

Jeb Bush
Governor

Bruehl

Department of Environmental Protection

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

David B. Struhs
Secretary

September 20, 2000

Mr. Jay Worley
SJRPP Group Leader
Jacksonville Electric Authority
11201 New Berlin Road
Jacksonville, Florida 32226

Re: Recognition of Latex Binder as a Dust Suppressant

Dear Mr. Worley,

We have received your request to begin using a latex binder on your coal as a means of suppressing fugitive dust (Latex DL 298NA, made by DOW Chemical Company). We have also received a certification from your Professional Engineer detailing the lack of detrimental environmental effects resulting from the use of this product.

It is our opinion that this particular material falls within the classification of "chemical dust suppressant" that is authorized by your Title V permit (see Facility-wide condition II.9., and Appendix TV-3, condition 57.). For inspection purposes, please retain on-site a copy of the material safety data sheet (MSDS), a copy of your contract with the coal supplier specifying the material that will be applied to your coal, and a certification from the supplier accompanying each delivery that attests that this is the only material that has been applied to your coal. If the supplier changes the material, you must inform the Department and receive approval prior to combusting the new product.

Under the provisions of Rule 62-297.310(7)(b), F.A.C., if, at any time, the Department has reason to believe that any of your emission limits are not being met (i.e. increased particulate matter, etc.), it shall require the owner or operator of the emissions unit to conduct compliance tests which identify the nature and quantity of pollutant emissions from the emissions unit and to provide a report on the results of said tests to the Department.

Should you have any questions regarding this matter, please contact Jonathan Holtom, P.E., at (850) 921-9531, or write to me at the above letter head address.

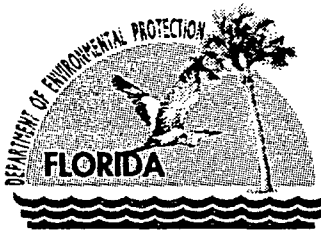
Sincerely,

C.H. Fancy, P.E.
Chief
Bureau of Air Regulation

cc: Kennard Kosky, P.E., Golder Associates
Buck Oven, P.E., DEP
James Manning, P.E., RESD

"More Protection, Less Process"

Printed on recycled paper.



Jeb Bush
Governor

Department of Environmental Protection

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

David B. Struhs
Secretary

December 22, 1999

Bruce Mitchell

CERTIFIED MAIL – Return Receipt Requested

Mr. Walter P. Bussels
Managing Director
Jacksonville Electric Authority
21 West Church Street
Jacksonville, Florida 32202

Re: JEA: Northside Generating Station/St. Johns River Power Park
Designation of a Proposed No. 2 Fuel Oil Fired Portable Auxiliary Boiler and an Existing Paint Spray Booth as Insignificant Pursuant to Categorical Exemptions at Rule 62-210.300(3), F.A.C.

Dear Mr. Bussels:

The Department has evaluated the submittal regarding the above referenced portable auxiliary boiler, which will have a heat input of less than 10 MMBtu/hr, fire a No. 2 fuel oil with a sulfur content not to exceed 0.05%, by weight, and fire no more than 50,000 gallons of the No. 2 fuel oil per year. Therefore, the boiler qualifies for the categorical exemption pursuant to Rule 62-210.300(3)(a)2., Florida Administrative Code (F.A.C.). Also, the potential pollutant emissions for the emissions unit are less than the pollutant thresholds established in Rule 62-213.430(6), F.A.C., and would qualify for the portable auxiliary boiler for "insignificant" status. The designation of "insignificant" will be established as such in the Title V operation permit's Appendix I-1, Insignificant Emission Units and/or Activities, upon the next opening of the Title V operation permit. Appropriate record keeping for the No. 2 fuel oil purchased, including the fuel oil sulfur content, by weight, and No. 2 fuel oil fired during the year by the boiler shall be required in order to justify and retain the categorical exemption status. The records shall be maintained for five years.

The Department has also evaluated the submittal regarding the above referenced "existing" paint spray booth (PSB), which is located at the Northside Generating Station. The PSB is used to maintain existing equipment, such as transformers, pumps, etc. The PSB operations are a source of volatile organic compounds (VOC) emissions. The total quantity of coatings containing greater than 5.0% VOCs, by volume, used shall be less than six gallons per day, averaged monthly, and include any solvents and thinners used in the process including those used for cleanup. In addition, the PSB is not subject to the RACT regulations pursuant to Chapter 62-296, F.A.C. Therefore, the PSB qualifies for the categorical exemption pursuant to Rule 62-210.300(3)(a)23., F.A.C., and would qualify the PSB for "insignificant" status. The designation of "insignificant" will be established as such in the Title V operation permit's Appendix I-1, Insignificant Emission Units and/or Activities, upon the next opening of the Title V operation permit. Appropriate record keeping of the coatings used and their percentage of VOC content, by volume, and the solvents and thinners used in the process, including those used for cleanup, shall be required for the PSB in order to justify and retain the categorical exemption status. The records shall be maintained for five years.

The existing facility is a "major source of air pollution" or "Title V Source" for criteria pollutants and hazardous air pollutant emissions pursuant to Rule 62-210.200, Florida Administrative Code (F.A.C.), Definitions, and its initial Title V operation permit (0310045-001-AV) went final on October 13, 1998, and became effective on January 1, 1999.

Jacksonville Electric Authority: Letter

Designation of a Proposed No. 2 Fuel Oil Fired Portable Auxiliary Boiler and an Existing Paint Spray Booth as Insignificant Pursuant to Categorical Exemptions at Rule 62-210.300(3), F.A.C.

December 22, 1999

Page 2 of 3

These categorical exemption designations 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.

NOTICE OF APPEAL RIGHTS


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,

Jacksonville Electric Authority: Letter
Designation of a Proposed No. 2 Fuel Oil Fired Portable Auxiliary Boiler and an Existing Paint Spray Booth as
Insignificant Pursuant to Categorical Exemptions at Rule 62-210.300(3), F.A.C.
December 22, 1999
Page 3 of 3

Suite 23, Magnolia Courtyard, 111 South Magnolia Drive, Tallahassee, Florida 32301, and at the Department's
Central Florida District Office, 3319 Maguire Blvd., Suite 232, Orlando, Florida 32803-3767.
Executed in Tallahassee, Florida.

**STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION**

HLR

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 CATEGORICAL
EXEMPTION DESIGNATION and all copies were sent by certified mail before the close of business on
12/28/99 to the person(s) listed:

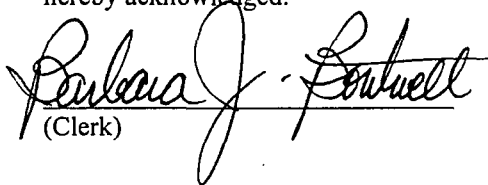
Mr. Walter P. Bussels, Managing Director, JEA

In addition, the undersigned duly designated deputy agency clerk hereby certifies that copies of this NOTICE
OF CATEGORICAL EXEMPTION DESIGNATION were sent by U.S. mail on the same date to the person(s)
listed, unless otherwise noted:

Mr. Jim Manning, AWQD
Mr. N. Bert Ginazza, JEA
Mr. Scott Sheplak, BAR (hand delivered)

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.


(Clerk) 12/28/99
(Date)

HLR/CHF/bm

Enclosures