

**Sheplak, Scott**

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**From:** Klemans, Robert W [KLEMANSRW@gru.com]  
**Sent:** Monday, February 02, 2009 11:58 AM  
**To:** Sheplak, Scott  
**Subject:** FW: Deerhaven and J. R. Kelly Title V CAIR Mods Proof of Pub  
**Attachments:** JRKTV 2008 Affidavit.pdf; DHTV 2008 Affid.pdf

Scott,  
Here it is.  
Rob

**Robert W. Klemans, PE**  
Supervising Utility Engineer  
Gainesville Regional Utilities  
P.O. Box 147114, Station A136  
Gainesville, Florida 32614-7117  
work - 352-393-1283  
fax - 352-334-3151  
cell - 352-317-0684

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**From:** Klemans, Robert W  
**Sent:** Thursday, July 10, 2008 4:53 PM  
**To:** 'tom.cascio@dep.state.fl.us'  
**Cc:** Stanton, John W; Regan, Edward J; Moffett, Daniel W; Swanson, Gary P  
**Subject:** Deerhaven and J. R. Kelly Title V CAIR Mods Proof of Pub

Tom,  
Please find attached the affidavits for both Title V Permit Mods Proof of Publication.  
Thanks!  
Rob

**Robert W. Klemans, P.E.**  
Interim Environmental Resource Coordinator  
Gainesville Regional Utilities  
(352) 393-1283  
(352) 334-3151 (fax)  
[klemansrw@gru.com](mailto:klemansrw@gru.com)

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Affidavit.txt

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NO \_\_\_\_\_

THE GAINESVILLE SUN

Published Daily and Sunday  
GAINESVILLE, FLORIDA  
STATE OF FLORIDA  
COUNTY OF ALACHUA

Ernest Blake III

Before the undersigned authority appeared.....

Classified Legals Coordinator

Who on oath says that he is.....of THE GAINESVILLE SUN, a daily newspaper  
published at Gainesville in Alachua County, Florida, that the attached copy of advertisement, being  
LEGAL ADVERTISEMENT, Gainesville Regional Utilities

PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION  
Permit No. 0010005-006-AV, J.R. Kelly Generating Station

In the matter of .....

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

Sunday, June 29,

..... 2008

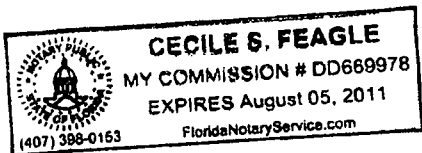
Affidavit further says that the said THE GAINESVILLE SUN is a newspaper published at Gainesville,  
in said Alachua County, Florida, and that the said newspaper has heretofore been continuously published  
in said Alachua County, each day, and has been entered as second class mail matter at the post 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

30<sup>th</sup> day of June, A.D., 2008

*Cecile S. Feagle*  
.....  
(seal) Notary Public

*[Signature]*  
.....



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

(Public Notice to be Published in the Newspaper)
Florida Department of Environmental Protection Division of Air Resource Management, Bureau of Air Regulation Draft/Proposed Air Permit No. 0010005-006-AV Gainesville Regional Utilities, J.R. Kelly Generating Station Alachua County, Florida

Applicant: The applicant for this project is Gainesville Regional Utilities. The applicant's authorized representative and mailing address is: Ms. Karen C. Alford, Interim Assistant General Manager, Energy Supply, Gainesville Regional Utilities, J.R. Kelly Generating Station, Post Office Box 147117, Station A136, Gainesville, Florida 32614-7117.

Facility Location: Gainesville Regional Utilities operates the existing J.R. Kelly Generating Station, which is located in Alachua County at 605 SE 3rd Street, Gainesville, Florida.

Project: The applicant has submitted a complete and certified Clean Air Interstate Rule (CAIR) Part Form and has requested its incorporation into the existing Title V air operation permit. The existing facility consists of the following emissions units: Located at the plant site are one fossil fuel fired steam generator (Unit -007), a combined-cycle unit consisting of a combustion turbine and a heat recovery steam generator (Unit -010), and three unregulated simple-cycle combustion turbines (Unit -009). The facility utilizes natural gas, distillate fuel oils (Nos. 1 or 2), residual fuel oil (Nos. 4, 5, or 6), and on-specification used oil. There are fuel type restrictions for the respective emissions units.

Permitting Authority: Applications for Title V air operation permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, 62-213 and 62-296.470 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and a Title V air operation permit is required to operate the facility. The Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination for this project. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, Tallahassee, Florida. The Permitting Authority's mailing address is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/488-0114.

Project File: A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at the address indicated above for the Permitting Authority. The complete project file includes the Draft/Proposed Permit, the Statement of Basis, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may view the Draft/Proposed Permit by visiting the following website: http://www.dep.state.fl.us/air/eproducts/apds/default.asp and entering the permit number shown above. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address or phone number listed above.

Notice of Intent to Issue Air Permit: The Permitting Authority gives notice of its intent to issue an air permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of proposed equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-214, 62-296, and 62-297, F.A.C. The Permitting Authority will issue a Final Permit in accordance with the conditions of the proposed Draft/Proposed Permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

Comments: The Permitting Authority will accept written comments concerning the Draft/Proposed Title V air operation Permit for a period of thirty (30) days from the date of publication of this Public Notice. Written comments must be received by the close of business (5:00 p.m.), on or before the end of this 30-day period by the Permitting Authority at the above address. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location on the official web site for notices at Florida Administrative Weekly (FAW) at http://faw.dos.state.fl.us/ and in a newspaper of general circulation in the area affected by the permitting action. For additional information, contact the Permitting Authority at the above address or phone number. If written comments or comments received at a public meeting result in a significant change to the Draft/Proposed Permit, the Permitting Authority shall issue a Revised Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

Petitions: 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 with (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S. must be filed within 14 days of publication of this Public Notice or receipt of a written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority for notice of agency action may file a petition within 14 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 (in a proceeding initiated by another party) 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; 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 rights will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency action or proposed decision; (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, 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

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**Objections:** Finally, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 days of the expiration of the Administrator's 45-day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to the issuance of any Title V air operation permit. Any petition shall be based only on objections to the Permit that were raised with reasonable specificity during the 30-day public comment period provided in the Public 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: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460. For more information regarding EPA review and objections, visit EPA's Region 4 web site at <http://www.epa.gov/region4/air/permits/Florida.htm>.

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