</p> <p>Jacksonville, Florida 32202</p>									
<p>PS Form 3800, July 1999 See Reverse for Instructions</p>									

7099 3400 0000 1450 3061

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this order was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on 4/13/01 to the person(s) listed:

Walter P. Bussells, JEA *
N. Bert Gianazza, P.E., JEA *
Chris Kirts, NED
James L. Manning, P.E. RESD
Gregg Worley, EPA
John Bunyak, NPS

Clerk Stamp

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to §120.52, Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Martha Janellise 4/13/01
(Clerk) (Date)

Florida Department of
Environmental Protection

Memorandum

TO: Howard L. Rhodes

THRU: C. H. Fancy
A. A. Linero

FROM: Michael P. Halpin

DATE: April 10, 2001

SUBJECT: JEA Brandy Branch PSD Permit modification

BAR

Attached for approval and signature is a minor PSD permit modification for the subject facility.

JEA requested this modification, in order to ensure some level of consistency in future interpretations. The revision allows compliance with SO₂ emissions in a manner that is consistent with current permitting practices, and authorizes no substantive change regarding emissions. The proposed modification was publicly noticed in the Florida Times-Union on March 24th, 2001 and no comments were received.

I recommend your approval and signature.

Attachments

/mph

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
R39797 Public Notice

State of Florida
County of Duval

Before the undersigned authority personally appeared Elizabeth Heisler 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.

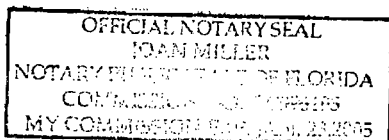
PUBLISHED ON: 03/24

FILED ON: 03/24/01

Name: Elizabeth Heisler 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



PUBLIC NOTICE OF INTENT TO ISSUE PSD PERMIT MODIFICATION

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

DEP File No. 0310485-004-AC, PSD-FL-267

JEA Brandy Branch Generating Facility

Duval County

The Department of Environmental Protection (Department) gives notice of its intent to issue a PSD permit modification for the JEA Brandy Branch Generating Facility located in Duval County. The applicant's mailing address is: 21 West Church Street, Jacksonville, Florida 32202. A Best Available Control Technology (BACT) Determination was not required pursuant to Rule 62-212.400, F.A.C. and 40 CFR 52.21, Prevention of Significant Deterioration (PSD).

This is a newly constructed facility consisting of three simple cycle combustion turbines (CT's) and ancillary equipment. The main fuel for the CT's is pipeline natural gas although 0.05% sulfur fuel oil is permitted for partial use. These units have a PSD Permit (0310485-001-AC) issued by the State of Florida.

The applicant proposes a change to the permit, in order to clarify the methods of compliance for sulfur dioxide. This change is summarized below.

Sulfur Dioxide (SO₂) emissions: SO₂ emissions shall be limited by firing pipeline natural gas (sulfur content not greater than 2 grains per 100 standard cubic foot) and 0.05% sulfur oil. Compliance with this requirement in conjunction with implementation of the Custom Fuel Monitoring Schedule in Specific Conditions 44 and 45 will demonstrate compliance with the applicable NSPS SO₂ emissions limitations from the combustion turbine. Note: This will effectively limit the combined SO₂ emissions for EU-001 through EU-003 to 117 tons per year. [BACT, 40CFR60 Subpart GG and Rules 62-4.070, 62-212.400, and 62-204.800(7), F.A.C.]

No annual increases of regulated pollutants will occur as a result of the modification and no emission limit increases are requested.

The Department will issue the final permit modification with the above condition unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed permit issuance action for a period of 14 days from the date of publication of this Public Notice of Intent to Issue PSD Permit Modification. Written comments should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, FL 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the proposed permit and require, if applicable, another Public Notice.

The Department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to sections 120.569 and 120.57 F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

Mediation is not available in this proceeding.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under section 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent.

Petitions filed by any persons other than those entitled to written notice under section 120.60(3) of the Florida Statutes must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under section 120.60(3), however, any person who asked the Department 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 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 of the Florida Administrative Code.

A petition that disputes the material facts on which the Department'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 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 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; and (g) A statement of the relief sought by the petitioner, stating precisely the action 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 Department'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.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

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:

Dept. of Environmental Protection
Bureau of Air Regulation
Suite 4, 111 S. Magnolia Drive
Tallahassee, Florida 32301
Telephone: 850/488-0114
Fax: 850/922-6979

Dept. of Environmental Protection
Northeast District
Suite 200B, 7825 Baymeadows Way
Jacksonville, Florida 32256
Telephone: 904/448-4300

The complete project file includes the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Administrator, New Source Review Section, or the Department's reviewing engineer for this project, at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/488-0114, for additional information.

21 West Church Street
Jacksonville, Florida 32202-3139



March 28, 2001

E L E C T R I C
W A T E R
S E W E R

Mr. Al Linero, P.E.
Administrator
New Source Review Section
Bureau of Air Quality
Department of Environmental Protection
111 South Magnolia Dr, Suite 4
Tallahassee, FL 32301

RECEIVED

MAR 29 2001

BUREAU OF AIR REGULATION

RE: Brandy Branch Generating Facility
Permit Revision (0310485-004-AC, PSD-FL-267)
Proof of Public Notice

Dear Mr. Linero:

Enclosed please find the proof of public notice for the above permit revision.

If you have any questions with regard to this matter, please contact me at (904) 665-6247.

Sincerely,

A handwritten signature in black ink, appearing to read 'NB Gianazza', is written over a horizontal line.

N. Bert Gianazza, P.E.
Environmental Permitting
& Compliance

Attachments: As Noted.

cc: Mike Halpin, P.E., FDEP

C. Kirtz, NED
G. Manning, RES D
B. Sharley, EPA
G. Bunyah, NPS



Jeb Bush
Governor

Department of Environmental Protection

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

David B. Struhs
Secretary

March 16, 2001

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Walter P. Bussels, Managing Director and CEO
Jacksonville Electric Authority
Brandy Branch Facility
21 West Church Street
Jacksonville, Florida 32202-3139

Re: DEP File No. 0310485-004-AC (PSD-FL-267)
Brandy Branch Facility (Permit No. 0310485-004-AC, PSD-FL-267)
Request for Permit Modification

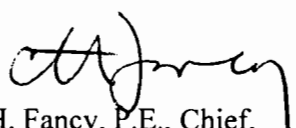
Dear Mr. Bussels:

Enclosed is one copy of the Department's Intent to Issue PSD Permit Modification and the "PUBLIC NOTICE OF INTENT TO ISSUE PSD PERMIT MODIFICATION".

The "PUBLIC NOTICE OF INTENT TO ISSUE PSD PERMIT MODIFICATION" must be published one time only as soon as possible in a newspaper of general circulation in the area affected, pursuant to Chapter 50, Florida Statutes. Proof of publication, i.e., newspaper affidavit, must be provided to the Department's Bureau of Air Regulation office within 7 (seven) days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit.

Please submit any written comments you wish to have considered concerning the Department's proposed action to A. A. Linero, P.E., Administrator, New Source Review Section at the above letterhead address. If you have any questions, please call Michael P. Halpin, P.E. at 850/921-9519.

Sincerely,


C. H. Fancy, P.E., Chief,
Bureau of Air Regulation

CHF/mph

Enclosures

"More Protection, Less Process"

Printed on recycled paper.

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Received by (Please Print Clearly) _____ B. Date of Delivery _____	
	C. Signature x <i>Kay Moore</i> <div style="float: right;"> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee </div>	
1. Article Addressed to: Mr. Darrel Graziani, P.E. EHE - Air Pollution Control Section Palm Beach County Health Department P. O. Box 29 West Palm Beach, FL 33402-0029	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
	3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
2. Article Number (Copy from service label) 7099 3400 0000 1449 2655		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes
PS Form 3811, July 1999 Domestic Return Receipt 102595-99-M-1789		

U.S. Postal Service		
CERTIFIED MAIL RECEIPT		
(Domestic Mail Only; No Insurance Coverage Provided)		
Article Sent To:		
Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
To: Mr. Darrel Graziani, P.E.		
Narr.	EHE - Air Pollution Control Section	
Street	Palm Beach County Health Department	
	P. O. Box 29	
City	West Palm Beach, FL 33402-0029	
PS Form 3800, July 1999 See Reverse for Instructions		

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
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<p>2. Article Number (Copy from service label) 7099 3400 0000 1449 2686</p>		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
PS Form 3811, July 1999		Domestic Return Receipt	
		102595-99-M-1789	

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

Article Sent To:

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		

7099 3400 0000 1449 2686

Mr. Walter P. Bussells
Jacksonville Electric Authority
21 West Church Street
Jacksonville, Florida 32202

PS See Reverse for Instructions

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this order was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on 3/16/01 to the person(s) listed:

Walter P. Bussells, JEA *
N. Bert Gianazza, P.E., JEA *
Chris Kirts, NED
James L. Manning, P.E. RESD
Gregg Worley, EPA
John Bunyak, NPS

Clerk Stamp

FILING AND ACKNOWLEDGMENT FILED,
on this date, pursuant to §120.52, Florida Statutes,
with the designated Department Clerk, receipt of
which is hereby acknowledged.

Charlotte J Hayes 3/16/01
(Clerk) (Date)

April XX, 2001

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Walter P. Bussells
Chief Executive Officer
Jacksonville Electric Authority (JEA)
21 West Church Street
Jacksonville, Florida 32202-3139
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Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department 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 in this proceeding.

In addition to the above, a person subject to regulation has a right to apply for a variance from or waiver of the requirements of particular rules, on certain conditions, under Section 120.542 F.S. The relief provided by this state statute applies only to state rules, not statutes, and not to any federal regulatory requirements. Applying for a variance or waiver does not substitute or extend the time for filing a petition for an administrative hearing or exercising any other right that a person may have in relation to the action proposed in this notice of intent.

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. The petition must specify the following information: (a) The name, address, and telephone number of the petitioner; (b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any; (c) Each rule or portion of a rule from which a variance or waiver is requested; (d) The citation to the statute underlying (implemented by) the rule identified in (c) above; (e) The type of action requested; (f) The specific facts that would justify a variance or waiver for the petitioner; (g) The reason why the variance or waiver would serve the purposes of the underlying statute (implemented by the rule); and (h) A statement whether the variance or waiver is permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

The Department will grant a variance or waiver when the petition demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of those terms is defined in Section 120.542(2) F.S., and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner.

Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable by the Administrator of the EPA and by any person under the Clean Air Act unless and until the Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

This permitting decision is final and effective on the date filed with the clerk of the Department unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition pursuant to Rule 62-110.106, F.A.C., and the petition

conforms to the content requirements of Rules 28-106.201 and 28-106.301, F.A.C. Upon timely filing of a petition or a request for extension of time, this order will not be effective until further order of the Department.

Any party to this permitting decision (order) has the right to seek judicial review of it under section 120.68 of the Florida Statutes, by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department of Environmental Protection in the Office of General Counsel, Mail Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The notice must be filed within thirty days after this order is filed with the clerk of the Department.

Executed in Tallahassee, Florida.

Howard L. Rhodes, Director
Division of Air Resources
Management

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this order was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on _____ to the person(s) listed:

Walter P. Bussells, JEA *
N. Bert Gianazza, P.E., JEA *
Chris Kirts, NED
James L. Manning, P.E. RESD
Gregg Worley, EPA
John Bunyak, NPS

Clerk Stamp

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to §120.52, Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

(Clerk)

(Date)

PUBLIC NOTICE OF INTENT TO ISSUE PSD PERMIT MODIFICATION

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

DEP File No. 0310485-004-AC, PSD-FL-267

JEA Brandy Branch Generating Facility
Duval County

The Department of Environmental Protection (Department) gives notice of its intent to issue a PSD permit modification for the JEA Brandy Branch Generating Facility located in Duval County. The applicant's mailing address is: 21 West Church Street, Jacksonville, Florida 32202. A Best Available Control Technology (BACT) Determination was not required pursuant to Rule 62-212.400, F.A.C. and 40 CFR 52.21, Prevention of Significant Deterioration (PSD).

This is a newly constructed facility consisting of three simple cycle combustion turbines (CT's) and ancillary equipment. The main fuel for the CT's is pipeline natural gas although 0.05% sulfur fuel oil is permitted for partial use. These units have a PSD Permit (0310485-001-AC) issued by the State of Florida.

The applicant proposes a change to the permit, in order to clarify the methods of compliance for sulfur dioxide. This change is summarized below:

Sulfur Dioxide (SO₂) emissions: SO₂ emissions (at ISO conditions) shall not exceed 1.1 pounds per hour when firing pipeline natural gas and 98.2 pounds per hour when firing maximum 0.05 percent sulfur No. 2 or superior grade distillate fuel oil as measured by applicable compliance methods described below. [Rule 62-212.400, F.A.C.] shall be limited by firing pipeline natural gas (sulfur content not greater than 2 grains per 100 standard cubic foot) and 0.05% sulfur oil. Compliance with this requirement in conjunction with implementation of the Custom Fuel Monitoring Schedule in Specific Conditions 44 and 45 will demonstrate compliance with the applicable NSPS SO₂ emissions limitations from the combustion turbine. Note: This will effectively limit the combined SO₂ emissions for EU-001 through EU-003 to 117 tons per year. [BACT, 40CFR60 Subpart GG and Rules 62-4.070, 62-212.400, and 62-204.800(7), F.A.C.]

No annual increases of regulated pollutants will occur as a result of the modification and no emission limit increases are requested.

The Department will issue the Final permit modification with the above condition unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed permit issuance action for a period of 14 days from the date of publication of this Public Notice of Intent to Issue PSD Permit Modification. Written comments should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, FL 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the proposed permit and require, if applicable, another Public Notice.

The Department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to sections 120.569 and 120.57 F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

Mediation is not available in this proceeding.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under section 120.60(3) of the Florida Statutes must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under section 120.60(3), however, any person who asked the

NOTICE TO BE PUBLISHED IN THE NEWSPAPER

Department 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 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 of the Florida Administrative Code.

A petition that disputes the material facts on which the Department'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 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 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; and (g) A statement of the relief sought by the petitioner, stating precisely the action 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 Department'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

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

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:

Dept. of Environmental Protection
Bureau of Air Regulation
Suite 4, 111 S. Magnolia Drive
Tallahassee, Florida, 32301
Telephone: 850/488-0114
Fax: 850/922-6979

Dept. of Environmental Protection
Northeast District
Suite 200B, 7825 Baymeadows Way
Jacksonville, Florida 32256
Telephone: 904/448-4300

The complete project file includes the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Administrator, New Source Review Section, or the Department's reviewing engineer for this project, at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/488-0114, for additional information.

NOTICE TO BE PUBLISHED IN THE NEWSPAPER

21 West Church Street
Jacksonville, Florida 32202-3139

RECEIVED

MAR 12 2001

BUREAU OF AIR REGULATION

March 9, 2001



Ms. Patty Adams
Bureau of Air Regulation
Department of Environmental Protection
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, FL 32399-2400

ELECTRIC

RE: Brandy Branch Facility (Permit No. 0310485-001-AC, PSD-FL-267)
Request for Permit Revision

WATER

Dear Ms. Adams:

SEWER

Per your letter dated February 28, 2001 enclosed is the check for \$250 for processing of the above referenced permit revision.

If you have any questions with regard to this matter, please contact me at (904) 665-6247.

Sincerely,

A handwritten signature in black ink, appearing to read 'N. Bert Gianazza'.

N. Bert Gianazza, P.E.
Environmental Permitting
& Compliance

cc: Mike Halpin, P.E., FDEP



Jeb Bush
Governor

Department of Environmental Protection

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

David B. Struhs
Secretary

February 28, 2001

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Mr. N. Bert Gianazza, P.E.
Environmental Permitting & Compliance
JEA
21 West Church Street
Jacksonville, Florida 32202-3139

RE: Brandy Branch Facility Request for Permit Revision
0310485-001-AC, PSD-FL-267

Dear Mr. Gianazza:

The Bureau of Air Regulation received your February 23, 2001, request to modify the above referenced permit. Since you do not hold a Title V permit for that facility, you will need to submit a \$250 fee before we can begin processing your application. If you have any questions, please call me at (850)921-9505.

Sincerely,

Patty Adams
Bureau of Air Regulation

/pa

cc: M. Halpin

"More Protection, Less Process"

Printed on recycled paper.

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Received by (Please Print Clearly) T. HEANEY MAR 06 2001</p> <p>B. Date of Delivery</p> <p>C. Signature X <i>T. Heaney</i> <input type="checkbox"/> Addressee</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p>Mr. N. Bert Gianazza, P.E. JEA 21 West Church Street Jacksonville, FL 32202-3139</p>	<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>
<p>2. Article Number (Copy from service label) 7099 3400 0000 1453 2351</p>	<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>PS Form 3811, July 1999 Domestic Return Receipt 102595-99-M-1789</p>	

7099 3400 0000 1453 2351

U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)	
Article Sent To:	
Mr. N. Bert Gianazza, P.E.	
Postage \$	Postmark Here
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees \$	
Name (Please Print Clearly) (to be completed by mailer)	
JEA	
Street, Apt. No., or PO Box No. 21 West Church Street	
City, State, ZIP+4 Jacksonville, FL 32202-3139	
PS Form 3800, July 1999 See Reverse for Instructions	

21 West Church Street
Jacksonville, Florida 32202-3139

RECEIVED

FEB 26 2001

BUREAU OF AIR REGULATION

February 23, 2001



Mr. Al Linero, P.E.
Administrator, New Source Review Section
Bureau of Air Quality
Department of Environmental Protection
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, FL 32399-2400

E L E C T R I

W A T E R

S E W E R

RE: Brandy Branch Facility (Permit No. 0310485-001-AC, PSD-FL-267)
Request for Permit Revision

Dear Mr. Linero:

Per my conversation with Mike Halpin of your staff, the purpose of this letter is to serve as a request for a revision to the above referenced permit. Specifically, JEA requests that the lb/hr sulfur dioxide emission limits for gas and oil, 1.1 lb/hr and 98.2 lb/hr respectively, in Specific Condition 23 be replaced with an annual emission limit of 117 tons per year $((750 \text{ hours} \times 98.2) + (4000 \times 1.1)) \times 3 \text{ units}$).

This change is being requested to remove the redundancy associated with SO₂ compliance for our combustion turbines, which predominantly fire pipeline natural gas. As currently written, the permit also incorporates a fuel monitoring plan, which will ensure that the SO₂ emissions are being complied with. It is noted that the BACT determination established that the combustion of pipeline natural gas and 0.05% sulfur oil represent the appropriate means of controlling SO₂.

It is JEA's understanding that this minor revision will make our permit conditions consistent with current DEP permitting practices and remove this unnecessary condition.

If you have any questions with regard to this matter, please contact me at (904) 665-6247.

Sincerely,

A handwritten signature in black ink, appearing to read "N. Bert Gianazza".

N. Bert Gianazza, P.E.
Environmental Permitting
& Compliance

cc: Mike Halpin, P.E., FDEP

21 West Church Street
Jacksonville, Florida 32202-3139

February 23, 2001



Mr. Al Linero, P.E.
Administrator, New Source Review Section
Bureau of Air Quality
Department of Environmental Protection
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, FL 32399-2400

ELECTRIC

WATER

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Sincerely,

A handwritten signature in black ink, appearing to read 'N. Bert Gianazza', is written over a horizontal line.

N. Bert Gianazza, P.E.
Environmental Permitting
& Compliance

cc: Mike Halpin, P.E., FDEP

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. N. Bert Gianazza, P.E.
 JEA
 21 West Church Street
 Jacksonville, FL 32202-3139

2. Article Number (Copy from service label)
 7099 3400 0000 1453 2351

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) **T. HEANEY** B. Date of Delivery **MAR 06 2001**

C. Signature **X T. Heaney** Addressee

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

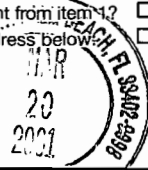
**U.S. Postal Service
 CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)**

7099 3400 0000 1453 2351

Article Sent To:
 Mr. N. Bert Gianazza, P.E.

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Name (Please Print Clearly) (to be completed by mailer)
 JEA
 Street, Apt. No., or PO Box No.
 21 West Church Street
 City, State, ZIP+4
 Jacksonville, FL 32202-3139

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Received by (Please Print Clearly) B. Date of Delivery	
1. Article Addressed to: Mr. Darrel Graziani, P.E. EHE - Air Pollution Control Section Palm Beach County Health Department P. O. Box 29 West Palm Beach, FL 33402-0029	C. Signature x <i>Ray Moor</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below <div style="text-align: center;">  </div>	
2. Article Number (Copy from service label) 7099 3400 0000 1449 2655	3. Service Type USPS <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
PS Form 3811, July 1999 Domestic Return Receipt 102595-99-M-1789		

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

Article Sent To:

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		

To: Mr. Darrel Graziani, P.E.
 Name: EHE - Air Pollution Control Section
 Street: Palm Beach County Health Department
 P. O. Box 29
 City: West Palm Beach, FL 33402-0029

PS Form 3800, July, 1999 See Reverse for Instructions

7099 3400 0000 1449 2655

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Received by (Please Print Clearly) T. HEANEY	B. Date of Delivery
1. Article Addressed to: Mr. Walter P. Bussells Jacksonville Electric Authority 21 West Church Street Jacksonville, Florida 32202	C. Signature X <i>T. Heaney</i>	<input type="checkbox"/> Agent <input type="checkbox"/> Addressee
	D. Is delivery address different from item 1? If YES, enter delivery address below:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	MAR 21 2001	
	3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
	4. Restricted Delivery? (Extra Fee)	<input type="checkbox"/> Yes
2. Article Number (Copy from service label) 7099 3400 0000 1449 2686		
PS Form 3811, July 1999	Domestic Return Receipt	102595-99-M-1789

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

Article Sent To:		
Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
<i>7099 3400 0000 1449 2686</i> Ne Mr. Walter P. Bussells St Jacksonville Electric Authority 21 West Church Street Ci Jacksonville, Florida 32202		
PS		See reverse for instructions

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
R39797 Public Notice

State of Florida
County of Duval

Before the undersigned authority personally appeared Elizabeth Heisler 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.

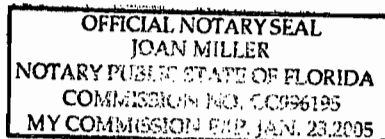
PUBLISHED ON: 03/24

FILED ON: 03/24/01

Name: Elizabeth Heisler 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*



PUBLIC NOTICE OF INTENT TO ISSUE PSD PERMIT MODIFICATION

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DEP File No. 0310485-004-AC, PSD-FL-267
JEA Brandy Branch Generating Facility
Duval County

The Department of Environmental Protection (Department) gives notice of its intent to issue a PSD permit modification for the JEA Brandy Branch Generating Facility located in Duval County. The applicant's mailing address is: 21 West Church Street, Jacksonville, Florida 32202. A Best Available Control Technology (BACT) Determination was not required pursuant to Rule 62-212.400, F.A.C. and 40 CFR 52.21, Prevention of Significant Deterioration (PSD).

This is a newly constructed facility consisting of three simple cycle combustion turbines (CT's) and ancillary equipment. The main fuel for the CT's is pipeline natural gas although 0.05% sulfur fuel oil is permitted for partial use. These units have a PSD Permit (0310485-001-AC) issued by the State of Florida.

The applicant proposes a change to the permit, in order to clarify the methods of compliance for sulfur dioxide. This change is summarized below.

Sulfur Dioxide (SO₂) emissions: SO₂ emissions shall be limited by firing pipeline natural gas (sulfur content not greater than 2 grains per 100 standard cubic foot) and 0.05% sulfur oil. Compliance with this requirement in conjunction with implementation of the Custom Fuel Monitoring Schedule in Specific Conditions 44 and 45 will demonstrate compliance with the applicable NSPS SO₂ emissions limitations from the combustion turbine. Note: This will effectively limit the combined SO₂ emissions for EU-001 through EU-003 to 117 tons per year. [BACT, 40CFR60 Subpart GG and Rules 62-4.070, 62-212.400, and 62-204.800(7), F.A.C.]

No annual increases of regulated pollutants will occur as a result of the modification and no emission limit increases are requested.

The Department will issue the Final permit modification with the above condition unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed permit issuance action for a period of 14 days from the date of publication of this Public Notice of Intent to Issue PSD Permit Modification. Written comments should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, FL 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the proposed permit and require, if applicable, another Public Notice.

The Department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to sections 120.569 and 120.57 F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

Mediation is not available in this proceeding.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under section 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent.

Petitions filed by any persons other than those entitled to written notice under section 120.60(3) of the Florida Statutes must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under section 120.60(3), however, any person who asked the Department 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 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 of the Florida Administrative Code.

A petition that disputes the material facts on which the Department'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 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 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; and (g) A statement of the relief sought by the petitioner, stating precisely the action 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 Department'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.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

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:

Dept. of Environmental Protection
Bureau of Air Regulation
Suite 4, 111 S. Magnolia Drive
Tallahassee, Florida 32301
Telephone: 850/488-0114
Fax: 850/922-6979

Dept. of Environmental Protection
Northeast District
Suite 200B, 7825 Baymeadows Way
Jacksonville, Florida 32256
Telephone: 904/448-4300

The complete project file includes the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Administrator, New Source Review Section, or the Department's reviewing engineer for this project, at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/488-0114, for additional information.

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY								
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	<table border="1"> <tr> <td>A. Received by (Please Print Clearly) T. HEANEY</td> <td>B. Date of Delivery 4.17.01</td> </tr> <tr> <td>C. Signature X <i>T. Heaney</i></td> <td> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee </td> </tr> <tr> <td colspan="2">D. Is delivery address different from item 1? If YES, enter delivery address below:</td> </tr> <tr> <td colspan="2"> <input type="checkbox"/> Yes <input type="checkbox"/> No </td> </tr> </table>	A. Received by (Please Print Clearly) T. HEANEY	B. Date of Delivery 4.17.01	C. Signature X <i>T. Heaney</i>	<input type="checkbox"/> Agent <input type="checkbox"/> Addressee	D. Is delivery address different from item 1? If YES, enter delivery address below:		<input type="checkbox"/> Yes <input type="checkbox"/> No	
A. Received by (Please Print Clearly) T. HEANEY	B. Date of Delivery 4.17.01								
C. Signature X <i>T. Heaney</i>	<input type="checkbox"/> Agent <input type="checkbox"/> Addressee								
D. Is delivery address different from item 1? If YES, enter delivery address below:									
<input type="checkbox"/> Yes <input type="checkbox"/> No									
1. Article Addressed to: <p style="text-align: center;">Mr. N. Bert Gianazza, P.E. JEA 21 W. Church St. Jacksonville, FL 32202-3139</p>	3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.								
2. Article Number (Copy from service label) 7099 3400 0000 1450 2941	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes								

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

Article Sent To:
Mr. N. Bert Gianazza, P.E.

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Name (Please Print Clearly) (to be completed by mailer)
JEA

Street, Apt. No., or PO Box No.
21 W. Church St.

City, State, and ZIP+4®
Jacksonville, FL 32202-3139

PS Form 3800, July 1999 See Reverse for Instructions

7099 3400 0000 1450 2941

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		A. Received by (Please Print Clearly) T. HEANEY	B. Date of Delivery 4.17.01
1. Article Addressed to:		C. Signature X T. Heaney	
<p>Mr. Walter P. Bussells Jacksonville Electric Authority 21 West Church Street Jacksonville, Florida 32202</p>		<input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
		D. Is delivery address different from item 1? If YES, enter delivery address below:	
		<input type="checkbox"/> Yes <input type="checkbox"/> No	
		3. Service Type	
		<input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
2. Article Number (Copy from service label) 7099 3400 0000 1450 3061			
PS Form 3811, July 1999		Domestic Return Receipt	
		102595-00-M-0952	

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

Article Sent To:

Postage	\$	JE A Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		

To: **Mr. Walter P. Bussells**
 Name: **Jacksonville Electric Authority**
 Street: **21 West Church Street**
 City: **Jacksonville, Florida 32202**

PS Form 3800, July 1999 See Reverse for Instructions

7099 3400 0000 1450 3061