



Jeb Bush
Governor

Department of Environmental Protection

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

David B. Struhs
Secretary

June 13, 2001

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Darrell R. DuBose, Assistant General Manager
Authorized Representative
Gainesville Regional Utilities
P.O. Box 147117, Station A136
Gainesville, Florida 32614-7117

Re: Gainesville Regional Utilities
Permit Amendment Request: Testing Requirements for Combined Cycle Unit 1
Air Permit No. PSD-FL-276A
Original Project No. 0010005-004-AC

Dear Mr. DuBose:

On June 11, 2001, Gainesville Regional Utilities (GRU) applied to the Department for an amendment to the air construction Permit No. PSD-FL-276. This permit authorizes construction of the GRU's new combined cycle unit (CC1) located at 605 SE 3rd Street near the Downtown area of Gainesville, Alachua County. GRU requests to demonstrate compliance with the permit NOx emissions standard in Subpart GG using the data collected during the initial RATA or from a certified CEMS in lieu of conducting additional performance testing. The Department approves GRU's request and will modify Specific Condition No. 24 as follows:

SPECIFIC CONDITION NO. 24

Annual, Initial and Performance Testing: Initial (I) performance tests (for both fuels) shall be performed by the deadlines in Specific Condition 23, except as authorized by EPA. Initial tests shall also be conducted after any substantial modifications (and shake down period not to exceed 100 days after re-starting the CT) of air pollution control equipment such as change of combustors. Year two (YR2) compliance testing for CO shall be performed in the second year of operation. Annual (A) compliance tests shall be performed during every federal fiscal year (October 1 - September 30) pursuant to Rule 62-297.310(7), F.A.C., on this units as indicated. The following reference methods shall be used. No other test methods may be used for compliance testing unless prior DEP approval is received in writing.

- EPA Reference Method 9, "Visual Determination of the Opacity of Emissions from Stationary Sources" (I, A). Annual testing is applicable to fuel oil and only if fuel oil is used for more that 400 hours during the preceding 12-month period.
- EPA Reference Method 10, "Determination of Carbon Monoxide Emissions from Stationary Sources" I and A (YR2 and beyond, gas only).
- EPA Reference Method 20, "Determination of Oxides of Nitrogen Oxide, Sulfur Dioxide and Diluent Emissions from Stationary Gas Turbines." Initial test only for compliance with 40CFR60 Subpart GG. Test data shall be corrected to ISO conditions.

"More Protection, Less Process"

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- EPA Reference Method 18, 25 and/or 25A, "Determination of Volatile Organic Concentrations."
Initial test only.

The owner or operator is allowed to make the initial compliance demonstration for NO_x emissions using certified CEM system data, provided that compliance be based on a minimum of three test runs representing a total of at least three hours of data, and that the CEMS be calibrated in accordance with the procedure in section 6.2.3 of Method 20 following each run. Alternatively, initial compliance may be demonstrated using data collected during the initial relative accuracy test audit (RATA) performed on the NO_x monitor. The requirement under 40 CFR 60.355 (c)(2), (3) to perform a Method 20 test at four separate loads is waived.

The RATA tests required for the NO_x monitor shall be performed using EPA Method 20 or 7E, of Appendix A of 40 CFR 60. The NO_x monitor shall be a dual range monitor. The span for the lower range shall not be greater than 30 ppm, and the span for the upper range shall not be greater than 120 ppm, as corrected to 15% O₂.

A copy of this letter shall be filed with the referenced permit and shall become part of the permit. This permitting decision is issued pursuant to Chapter 403, Florida Statutes.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under 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 the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen (14) days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under section 120.60(3), F.S., must be filed within fourteen (14) days of publication of the public notice or within fourteen (14) days of receipt of this notice of intent, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Department for notice of agency action may file a petition within fourteen (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 will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205 of the Florida Administrative Code (F.A.C.)

A petition that disputes the material facts on which the Department'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 interests will be affected by the agency determination; (c) A statement of how and when 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 indicate; (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 reversal or modification of the agency's proposed action; and (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts upon which the Department'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 Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department 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 in this proceeding.

In addition to the above, a person subject to regulation has a right to apply for a variance from or waiver of the requirements of particular rules, on certain conditions, under Section 120.542, F.S. The relief provided by this state statute applies only to state rules, not statutes, and not to any federal regulatory requirements. Applying for a variance or waiver does not substitute or extend the time for filing a petition for an administrative hearing or exercising any other right that a person may have in relation to the action proposed in this notice of intent.

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. The petition must specify the following information: (a) The name, address, and telephone number of the petitioner; (b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any; (c) Each rule or portion of a rule from which a variance or waiver is requested; (d) The citation to the statute underlying (implemented by) the rule identified in (c) above; (e) The type of action requested; (f) The specific facts that would justify a variance or waiver for the petitioner; (g) The reason why the variance or waiver would serve the purposes of the underlying statute (implemented by the rule); and (h) A statement whether the variance or waiver is permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

The Department will grant a variance or waiver when the petition demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of those terms is defined in Section 120.542(2), F.S., and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner.

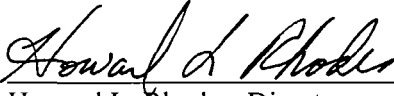
Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable by the Administrator of the EPA and by any person under the Clean Air Act unless and until the Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

This permitting decision is final and effective on the date filed with the clerk of the Department unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition pursuant to Rule 62-110.106, F.A.C., and the petition conforms to the content requirements of Rules 28-106.201 and 28-106.301, F.A.C. Upon timely filing of a petition or a request for extension of time, this action will not be effective until further order of the Department.

Any party to this permitting decision (order) has the right to seek judicial review of it under Section 120.68, F.S., by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department of Environmental Protection in the Office of General Counsel, Mail Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000, and by filing a copy of

the notice of appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The notice must be filed within thirty (30) days after this order is filed with the clerk of the Department.

Executed in Tallahassee, Florida.


Howard L. Rhodes, Director
Division of Air Resources Management

CERTIFICATE OF SERVICE

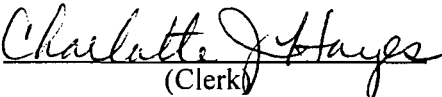
The undersigned duly designated deputy agency clerk hereby certifies that this order was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on 6/14/01 to the person(s) listed:

Mr. Darrell R. DuBose, GRU*
Ms. Yolanta Jonynas, GRU
Mrs. Pat Reynolds, DEP Gainesville
Chair, Alachua County BCC*

Mr. Chris Kirts, NED
Mr. Gregg Worley, EPA Region 4
Mr. John Bunyak, NPS

Clerk Stamp

FILING AND ACKNOWLEDGMENT FILED,
on this date, pursuant to §120.52, Florida Statutes,
with the designated Department Clerk, receipt of
which is hereby acknowledged.


(Clerk) 6/14/01
(Date)

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Darrell R. DuBose
 Assistant General Manager
 Authorized Representative
 Gainesville Regional Utilities
 PO Box 147117, Station A136
 Gainesville, FL 32614-7117

2. Article Number (Copy from service label)
 7000 0600 0026 4129 8450

PS Form 3811, July 1999

Domestic Return Receipt

102595-99-M-1789

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature JUN 18 2001

Agent
 Addressee

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type

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- Registered Return Receipt for Merchandise
- Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

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Darrell R. DuBose
 Street, Apt. No., or PO Box No.
 PO Box 147117, Station A136
 City, State, ZIP+4
 Gainesville, FL 32614-7117

PS Form 3800, February 2000

See Reverse for Instructions

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1. Article Addressed to:

Mr. Dave Newport, Chair
 Alachua County Commission
 PO Box 2877
 Gainesville, FL 32602-2877

2. Article Number (Copy from service label)
 7000 0600 0026 4129 8443

PS Form 3811, July 1999

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J. Crow 6-19-01

C. Signature Agent

Addressee

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Mr. Dave Newport, Chair
 Street, Apt. No., or PO Box No.
 PO Box 2877
 City, State, ZIP+4
 Gainesville, FL 32602-2877

PS Form 3800, February 2000

See Reverse for Instructions



June 7, 2001

RECEIVED
JUN 11 2001
BUREAU OF AIR REGULATION

Ms. Teresa Heron, Engineer
Florida Dept. of Environmental Protection
Division of Air Resource Management
Mail Station 5500
2600 Blair Stone Road
Tallahassee, FL 32399-2400

RE: Gainesville Regional Utilities (GRU)
J.R. Kelly Generating Station (Facility No. 0010005)
Combined Cycle Unit 1 (PSD-FL-276)
Permit Amendment Request
0010005-004-AC

Dear Ms. Heron:

GRU is requesting amendment of the above-referenced permit as follows:

“24. Annual, Initial and Performance Testing: ...No other test methods may be used for compliance testing unless prior DEP approval is received in writing.

- Initial (I) only for nitrogen oxides to demonstrate compliance with NSPS Subpart GG (40 CFR s. 60.332) using a certified CEMS to collect data, based on a minimum of three test runs representing a total of at least three hours of data. The CEMS must be calibrated in accordance with the procedure in Section 6.2.3 of Method 20 following each run. The requirement under 40 CFR s. 60.335(c)(2), (3) to perform a Method 20 test at four separate loads is waived. The test data shall be corrected to ISO conditions for demonstrating compliance with 40 CFR s. 60.332.”

Rationale: The proposed language clarifies the testing requirements based on EPA Region 4’s guidance titled “Approval of Routine Alternative Testing and Monitoring Procedures for Combustion Turbines Regulated Under New Source Performance Standards” (May 26, 2000).

A similar requirement is embodied in the facility’s Title V permit in Condition E.21. GRU requests that this condition be revised to conform with the Condition 24 in the PSD permit as proposed above.

As we discussed, our current schedule envisions that we will be conducting initial performance testing on this unit while burning natural gas on Friday, June 15, 2001. We would very much appreciate having the testing requirements clarified prior to this date.

Please call Ms. Yolanta Jonynas at 352-334-3400 Ext. 1284 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "DR DuBose", written in a cursive style.

Darrell R. DuBose
Assistant General Manager Energy Supply/Responsible Official

xc: Y. Jonynas
R. Klemans
S. Sheplak, FDEP-Tall.
G. Swanson
D. Thompson
JRKCC1



AL

Energy Supply Administration

February 22, 2001

Mr. Clair Fancy, Chief Air Regulation
Florida Dept. of Environmental Protection
2600 Blair Stone Rd., MS 5505
Tallahassee, FL 32399-2400

RECEIVED
FEB 23 2001
BUREAU OF AIR REGULATION

RE: Gainesville Regional Utilities
J.R. Kelly Generating Station (Facility No. 0010005; ORIS Code: 664)
Combined Cycle No. 1 (PSD-FL-276 and 0010005-003-AV)
New Unit Notification

Dear Mr. Fancy:

Pursuant to 40 CFR 75.61(a)(2)(ii) notification is hereby provided that the new combustion turbine associated with the above-referenced unit commenced commercial operation as defined in 40 CFR 72.2 on February 17, 2001. Please note that our original notification filed on October 26, 2000 pursuant to 40 CFR 75.61(a)(2)(i) should have stated that the unit was expected to "commence commercial operation" on November 27, 2000. Instead, that notification indicated that the unit was expected to "exhaust emissions to the atmosphere", a term that applies to existing units with new stacks not to new units according to EPA. I apologize for any confusion this may have caused.

Please call me at (352) 334-3400 Ext. 1789 or Yolanta Jonynas at Ext. 1284 if you have any questions.

Sincerely,

Darrell R. DuBose
Assistant General Manager of Energy Supply/Designated Representative

- xc: D. Beck
- M. Costello, FDEP - Tallahassee
- J. Jachin, EPA - Region IV
- Y. Jonynas
- C. Kirts, FDEP - NE District Office, Jax.
- R. Klemans
- L. Lalwani, FDEP - NE District Branch Office, Gville.
- A. Linero, FDEP - Tallahassee
- S. Sheplak, FDEP - Tallahassee
- G. Swanson
- D. Thompson
- JRKCC1

JRKCC1Commopernotice.y38



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Energy Supply Administration

February 22, 2001

RECEIVED

FEB 23 2001

Mr. Clair Fancy, Chief
Bureau of Air Regulation
Florida Dept. of Environmental Regulation
2600 Blair Stone Rd., MS 5505
Tallahassee, FL 32399-2400

BUREAU OF AIR REGULATION

RE: Gainesville Regional Utilities
J.R. Kelly Generating Station (Facility ID No. 0010005)
Combined Cycle No. 1 (PSD-FL-276 and 0010005-004-AV)
Notice of Actual Startup Date

Dear Mr. Fancy:

In accordance with 40 CFR 60.7(a)(3) notice is hereby provided that the actual startup date of the above-referenced unit was February 17, 2001.

Please call me or Yolanta Jonynas at (352) 334-3400 Ext. 1789 or 1284, respectively, if you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Darrell R. DuBose'.

Darrell R. DuBose
Assistant General Manager of Energy Supply/Responsible Official

xc: D. Beck
Y. Jonynas
C. Kirts, FDEP - NE District Office
R. Klemans
L. Lalwani, FDEP - NE District Branch Office
A. Linero, FDEP - Tallahassee
S. Sheplak, FDEP - Tallahassee
S. Manasco
G. Swanson
D. Thompson
JRK CC1

JRKCC1actualstartup.y38

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 Assistant General Manager
 Authorized Representative
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 PO Box 147117, Station A136
 Gainesville, FL 32614-7117

2. Article Number (Copy from service label)

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C. Signature

J. Crow JUN 18 2001
 Agent
 Addressee

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4. Restricted Delivery? (Extra Fee) Yes**SENDER: COMPLETE THIS SECTION**

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 Alachua County Commission
 PO Box 2877
 Gainesville, FL 32602-2877

2. Article Number (Copy from service label)

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J. Crow 6-19-01
 Agent
 Addressee

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| Restricted Delivery Fee (Endorsement Required) | |
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Recipient's Name (Please Print Clearly) (to be completed by mailer)

Darrell R. DuBose

Street, Apt. No., or PO Box No.

PO Box 147117, Station A136

City, State, ZIP+4

Gainesville, FL 32614-7117

PS Form 3800, February 2000

See Reverse for Instructions

U.S. Postal Service**CERTIFIED MAIL RECEIPT**

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Recipient's Name (Please Print Clearly) (to be completed by mailer)

Mr. Dave Newport, Chair

Street, Apt. No., or PO Box No.

PO Box 2877

City, State, ZIP+4

Gainesville, FL 32602-2877

PS Form 3800, February 2000

See Reverse for Instructions



Energy Supply Administration

RECEIVED

FEB 26 2001

BUREAU OF AIR REGULATION

February 22, 2001

Mr. Clair Fancy, Chief Air Regulation
Florida Dept. of Environmental Protection
2600 Blair Stone Rd., MS 5505
Tallahassee, FL 32399-2400

RE: Gainesville Regional Utilities
J.R. Kelly Generating Station (Facility No. 0010005; ORIS Code: 664)
Combined Cycle No. 1 (PSD-FL-276 and 0010005-003-AV)
New Unit Notification

Dear Mr. Fancy:

Pursuant to 40 CFR 75.61(a)(2)(ii) notification is hereby provided that the new combustion turbine associated with the above-referenced unit commenced commercial operation as defined in 40 CFR 72.2 on February 17, 2001. Please note that our original notification filed on October 26, 2000 pursuant to 40 CFR 75.61(a)(2)(i) should have stated that the unit was expected to "commence commercial operation" on November 27, 2000. Instead, that notification indicated that the unit was expected to "exhaust emissions to the atmosphere", a term that applies to existing units with new stacks not to new units according to EPA. I apologize for any confusion this may have caused.

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Sincerely,

Darrell R. DuBose

Assistant General Manager of Energy Supply/Designated Representative

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A. Linero, FDEP - Tallahassee
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G. Swanson
D. Thompson
JRKCC1

JRKCC1Commopernotice.y38



Energy Supply Administration

February 22, 2001

Mr. Clair Fancy, Chief
Bureau of Air Regulation
Florida Dept. of Environmental Regulation
2600 Blair Stone Rd., MS 5505
Tallahassee, FL 32399-2400

RE: Gainesville Regional Utilities
J.R. Kelly Generating Station (Facility ID No. 0010005)
Combined Cycle No. 1 (PSD-FL-276 and 0010005-004-AV)
Notice of Actual Startup Date

Dear Mr. Fancy:

In accordance with 40 CFR 60.7(a)(3) notice is hereby provided that the actual startup date of the above-referenced unit was February 17, 2001.

Please call me or Yolanta Jonynas at (352) 334-3400 Ext. 1789 or 1284, respectively, if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Darrell R. DuBose', with a long, sweeping underline.

Darrell R. DuBose
Assistant General Manager of Energy Supply/Responsible Official

xc: D. Beck
Y. Jonynas
C. Kirts, FDEP - NE District Office
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L. Lalwani, FDEP - NE District Branch Office
A. Linero, FDEP - Tallahassee
S. Sheplak, FDEP - Tallahassee
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