



September 16, 1997

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BUREAU OF
AIR REGULATION

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

Re: City of Gainesville
Gainesville Regional Utilities
J. R. Kelly Generating Station
Draft Title V Permit No. 0010005-001-AV

Dear Mr. Sheplak:

Enclosed please find the proof of publication of the "Public Notice of Intent to Issue Title V Air Operation Permit" for the above referenced facility. The legal notice appeared in the Gainesville Sun on Saturday, September 13, 1997. If you have any questions, please do not hesitate to contact me at (352) 334-3400 ext. 1284 or Rob Klemans at ext. 1283.

Sincerely,

Yolanta E. Jonynas
Sr. Environmental Engineer

Enclosure

xc: Gary Swanson
CAA Title V

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

**STATE OF FLORIDA
DEPARTMENT OF
ENVIRONMENTAL
PROTECTION**

**Title V DRAFT Permit No.:
0010005-001-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 permit to City of Gainesville, GRU, for the J. R. Kelly Generating Station located at 605 SE 3rd Street, Gainesville, Alachua County. The applicant's name and address are: City of Gainesville, GRU, P.O. Box 147117 (A134), Gainesville, FL 32614-7117.

The permitting authority will issue the Title V PROPOSED Permit, and subsequent Title V FINAL Permit, in accordance with the conditions of the Title V DRAFT Permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The permitting authority will accept written comments concerning the proposed Title V DRAFT Permit issuance action for a period of thirty (30) 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, the permitting authority shall issue a Revised DRAFT permit and require, if applicable, another Public Notice.

The permitting authority 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. Mediation under Section 120.573, F.S., will not be available for this proposed action.

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, F.S. The petition must contain the information set forth below and must be filed (received) in the 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 must be filed within fourteen (14) days of publication of the public notice or within fourteen (14) days of receipt of the notice of intent, whichever occurs first. A petitioner must 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 applicable 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 28-5.207 of the Florida Administrative Code.

A petition must contain the following information:

- (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Permit File Number, and the county in which the project is proposed;
- (b) A statement of how and when each petitioner received notice of the permitting authority's action or proposed action;

- (c) A statement of how and when petitioner's substantial interests are affected by the permitting authority's action or proposed action;
- (d) A statement of the material facts disputed by the petitioner, if any;
- (e) A statement of the facts that the petitioner contends warrant reversal or modification of the permitting authority's action or proposed action;
- (f) A statement identifying the rules or statutes that the petitioner contends require reversal or modification of the permitting authority's action or proposed action; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the permitting authority to take with respect to the action or proposed action addressed in this Notice of Intent.

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.

In addition to the above, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within sixty (60) days of the expiration of the Administrator's forty-five (45) 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 thirty (30) 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 or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit properly issued pursuant to the provisions of Chapter 62-213, 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 401 M. Street, SW, 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, FL 32301
Telephone: 850/488-1344
Fax: 850/922-6979

Affected District / Local Program:
Northeast District Office
7825 Baymeadows Way,
Suite 200B
Jacksonville, FL 32256-7590
Telephone: 904/448-4300
Fax: 904/448-4363

Northeast District Branch Office:
101 NW 75 Street, Suite 3
Gainesville, FL 32607-1609
Telephone: 352/333-2850
Fax: 352/333-2856

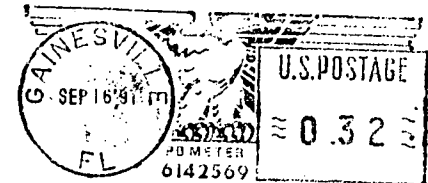
The complete project file includes the DRAFT Permit, the application, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact Scott M. Sheplak, P.E., at the above address, or call 850/488-1344, for additional information.

Strategic Planning Department (A136)



GAINESVILLE REGIONAL UTILITIES

P.O. Box 147117, Gainesville, Florida 32614-7117



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