

Mitchell, Bruce

From: Richard Robinson [ROBINSON@coj.net]
Sent: Wednesday, March 13, 2002 3:15 PM
To: Mitchell, Bruce
Cc: Ron Roberson; Jerry Woosley
Subject: JEA Proposed Title V Permit Revision No.: 0310045-008-AV

Please correct our address and phone number on the subject permit revision cover page and on page 5 to the address and phone number listed below.

Thanks!

Richard L. Robinson, P.E., Manager
Air Pollution Source Permitting Section
Air & Water Quality Division
City of Jacksonville, FL
117 West Duval Street, Suite 225
Jacksonville, FL 32202

Phone: (904) 630-4900
Fax: (904) 630-3638
E-Mail: robinson@coj.net

Mitchell, Bruce

To: Friday, Barbara
Cc: Sheplak, Scott
Subject: Posting of PROPOSED T-5 permit revision package: JEA: Northside Generating Station/St. Johns River Power Park: 0310045-008-AV.

Dear Barbara,

Please post the above referenced T-5 permit revision project for EPA review located at:
o:Bar/Title V/Bruce/Permits/0310045.008.AV.revision

The files are:

0310045.008.PD
0310045.008.SOB
0310045G.008
0310045H.008
0310045U.008
0310045p.008

Many thanks.

Bruce



Jeb Bush
Governor

Department of Environmental Protection

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

David B. Struhs
Secretary

February 6, 2002

CERTIFIED MAIL - Return Receipt Requested

Mr. Walter P. Bussells
Managing Director & CEO
JEA
21 West Church Street, Tower 8
Jacksonville, Florida 32202-3139

Re: Alternative Solid Fuel Handling Scenario
JEA Northside Generating Station/St. Johns River Power Park
0310045-009-AC, PSD-FL-265

Dear Mr. Bussells:

The Department has evaluated the January 7, 2002 submittal regarding the above referenced proposed alternative solid fuel handling scenario. The scenario would provide JEA with a limited capability to use dump trucks to transport solid fuel (coal and petroleum coke) between the respective solid fuel handling facilities at the Northside Generating Station (NGS) and the adjacent St. Johns River Power Park (SJRPP). The scenario would be used in the event of equipment failure, fuel delivery disruption and emergencies. It would also be used when there is a disproportionate fuel inventory or to facilitate performance testing.

The adjacent plants comprise a single "Major Source of Air Pollution" or "Title V Source" pursuant to Rule 62-210.200, Florida Administrative Code (F.A.C.), Definitions. The combined facility received its initial Title V operation permit on October 18, 1998, and became effective on January 1, 1999.

Since the projected PM and PM₁₀ emissions increases are much less than the significant emissions rates of 25 and 15 TPY contained in Table 212.400-2, F.A.C., the proposal is not subject to PSD new source review pursuant to Rule 62-212.400(5), F.A.C. The project is not part of a phased project subject to PSD review pursuant to Rule 62-212.400(6)(b), F.A.C. There are no specific emission limiting standards pursuant to Rule 62-204.800 and Chapter 62-296, F.A.C.

The Department has determined that the project is conditionally exempt from its air permitting requirements. This determination is based on the belief that JEA has provided reasonable assurance that any additional air pollutants caused by the proposed scenario will not be in significant quantities to contribute to air pollution problems in the state pursuant to Rule 62-4.040(1)(b), F.A.C.

The conditions of this exemption are:

- A. JEA shall perform the following fugitive dust control measures to reduce particulate fugitive emissions associated with the proposed alternative solid fuel transfer scenario:
1. Water application to unpaved portions of the proposed solid fuel truck delivery route as necessary to control fugitive dust emissions.
 2. Road surface cleaning to paved portions of the proposed solid fuel truck delivery route as necessary to control fugitive dust emissions.

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3. Water application to the affected portion of the solid fuel storage pile at SJRPP prior to solid fuel truck loading operations with the front-end loader.
- B. If the scope or scale of the scenario changes such that the potential emissions of PM or PM₁₀ become significant, or if the scenario becomes routine, then JEA shall notify the Department's Bureau of Air Regulation and request the exemption be amended. The Department reserves the right to require an air permit for this activity based on any changes or a new request.
- C. Upon the next opening of the facility's Title V operation permit, this alternative solid fuel handling scenario will be identified/designated as an "insignificant" emissions unit/activity and placed in Appendix I-1, Insignificant Emissions Units/Activities.

This conditional exemption will take effect 21 days from the clerking date unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, Florida Statutes (F.S.). The procedures for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the proposed agency action may petition for an administrative proceeding (hearing) under 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 at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida, 32399-3000. Petitions filed by the applicant or any of the parties listed below must be filed within twenty-one 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 twenty-one days of publication of the public notice or within twenty-one days of receipt of this notice, 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 twenty-one 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, 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, as well as the rules and statutes which entitle the petitioner to relief; and (f) A demand for relief.

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.

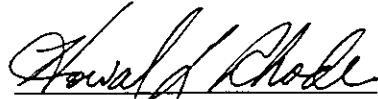
Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department on the request for conditional exemption 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.

Any party to this conditional exemption 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 days after this conditional exemption is filed with the Clerk of the Department.

A copy of the conditional exemption and accompanying materials related to the proposed agency action are available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection, Division of Air Resources Management, Suite 23, Magnolia Courtyard, 111 South Magnolia Drive, Tallahassee, Florida 32301.

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Howard L. Rhodes, Director
Division of Air Resources
Management
2600 Blair Stone Road
Tallahassee, Florida 32399-2400
(850)488-0114

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF CONDITIONAL EXEMPTION and all copies were sent by certified mail* or U.S. mail before the close of business on 2/7/02 to the person(s) listed:

Walter P. Bussells, Managing Director & CEO, JEA*
Bert Gianazza, P.E., JEA
Jim Manning, P.E., Jacksonville RESD
Chris Kirts, DEP SWD
Buck Oven, DEP PPSO

Clerk Stamp

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to Section 120.52(7), F.S., with the designated agency Clerk, receipt of which is hereby acknowledged.

Victoria Nelson February 7, 2002
(Clerk) (Date)