

Cedar Bay  
Generating Plant  
Owner: Cedar Bay Generating Company, L.P.

RECEIVED

SEP 20 2006

POB 26324  
Jacksonville, FL 32226

9640 Eastport Road  
Jacksonville, FL 32218

904.751.4000  
Fax: 904.751.7320

September 19, 2006

BUREAU OF AIR REGULATION

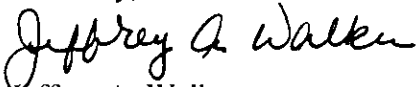
Mr. Jeff Koerner, Engineer  
Florida Department of Environmental Protection  
Division of Air Resource Management  
Mail Station #5505  
2600 Blair Stone Road  
Tallahassee, Fl. 32399-2400

Dear Mr. Koerner:

Pursuant to the Department's instructions issued with Cedar Bay's Draft Permit (Project No. 0310337-012-AC), please find the notarized Affidavit of Publication for Cedar Bay's Public Notice Of Intent To Issue Air Permit as published in the Florida Times Union on September 4, 2006. Cedar Bay previously provided the Department a hard copy of the Public Notice via correspondence dated September 5, 2006

Please contact me by telephone at 904-696-1547 or by e-mail at [jeffwalker@cogentrix.com](mailto:jeffwalker@cogentrix.com) if any other information is needed regarding the Public Notice.

Sincerely,



Jeffrey A. Walker  
Environmental Manager

cc: Mr. Mark Casper, Cogentrix Energy-Charlotte  
Mr. Ken Kosky, Golder  
Mr. Tracy Patterson, Cedar Bay

PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT

Florida Department of Environmental Protection
Draft Air Permit No. 0310337-012-AC
Cedar Bay Generating Company, L.P. - Cedar Bay Cogeneration Facility
Duval County, Florida

THE FLORIDA TIMES-UNION
Jacksonville, Fl
Affidavit of Publication

Florida Times-Union

CEDAR BAY CONGENERATION PLANT
PO BOX 26324
JACKSONVILLE FL 32236

REFERENCE: 0181153
R125405 Public Notice

State of Florida
County of Duval

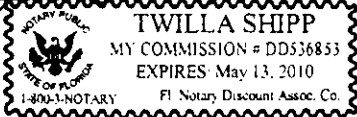
Before the undersigned authority personally
appeared Sharon Walker who on oath says she is a
Legal Advertising Representative of The Florida
Times-Union, a daily newspaper published in
Jacksonville in Duval County, Florida; that the
attached copy of advertisement is a legal ad
published in The Florida 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: 09/04

FILED ON: 09/04/06

Name: Sharon Walker Title: Legal Advertising
In testimony whereof, I have hereunto set my hand and
seal, the day and year aforesaid.

NOTARY:



Applicant: The applicant for this project is Cedar Bay Generating Company, L P The applica
representative and mailing address is Richard Grubb, 9640 Eastport Road, Jacksonville, Florida
Facility Location: Cedar Bay Generating Company operates Cedar Bay Cogeneration Facility
9640 Eastport Road, in Duval County Florida.

Project: The facility currently has two absorber dryer system (ADS) trains (Units 4 and 5) whi
permitted to burn 700,800 gallons of No 2 fuel oil per year The two ADS Units process lime
which is used to control sulfur dioxide emissions from the existing circulating fluidized bed boi
are experiencing operational problems including a loss of fuel efficiency The applicant propos
increase the combined amount of fuel oil burned at ADS Units 4 and 5 at the Cedar Bay Cogen
996,000 gallons per year The Department has already issued air construction permit no 03103
construction of a new ADS system which was required by the City of Jacksonville's Environme
Management Department (ERMD) consent order AP-06-3 Once commercial operation is estab
ADS system, Cedar Bay will only operate ADS Units 4 and 5 as backup to the new system The
will not change any of the emissions standards ADS Units 4 and 5 would be subject to all stan
facility's Title V permit Once commercial operation is established for the new ADS unit, the n
firing limit will revert back to the current limit of 700,800 gallons per year for ADS Units 4 and

Permitting Authority: Applications for air construction permits are subject to review in
provisions of Chapter 403, Florida Statutes (FS) and Chapters 62-4, 62-210, and 62-
Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requi
permit is required to perform the proposed work The Bureau of Air Regulation is the
responsible for making a permit determination for this project The Permitting Authority's phy
South Magnolia Drive, Suite #4, Tallahassee, Florida. The Permitting Authority's mailing ad
Stone Road, MS #5505, Tallahassee, Florida 32399-2400 The Permitting Authority's t
850/488-0114

Project File: A complete project file is available for public inspection during the normal bu
a m to 5:00 p m, Monday through Friday (except legal holidays), at address indicated abov
Authority The complete project file includes the Draft Permit, the Technical Evaluatio
Determination, the application, and the information submitted by the applicant, exclusive of
under Section 403.111, F.S. Interested persons may contact the Permitting Authority's project
additional information at the address or phone number listed above A copy of the complet
available at the City of Jacksonville's Environmental Resource Management Department. The
904/630-4900

Notice of Intent to Issue Air Permit: The Permitting Authority gives notice of its intent to i
the applicant for the project described above The applicant has provided reasonable assuranc
proposed equipment will not adversely impact air quality and that the project will comply
provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C. The Perm
issue a Final Permit in accordance with the conditions of the proposed Draft Permit unless a t
administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public c
accordance with this notice results in a different decision or a significant change of terms or con

Comments: The Permitting Authority will accept written comments concerning the propose
period of fourteen (14) days from the date of publication of this Public Notice Written comm
to the Permitting Authority at the above address. Any written comments filed will be made
inspection If written comments received result in a significant change to the Draft Permit, the
shall revise the Draft Permit and require, if applicable, another Public Notice

Petitions: A person whose substantial interests are affected by the proposed permitting decisio
administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petitio
information set forth below and must be filed with (received by) the Department's Agency C
General Counsel of the Department of Environmental Protection at 3900 Commonwealth Bo
#35, Tallahassee, Florida 32399-3000 Petitions filed by any persons other than those enti
under Section 120.60(3), F.S. must be filed within fourteen (14) days of publication of this Pu
of a written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any p
Permitting Authority for notice of agency action may file a petition within fourteen (14) d
notice, regardless of the date of publication. A petitioner shall mail a copy of the petition t
address indicated above, at the time of filing. The failure of any person to file a petition withi
period shall constitute a waiver of that person's right to request an administrative determin
Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party i
intervention will be only at the approval of the presiding officer upon the filing of a motion in c
28-106.205, F.A.C.

A petition that disputes the material facts on which the Permitting Authority's action is ba
following information: (a) The name and address of each agency affected and each agency's
number, if known; (b) The name, address and telephone number of the petitioner; the name a
number of the petitioner's representative, if any, which shall be the address for service purpos
the proceeding; and an explanation of how the petitioner's substantial rights will be affe
determination; (c) A statement of how and when the petitioner received notice of the agenc
action; (d) A statement of all disputed issues of material fact If there are none, the petitio
concise statement of the ultimate facts alleged, including the specific facts the petitioner cont
or modification of the agency's proposed action; (f) A statement of the specific rules or s
contends require reversal or modification of the agency's proposed action; and, (g) A statem
by the petitioner, stating precisely the action the petitioner wishes the agency to take with re
proposed action A petition that does not dispute the material facts upon which the Permitting
based shall state that no such facts are in dispute and otherwise shall contain the same informati
as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the
means that the Permitting Authority's final action may be different from the position taken by it
of Intent to Issue Air Permit Persons whose substantial interests will be affected by any such
Permitting Authority on the application have the right to petition to become a party to the proced
with the requirements set forth above

Mediation: Mediation is not available for this proceeding