



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 = Yem Cascio

W:\U0070\Klemans\WINWORD\LETTERS\lr 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.

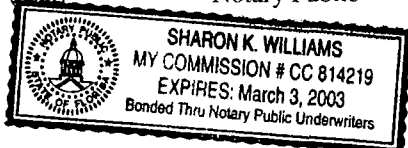
Sworn to and subscribed before me this

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 arise 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 52-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460.

A complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

**Permitting Authority:**  
Department of Environmental Protection, Bureau of Air Regulation, 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, Telephone: 850/488-0114, 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. Sheplak, P.E., at the above address, or call 850/921-9532.

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