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BUREAU OF AIR REGULATION

J. E. A. / ENVIRONMENTAL

ATTN: KASEY CLEGHORN

21 W CHURCH ST T-8

JACKSONVILLE FL 32202

REFERENCE: 0334984

R109856 Notice Of Intent

State of Florida
County of Duval

Before the undersigned authority personally appeared Tiffany Powell who on oath says she Legal Advertising Representative of The Flor Times-Union, a daily newspaper published in Jacksonville in Duval County, Florida; that attached copy of advertisement is a legal ad published in The Florida Times-Union. Affia further says that The Florida Times-Union is newspaper published in Jacksonville, in Duva County, Florida, and that the newspaper has heretofore been continuously published in Du County, Florida each day, has been entered a second class mail matter at the post office Jacksonville, in Duval County, Florida for a period of one year preceeding the first publication of the attached copy of advertis and affiant further says that he/she has nei paid nor promised any person, firm or corpor any discount, rebate, commission, or refund the purpose of securing this advertisement f publication in said newspaper.

PUBLISHED ON: 03/16

FILED ON: 03/16/06

Name: Tiffany Powell Title: Legal Ad
In testimony whereof, I have hereunto set my seal, the day and year aforesaid.

NOTARY:

[Signature]



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My comm. e)
Comm. i)

PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT AND A TITLE V AIR OPERATION PERMIT REVISION

STATE OF FLORIDA

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Draft Air Construction Permit No.:

0310045-015-AC/PSD-FL010G/PSD-FL-265C

DRAFT Title V Operation Permit Revision No.: 0310045-016-AV

JEA

Northside Generating Station/St. Johns River Power Park/

Separation Technologies, Inc.

Duval County

The Department of Environmental Protection (permitting authority), gives notice of its intent to issue an Air Construction Permit and a Title V Air Operation Permit Revision for the JEA's Northside Generating Station/St. Johns River Power Park (NGS/SJRPP) and Separation Technologies LLC's Separation Technologies, Inc. (STI), located at 4377 Heckscher Drive, Jacksonville, Duval County. The applicants' names and addresses are: Mr. James M. Chansler, P.E., D.P.A., V.P. - Operations and Maintenance, Responsible Official and Designated Representative, JEA, 21 West Church Street, Jacksonville, FL 32202; and, Mr. Al Vasiliaskas, V.P. - Operations, and Responsible Official, Separation Technologies LLC, 10 Kearney Road, Needham, MA 02494.

The subject of the Air Construction Permit is to: (1) revise Table 6 - Part B (PSD-FL-010C), to better describe the fugitive and minor source emissions units/points and to replace the perceived particulate matter (PM/PM₁₀) emission standards with visible emission standards, which shall also be used for compliance purposes, and to recognize the same changes to the PSD permit's text contained in the Title V permit; (2) allow the removal of a baghouse control system associated with four minor transfer points within the Rotary Railcar Dumper Building, (RRDB) and continue the current practice of using wet suppression to control the fugitive emissions of particulate matter when handling, loading and unloading materials (note: the RRDB is domed and mostly enclosed); (3) modify the excess emissions language related to the JEA's NGS CFB Units Nos. 1 and 2; and, (4) clarify data substitution related to compliance demonstration for SO₂ and NO_x for JEA's NGS units Nos. 1 and 2.

The subject of the Title V Air Operation Permit Revision is to: (1) incorporate the terms and conditions of air construction permit, No. 0310001-002-AC, for the Separation Technologies LLC's Separation Technologies, Inc. (STI) fly ash beneficiation processing operation, which is located adjacent/contiguous to SJRPP and receives the fly ash from the SJRPP operation; (2) incorporate the terms and conditions of air construction permit, No. 0310045-014-AC/PSD-FL-010E, which allowed the SJRPP's Units 1 and 2 to fire up to 30% petroleum coke; (3) incorporate the terms and conditions of air construction permit, No. 0310001-015-AC/PSD-FL-010G, which amended Table 6 - Part B, SJRPP's Materials Handling and Storage Operations; (4) modify the excess emissions terms and conditions related to startups, shutdowns, and malfunctions of JEA's NGS CFB Units 1 and 2; (5) clarify data substitution related to compliance demonstration for SO₂ and NO_x for JEA'S NGS Units Nos. 1 and 2; (6) in Appendix I-1, List of Insignificant Emissions Units and/or Activities, remove the qualifier "Not Federally Enforceable" from the listing of "VII. SJRPP Emergency Diesel Fire Pump", which was placed in the appendix through the PROPOSED Determination and PROPOSED Title V Permit Renewal permit, No. 0310045-011-AV; and, add two diesel-fired emergency generators, which are being removed and brought from the Kennedy Generating Station; (7) in Appendix U-1, List of Unregulated Emissions Units and/or Activities, add a 3,000 gallon diesel storage tank, which is being removed and brought from the Kennedy Generating Station; and, (8) add JEA's NGS CFB Boilers [EUs -026 and -027 (EPA's ID: Nos. 2A and 1A, respectively)] to the Acid Rain Permit.

The permitting authority will issue the Final Air Construction Permit and the PROPOSED Title V Air Operation Permit and subsequent FINAL Title V Air Operation Permit, in accordance with the conditions of the Draft Air Construction Permit and the DRAFT Title V Air Operation Permit Renewal 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 Draft Air Construction Permit issuance action for a period of 14 (fourteen) 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 Air Construction Permit, the permitting authority shall issue a Revised Draft Air Construction Permit and require, if applicable, another Public Notice.

The permitting authority will accept written comments concerning the DRAFT Title V Air Operation Permit Revision for a period of thirty (30) days from the date of publication of this Public Notice. Written comments must be post-marked and all facsimile comments must be received by the close of business (5:00 pm), on or before the end of this 30-day period, by the Permitting Authority's office or facsimile, as listed below. 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 Department's official web site for notices at <http://11hora6.dept.state.fl.us/onw> and in a newspaper of general circulation in the area affected by the permitting action. For additional information, contact the Permitting Authority's office at the address or phone number listed below. If written comments or comments received at a public meeting result in a significant change to the DRAFT Title V Air Operation Permit Revision, the Permitting Authority shall issue a Revised DRAFT Title V Air Operation Permit Revision and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

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 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 of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850-245-2241; Fax: 850-245-2303). Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of the notice of intent, 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 fourteen 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 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 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 28.104.205 (F.A.C.).

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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 petitioner's substantial interests will be affected by the agency determination;
- (c) A statement of how and when the 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 petitioner to relief;
- (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 permitting authority'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 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.

Mediation is not available for this proceeding.

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 60 (sixty) days of the expiration of the Administrator's 45 (forty-five) 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 30 (thirty) 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: U.S. EPA, 401 M Street, S.W., 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, Florida 32301
Telephone: 850/488-0114
Fax: 850-922-6979

Affected Local Program:

City of Jacksonville
Environmental Resource
Management Department
Environmental Quality Division
Suite 225, 117 West Duval Street
Jacksonville, Florida 32202
Telephone: 904/630-3484
Fax: 904/630-3638

The complete project file includes the Technical Evaluation and Preliminary Determination and associated Draft Air Construction Permit and DRAFT Title V Air Operation Permit Revision, the application(s), and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact Jeff Koerner, P.E., at the above address, or call 850/921-9536, for additional information.