



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
AIR, PESTICIDES & TOXICS MANAGEMENT DIVISION
61 Forsyth St., S. W.
Atlanta, Georgia 30303
Fax Number: 404/562-9095

Electronic Transmission

MEMORANDUM

DATE: November 27, 2000

SUBJ: Initial EPA Comments
Draft Title V Permit for J. R. Kelly Generating Station
Gainesville, Florida
Permit No. 0010005-003-AV

FROM: Elizabeth K. Bartlett, Environmental Engineer
Operating Source Section, ARTB

TO: Scott Sheplak, FDEP - Tallahassee

Below are initial comments from EPA Region 4 on the above referenced source. Our comments are divided into two categories: 1) Significant Comments and 2) General Comments.

Significant comments are defined as those comments that would trigger an objection under

40 CFR Part 70. Please contact me at your convenience in order that we may seek to resolve these issues prior to your submittal of a proposed permit for this source. You may reach me at (404) 562-9122. Thank you for your attention to this matter.

1) Significant Comments

- a. Appropriate Averaging Times: The emission limits in conditions A.4, B.4, B.6, and B.8, and PSD-FL-276, Section III, conditions 15, 16, 17, 19, and 20 do not contain averaging times. Appropriate averaging times must be added to the permit in order for the limits to be practicably enforceable.

This deficiency may be addressed by including a general condition in the permit stating that the averaging times for all specified emission standards are tied to or based on the run time of the test method(s) used for determining compliance.

- b. Applicable Requirements: Section III, Subsection E, Condition E.1 incorporates the PSD permit by reference as a "Compliance Plan." 40 C.F.R. § 70.6(a)(1) requires permits to include "emission limitations and standards, including those operation requirements and limitations that assure compliance with all applicable requirements at the time of permit issuance." Since the PSD permit is in effect, the emission limits must be incorporated directly into the title V permit and not incorporated by reference. This is consistent with the discussion in White Paper 2, under **E. Referencing of Existing Information in Part 70 Permit Applications and Permits.**
- c. Periodic Monitoring: Conditions 10 and 18 of the PSD permit limit firing of fuel oil to 1000 hours per year. In order to ensure compliance with this limit, the source must monitor and record operating hours for fuel oil use.

2) General Comments

- a. PSD condition III.19 limits PM10 to 10 pounds per hour, however, only VE monitoring is required. It was unclear whether information was available to substantiate that PM10 emissions would in fact remain below this limit when operating with fuel oil. Please provide information, such as AP-42 emission factor calculations, which show how this emission limit was established, or provide for initial stack testing to verify that actual emissions are below this limit.



November 3, 2000

Mr. Scott M. Sheplak, P.E.
Bureau of Air Regulation
Florida Dept. of Environmental Protection
2600 Blair Stone Road, Mail Station 5505
Tallahassee, FL 32399-2400

RECEIVED

NOV 06 2000

BUREAU OF AIR REGULATION

Re: City of Gainesville
Gainesville Regional Utilities
John R. Kelly Generating Station
Revised Draft Title V Permit No. 0010005-003-AV

Dear Mr. Sheplak:

Please find attached the original proof of publication of the "Public Notice of Intent to Issue Title V Air Operation Permit Revision" legal notice for the above referenced facility which appeared in the Gainesville Sun on Friday, October 27, 2000. If you have any questions, please do not hesitate to contact me at (352) 334-3400 ext. 1283.

Sincerely,

Robert W. Klemans, P.E.
Electric Utility Environmental Engineer II

RWK

attachment

cc: D. DuBose
G. Swanson
Y. Jonynas

file: CAA Title V

11/21/00 cc = Tom Cascio

W:\U0070\Klemans\WINWORD\LETTERS\ltr to S. Sheplak trans proof of pub JRK Title V Notice of Rev.doc

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NO. _____

THE GAINESVILLE SUN
Published Daily and Sunday
GAINESVILLE, FLORIDA

STATE OF FLORIDA
COUNTY OF ALACHUA

Naomi Williams-Jordan

Before the undersigned authority appeared.....

Classified Assistant Manager

Who on oath says that he/she is.....of THE GAINESVILLE SUN, a daily

newspaper published at Gainesville in Alachua County, Florida, that the attached copy of advertisement, being a
Notice of Intent

in the matter of.....

in the..... Court, was published in said newspaper in the issue of,

October 27,

.....2000

Affiant further says that the said THE GAINESVILLE SUN is a newspaper published at Gainesville, in said Alachua County, Florida, and that the said newspaper has heretofore been continuously published in said Alachua County, each day, and has been entered as second class mail matter at the post office in Gainesville, in Said Alachua County, Florida, for a period of one year next preceding the first publication of the attached copy Of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount for publication in the said newspaper.

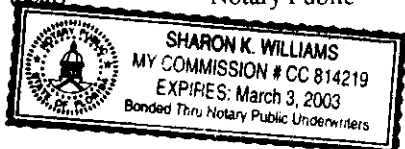
Sworn to and subscribed before me this

27 day of Oct A.D., 2000

Sharon K. Williams

(seal) Notary Public

Naomi Williams-Jordan



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

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Title V DRAFT Permit
Revision No.: 0010005-003-AV
J.R. Kelly Generating Station
Alachua County

The Department of Environmental Protection (permitting authority) gives notice of its intent to issue a Title V air operation DRAFT permit revision to the City of Gainesville, Gainesville Regional Utility for the J.R. Kelly Generating Station located at 605 SE 3rd Street, Gainesville, Alachua County. The applicant's name and address are: Mr. Michael L. Kurtz, General Manager, Gainesville Regional Utilities, P.O. Box 147117, Station A134, Gainesville, Florida 32614-7117.

The permitting authority will issue the Title V PROPOSED Permit Revision, and subsequent Title V FINAL Permit Revision, in accordance with the conditions of the Title V DRAFT Permit Revision is to incorporate the physical changes to an emissions unit (JRK8) because of repowering to a combined cycle unit via the addition of a combustion turbine and a heat recovery steam generator. Existing emissions unit No. 8 was permanently retired on September 2, 2000.

The permitting authority will accept written comments concerning the proposed Title V DRAFT Permit Revision 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 result in a significant change in this DRAFT Permit Revision, the permitting authority shall issue a Revised DRAFT Permit Revision 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 of the Florida Statutes (F.S.). The petition must contain the information set forth below and must be filed (received) in 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 filed by any persons other than those entitled to written notice under Section 120.60 (3), F.S., must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of the notice of intent, whichever occurs first. Under Section 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the permitting authority's action is based must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address and telephone number of the petitioner; 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.

Mediation is not available for this proceeding.

In addition to the above, pursuant to 42 United States Code (U.S.C.) Section 7661(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 of 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 52-F13, 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: 850/488-0114, Fax: 850-922-6970

Affected District Program:
Department of Environmental Protection, Northeast District Office, 7825 Baymeadows Way, Suite 200B, Jacksonville, Florida 32256-4300, Fax: 904/448-4363

Affected District Branch Office:
Department of Environmental Protection, Northeast District Branch Office, 101 NW 75th Street, Suite 3, Gainesville, Florida 32607-1609, Telephone: 352/333-2850, Fax: 352/377-5671

The complete project file includes the DRAFT Permit Revision, 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. Sheptak, P.E., at the above address, or call 850/921-9532.