



Jeb Bush
Governor

Department of Environmental Protection

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

David B. Struhs
Secretary

January 23, 2002

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Bruce Smith, General Manager
Cedar Bay Generating Company, L.P.
P.O. Box 26324
Jacksonville, Florida 32226

Re: Draft Air Construction Permit No.: 0310337-006-AC
PSD Permit No.: PSD-FL-137F
Cedar Bay Cogeneration Facility

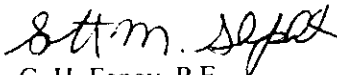
Dear Mr. Smith:

One copy of the Draft Air Construction/PSD Permit Revision for the Cedar Bay Cogeneration Facility located at 9640 Eastport Road, Jacksonville, Duval County, is enclosed. The permitting authority's "INTENT TO ISSUE AN AIR CONSTRUCTION/PSD PERMIT REVISION" and the "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION/PSD PERMIT REVISION" are also enclosed.

The "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION/PSD PERMIT REVISION" must be published as soon as possible upon receipt of this letter. Proof of publication, i.e., newspaper affidavit, must be provided to the permitting authority's office within 7 (seven) days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit revision.

Please submit any written comments you wish to have considered concerning the permitting authority's proposed action to Scott M. Sheplak, P.E., at the above letterhead address. If you have any other questions, please contact Jonathan Holtom, P.E., at 850/921-9531.

Sincerely,


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

CHF/sms/h
Enclosures
U.S. EPA, Region 4 (INTERNET E-mail)

"More Protection, Less Process"

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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:
 Mr. Bruce Smith, General Manager
 Cedar Bay Generating Company, L.P.
 P.O. Box 26324
 Jacksonville, Florida 32226

COMPLETE THIS SECTION ON DELIVERY

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

C. Signature [Signature] Agent Addressee

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

JAN 20 2000

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
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2. Article Number (Copy from service label)
 7000 0520 0020 9371 2554

**U.S. Postal Service
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Mr. Bruce Smith, General Manager

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

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Recipient's Name (Please Print Clearly) (To be completed by mailer)
Mr. Bruce Smith, General Manager
 Street, Apt. No., or PO Box No.
P.O. Box 26324
 City, State, ZIP+4
Jacksonville, Florida 32226



Jeb Bush
Governor

Department of Environmental Protection

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

David B. Struhs
Secretary

January 24, 2002

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Bruce Smith, General Manager
Cedar Bay Generating Company, L.P.
P.O. Box 26324
Jacksonville, Florida 32226

Re: Draft Air Construction Permit No.: 0310337-006-AC
PSD Permit No.: PSD-FL-137F
Cedar Bay Cogeneration Facility

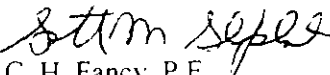
Dear Mr. Smith:

One copy of the Draft Air Construction/PSD Permit Revision for the Cedar Bay Cogeneration Facility located at 9640 Eastport Road, Jacksonville, Duval County, is enclosed. The permitting authority's "INTENT TO ISSUE AN AIR CONSTRUCTION/PSD PERMIT REVISION" and the "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION/PSD PERMIT REVISION" are also enclosed.

The "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION/PSD PERMIT REVISION" must be published as soon as possible upon receipt of this letter. Proof of publication, i.e., newspaper affidavit, must be provided to the permitting authority's office within 7 (seven) days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit revision.

Please submit any written comments you wish to have considered concerning the permitting authority's proposed action to Scott M. Sheplak, P.E., at the above letterhead address. If you have any other questions, please contact Jonathan Holtom, P.E., at 850/921-9531.

Sincerely,

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

CHF/sms/h
Enclosures
U.S. EPA, Region 4 (INTERNET E-mail)

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In the Matter of an
Application for Permits by:

Cedar Bay Generating Company, L.P.
9640 Eastport Road
Jacksonville, FL 32226

Draft Air Construction Permit No.: 0310337-006-AC
PSD Permit No.: PSD-FL-137F
Cedar Bay Cogeneration Facility
Duval County

INTENT TO ISSUE AN AIR CONSTRUCTION/PSD PERMIT REVISION

The Department of Environmental Protection (permitting authority) gives notice of its intent to issue an Air Construction/PSD Permit Revision (copies of Draft Air Construction/PSD Permit Revision attached) for the Title V source detailed in the application(s) specified above, for the reasons stated below.

The applicant, Cedar Bay Generating Company, L.P., applied on October 26, 2001 to the Department for a permit modification to increase coal and limestone handling and to install a pug mill on the ash handling facilities at the Cedar Bay Cogeneration Facility, located at 9640 Eastport Road, Jacksonville, Duval County.

The Department has permitting jurisdiction under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, and 62-212. The above actions are not exempt from permitting procedures. The Department has determined that an air construction permit modification is required to properly authorize the increase in material handling and to recognize the installation of a control device (pug mill) that will allow greater flexibility in removing ash from the site.

The Department intends to issue this air construction permit based on the belief that reasonable assurances have been provided to indicate that these changes will not adversely impact air quality, and that the remaining emission units will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C. This construction permit revision is also necessary in order to avoid any discrepancies between the PSD permit and the previously revised Power Plant Siting Conditions of Certification (PA88-24, Last Modified 05/31/01).

Pursuant to Sections 403.815 and 403.087, F.S., and Rules 62-110.106 and 62-210.350(3), F.A.C., you (the applicant) are required to publish at your own expense the enclosed "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION/PSD PERMIT REVISION." The notice shall be published one time only as soon as possible in the legal advertisement section of a newspaper of general circulation in the area affected. For the purpose of these rules, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. Where there is more than one newspaper of general circulation in the county, the newspaper used must be one with significant circulation in the area that may be affected by the permits (construction and revision). If you are uncertain that a newspaper meets these requirements, please contact the permitting authority at the address or telephone number listed below. The applicant shall provide proof of publication to the Department's Bureau of Air Regulation, 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400 (Telephone: 850/488-1344; Fax: 850/922-6979), within 7 (seven) days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permits pursuant to Rule 62-110.106, F.A.C.

The Department will issue the final permit with the attached conditions unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed Air Construction/PSD Permit issuance action for a period of 14 (fourteen) days from the date of publication of the "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION/PSD PERMIT REVISION." Written comments should be provided to the permitting authority office. 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/PSD Permit, the permitting authority shall issue a Revised Draft Air Construction/PSD Permit and require, if applicable, another Public Notice.

The Department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to sections 120.569 and 120.57 F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

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, 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: 850/488-9730; Fax: 850/487-4938). Petitions filed by the permit's (construction and revision) applicant or any of the parties listed below must be filed within 14 (fourteen) 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 14 (fourteen) days of publication of the public notice or within 14 (fourteen) days of receipt of this 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 14 (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 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 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 the petitioner's substantial interests will be affected by the agency determination;

(c) A statement of how and when each 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;

(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(s) have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation will not be available in this proceeding.

In addition to the above, a person subject to regulation has a right to apply to the Department of Environmental Protection 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 of Environmental Protection, 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 United States Environmental Protection Agency 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.

Executed in Tallahassee, Florida.

**STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION**

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

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this INTENT TO ISSUE AN AIR CONSTRUCTION/PSD PERMIT REVISION (including the PUBLIC NOTICE and the Draft Air Construction/PSD Permit Revision) and all copies were sent by certified mail before the close of business on 1/23/02 to the person(s) listed:

Mr. Bruce Smith, Cedar Bay

In addition, the undersigned duly designated deputy agency clerk hereby certifies that copies of this INTENT TO ISSUE AN AIR CONSTRUCTION/PSD PERMIT REVISION (including the PUBLIC NOTICE and the Draft Air Construction/PSD Permit Revision) were sent by U.S. mail on the same date to the person(s) listed or as otherwise noted:

Mr. Jeffery Walker, Cedar Bay
Mr. C. Kirts, DEP NED
Mr. H. Oven, PPS
Mr. J. Manning, RESD
Mr. G. Worley, EPA
Mr. Kennard Kosky, P.E., Golder Associates

Clerk Stamp

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

Barbara J. Friday 1/23/02
(Clerk) (Date)

PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION/PSD PERMIT REVISION

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Draft Air Construction Permit No.: 0310337-006-AC
PSD Permit No.: PSD-FL-137F
Cedar Bay Cogeneration Facility
Duval County

The Department of Environmental Protection (permitting authority) gives notice of its intent to issue an Air Construction/PSD Permit Revision to Cedar Bay Generating Company, L.P. for the Cedar Bay Cogeneration Facility located at 9640 Eastport Road, Jacksonville, Duval County. The applicant's name and address are: Cedar Bay Generating Company, L.P., 9640 Eastport Road, Jacksonville, FL 32226.

The Air Construction/PSD Permit is being revised to increase on-site coal and limestone handling and to install a pug mill on the ash handling facilities in order to allow the transport of wetted ash in open container trucks.

The permitting authority will issue the Air Construction/PSD Permit, in accordance with the conditions of the Draft Air Construction/PSD Permit Revision 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/PSD 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 (Telephone: 850/488-1344; Fax: 850/922-6979). 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/PSD Permit, the permitting authority shall issue a Revised Draft Air Construction/PSD Permit and require, if applicable, another Public Notice.

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: 850/488-9730; Fax: 850/487-4938). Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 (fourteen) days of publication of the public notice or within 14 (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 14 (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 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 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; 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 rights 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 state;
- (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(s) 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 revision. Any petition shall be based only on objections to the permit revision 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
111 S. Magnolia Drive
Tallahassee, Florida 32301
Telephone: 850/488-0114
Fax: 850/922-6979

Affected District

Northeast District
7825 Baymeadows Way, Suite 200B
Jacksonville, Florida 32256-7590
Telephone: 904/448-4300
Fax: 904/807-3300

Affected Local Program:

City of Jacksonville
Regulatory and Environmental Services Department
Air and Water Quality Division
117 West Duval Street, Suite 225
Jacksonville, Florida 32202
Telephone: 904/630-3484
Fax: 904/630-3638

The complete project file includes the Draft Air Construction/PSD 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 Mr. Scott M. Sheplak, P.E., at the above address, or call 850/488-0114, for additional information.



Jeb Bush
Governor

Department of Environmental Protection

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

David B. Struhs
Secretary

P.E. Certification Statement

Permittee:

Cedar Bay Generating Company

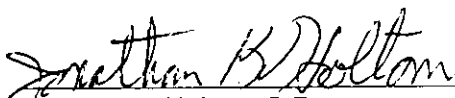
Draft Air Construction/PSD Permit No.:

0310337-006-AC/PSD-FL-137F

Facility ID No.: 0310337

Project: Air Construction/PSD Permit Revision to increase coal and limestone handling and to install a pug mill at the ash handling facility.

I HEREBY CERTIFY that the engineering features described in the above referenced application and related additional information submittals, if any, and subject to the proposed permit conditions, provide reasonable assurance of compliance with applicable provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Chapters 62-4 and 62-204 through 62-297. However, I have not evaluated and I do not certify aspects of the proposal outside of my area of expertise (including but not limited to the electrical, mechanical, structural, hydrological, and geological features).


Jonathan K. Holtom, P.E.
Registration Number: 0052664

1/22/02
Date

Permitting Authority:

Florida Department of Environmental Protection
Division of Air Resources Management
Bureau of Air Regulation
Mail Station #5505
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Telephone: 850/488-0114
Fax: 850/922-6979

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Department of Environmental Protection

Jeb Bush
Governor

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

David B. Struhs
Secretary

Month Day, 2001

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Bruce Smith, General Manager
Cedar Bay Generating Company, L.P.
P.O. Box 26324
Jacksonville, Florida 32226

Re: Cedar Bay Cogeneration Facility
DEP File No. 0310337-006-AC/PSD-FL-137F

Dear Mr. Smith:

The Department reviewed your application dated October 26, 2001, requesting a revision to your PSD permit for an increase in the annual/monthly coal and limestone handling rates and the installation of a pug mill for the ash handling facilities.

As you noted in your application, the increase in coal and limestone handling rates was requested in a previous PSD application and inadvertently overlooked during the application processing. The requested increase was, however, granted in the revised power plant siting conditions of certification (PA88-24, Last Modified 05/31/01). The Department understands your desire for this increased material handling, feels that your request is reasonable, and agrees that it results in a very insignificant increase in potential emissions of fugitive particulate matter. The approved increase only affects the material unloading and handling sources. No increase is being authorized for coal usage in the boilers; this revision does not affect the permitted boiler capacities in any way. This change is only an increase in the amount of material that can be delivered to the site during a given time period in order to reduce the possibility of not having enough coal on site to satisfy the combustion demand.

The Department also agrees that the addition of a pug mill to your ash handling facilities will result in a similarly insignificant increase in potential emissions of fugitive particulate matter, but will provide more flexibility in the removal of ash from your site. The added flexibility will come with the ability to transport ash in open container trucks in addition to your currently permitted open and closed rail cars and closed trucks. The ability to transport ash from your site in open trucks will only be allowed in conjunction with the pug mill, dry ash will not be allowed to be transported in open trucks.

In order to properly reflect these revisions, the following changes will be made.

Specific Condition II.1.B.2. of PSD-FL-137A is changed:

"More Protection, Less Process"

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FROM:

II.1.B.2. The material handling/usage rates for coal, limestone, fly ash, and bed ash shall not exceed the following:

<u>Material</u>	Handling/Usage Rate	
	TPM	TPY
Coal	117,000	1,170,000
Limestone	27,000	320,000
Fly Ash	28,000	336,000
Bed Ash	8,000	88,000

Note: TPM is tons per month based on 30 consecutive days; and, TPY is tons per year.

TO:

II.1.B.2. Material Handling and Usage Rates.

a. The material handling/usage rates for coal unloading and storage and for limestone/aragonite unloading and storage shall not exceed the following:

Unloading/Storage Handling/Usage Rate		
Material	TPM	TPY
Coal	234,000	1,287,000
Limestone/Aragonite	54,000	347,000

b. For all other coal, limestone/aragonite, fly ash, and bed ash handling sources the handling/usage rates shall not exceed the following:

Handling/Usage Rate		
Material	TPM	TPY
Coal	117,000	1,170,000
Limestone	27,000	320,000
Fly Ash	28,000	336,000
Bed Ash	8,000	88,000

Note: TPM is tons per month based on 30 consecutive days, TPY is tons per year.

All of the previous versions of Specific Condition II.1.B.4. (in permits PSD-FL-137A, B, C, and E) will be replaced by the following:

II.1.B.4. Material handling sources shall be regulated as follows:

a. The material handling and treatment area sources with either fabric filter or baghouse controls are as follows:

- Coal Crusher Building
- Coal Silo Conveyor
- Limestone Pulverizer (2)/Conveyors
- Limestone Storage Bins (2)

- Bed Ash Hopper
- Bed Ash Separator
- Bed Ash Silo Vent
- Fly Ash Silo Vent
- Fly Ash Separators (2)

The emissions from the above listed sources are subject to the particulate emission limitation requirement of 0.003 gr/dscf (applicant-requested limitation which is more stringent than what is allowed by Rule 62-296.711, F.A.C.). Since these sources are RACT standard type, then a one-time verification test on each source shall be required for PM mass emissions to demonstrate that the baghouse control systems can achieve the 0.003 gr/dscf. The performance tests shall be conducted using EPA Method 5 pursuant to Chapter 62-297, F.A.C., and 40 CFR 60, Appendix A.

- b. Fugitive emissions from the following material handling and transport sources shall be controlled as follows:

Coal Car Unloading:	Wet Suppression using continuous water sprays during unloading.
Dry Ash Rail Car loadout:	Using closed or covered containers under negative air pressures during ash loadout; and, using water sprays prior to removal of rail car loadout cap when loading open rail cars.
Dry Ash Truck Loadout:	Using sealed trailers under negative air.
Wet Ash Truck Loadout:	Using a pug mill to mix water with ash.

The above listed sources are subject to a visible emission (VE) limitation requirement of 5 percent (5%) opacity in accordance with Rule 62-296.711, F.A.C. Initial and subsequent compliance tests shall be conducted for VE using EPA Method 9 or other FDEP-approved methods in accordance with Chapter 62-297, F.A.C., and 40 CFR 60, Appendix A. Initial visible emissions testing shall be conducted within 90 days after final DEP approval of these facilities or within 90 days after completion of construction of the source, whichever occurs last. Ash shipped in open rail cars will be sprayed with water to create a crust on the top layer of ash. Dry ash may not be shipped in open trucks. If the pug mill becomes inoperable at any time, all ash shipped in trucks must be shipped in closed trucks and loaded under negative air for the duration of the outage.

A copy of this letter shall be filed with the referenced permit and shall become part of the permit. This permit is issued pursuant to Chapter 403, Florida Statutes. Any party to this order (permit) has the right to seek judicial review of it under Section 120.68, F.S., by the filing of 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 of Appeal must be filed within (thirty) days after this Notice 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 Air Construction/PSD Permit was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on _____ to the person(s) listed:

- Mr. Bruce Smith, Cedar Bay*
- Mr. Jeffery Walker, Cedar Bay
- Mr. C. Kirts, DEP NED
- Mr. H. Oven, PPS
- Mr. J. Manning, RESD
- Mr. G. Worley, EPA
- Mr. Kennard F. Kosky, P.E., Golder Associates

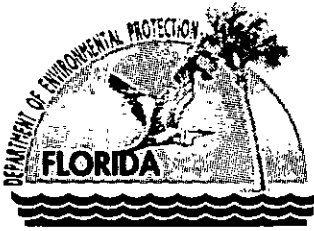
Clerk Stamp

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)

(Date)

DRAFT



Department of Environmental Protection

Jeb Bush
Governor

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

David B. Struhs
Secretary

P.E. Certification Statement

Permittee:

Cedar Bay Generating Company


Draft Air Construction/PSD Permit No.:

0310337-006-AC/PSD-FL-137F

Facility ID No.: 0310337

Project: Air Construction/PSD Permit Revision to increase coal and limestone handling and to install a pug mill at the ash handling facility.

I HEREBY CERTIFY that the engineering features described in the above referenced application and related additional information submittals, if any, and subject to the proposed permit conditions, provide reasonable assurance of compliance with applicable provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Chapters 62-4 and 62-204 through 62-297. However, I have not evaluated and I do not certify aspects of the proposal outside of my area of expertise (including but not limited to the electrical, mechanical, structural, hydrological, and geological features).


Jonathan K. Holtom, P.E.

Registration Number: 0052664

1/22/02
Date

Permitting Authority:

Florida Department of Environmental Protection
Division of Air Resources Management
Bureau of Air Regulation
Mail Station #5505
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Telephone: 850/488-0114
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