



Jeb Bush
Governor

Department of Environmental Protection

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

Colleen M. Castille
Secretary

May 19, 2006

Mr. N. Bert Gianazza, P.E.
Environmental Services
JEA
21 West Church Street
Jacksonville, Florida 32202

Re: JEA's Northside Generating Station: Proposed Installation of Two New Cooling Towers
Rule Applicability for Exemption per Rule 62-210.300(3)(b)1., F.A.C.

Dear Mr. Gianazza:

Your original request was received by the City of Jacksonville's Environmental Quality Division on April 26, 2006, regarding the construction/installation of two new cooling towers (non-chromium) at JEA's Northside Generating Station for the purpose of providing cooling for the air quality control system at NGS. The request was then forwarded to the Department's Bureau of Air Regulation for a rule applicability determination for exemption.

As mentioned in your letter, Rule 62-210.300(3)(b)1., F.A.C., establishes a generic emissions unit exemption based on several criteria. This rule states the following:

Rule 62-210.300, F.A.C. - Permits Required.

(3) Exemptions.

(b) Generic and Temporary Exemptions.

1. **Generic Emissions Unit Exemption.** An emissions unit or pollutant-emitting activity that is not entitled to a categorical exemption pursuant to paragraph 62-210.300(3)(a), F.A.C., shall be exempt from the permitting requirements of this chapter, Chapters 62-212 and 62-4, F.A.C., if it meets all of the following criteria:

a. It would be subject to no unit-specific applicable requirement.

b. It would neither emit nor have the potential to emit:

(i) 500 pounds per year or more of lead and lead compounds expressed as lead;

(ii) 1,000 pounds per year or more of any hazardous air pollutant;

(iii) 2,500 pounds per year or more of total hazardous air pollutants; or

(iv) 5.0 tons per year or more of any other regulated pollutant.

c. Its emissions, in combination with the emissions of other units and activities at the facility, would not cause the facility to emit or have the potential to emit any pollutant in such amount as to make the facility a Title V source.

d. In the case of a proposed new emissions unit at an existing facility, the emissions of such unit, in combination with the emissions of any other proposed new or modified units and activities at the facility, would not result in a modification subject to the preconstruction review requirements of subparagraph 62-204.800(10)(d)2., Rule 62-212.400 or 62-212.500, F.A.C.

e. In the case of a proposed new pollutant-emitting activity, such activity would not constitute a modification of any existing non-exempt emissions unit at a non-Title V source or any existing non-insignificant emissions unit at a Title V source.

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Therefore, if you meet and comply with the above requirements, this rule exempts the cooling tower project from the requirement to obtain an air construction permit. Note that the above emissions thresholds are the same as the criteria for qualifying as an "insignificant emissions unit or activity" as defined in Rule 62-213.430(6)(b), F.A.C., for the Title V air operating program. As such, Rule 62-213.430(6)(a), F.A.C., provides that, "Emissions units or activities which are added to a Title V source after issuance of a permit under this chapter shall be incorporated into the permit at its next renewal, provided such emissions units or activities have been exempted from the requirement to obtain an air construction permit and also qualify as insignificant pursuant to this rule."

If you have any questions, please contact Bruce Mitchell at 850/413-9198 or contact me at the above letterhead address.

Sincerely,



Trina L. Vielhauer
Chief
Bureau of Air Regulation

TLV/jfk/bm

Enclosures

cc: Mr. James M. Chansler, P.E., D.P.A., V.P., Operations and Maintenance, R.O. and D.R., JEA
Mr. Richard Robinson, P.E., ERMD-EQD