



# Florida Department of Environmental Protection

## Memorandum

TO: Michael G. Cooke

THRU: Trina Vielhauer   
J. K. Pennington

FROM: Michael P. Halpin 

DATE: January 18, 2005

SUBJECT: JEA  
Brandy Branch Generating Station

Attached for approval and signature is a construction permit for the subject facility. The permit provides an authorization for Unit 1 to operate on natural gas down to loads of 62 megawatts (approximately 35% output). This is an existing facility and neither a PSD Review nor a new determination of Best Available Control Technology (BACT) was required as a result of this request.

In support of the request, JEA had provided test results, under tests which were authorized by the Department during October of 2004, which indicate that CO levels can be consistently maintained under 11 ppmvd @ 15% O<sub>2</sub> while operating at 65 megawatts. Currently, the permit limits CO emissions to 15 ppmvd @ 15% O<sub>2</sub> while firing natural gas and minimizes operation below 50% output (approximately 90 megawatts) as a result of expected increases in CO while operating at loads below 50%.

A review supports the applicant's contention that the existing permit condition limiting the low load to 50% may be relaxed while ensuring that all other permit conditions (emission limits) will be met. Due to operating variability, I have set the low load limit at 62 MW, providing JEA with a slight (5%) cushion.

The project was noticed in the Florida Times Union on December 16, 2004 and the only comment received was from ERMD (in Jacksonville); this comment was accommodated in the final permit (see Final Determination, attached).

I recommend your approval and signature.

Attachments

/mph



# Department of Environmental Protection

Jeb Bush  
Governor

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

Colleen M. Castille  
Secretary

January 18, 2005

Mr. James M. Chansler, P.E., D.P.A.  
Vice President, Operations and Maintenance  
JEA  
21 West Church Street  
Jacksonville, Florida 32202

Re: DEP File No. 0310485-010-AC; Modification of Permit No. PSD-FL-267 (PA 00-43)  
Brandy Branch Generating Station / Duval County

The applicant, JEA, applied on November 23, 2004, to the Department for a modification to PSD permit number PSD-FL-267 for its Brandy Branch Generating Station located in Duval County. The modification is to allow for Unit 1 to operate on natural gas down to loads of at least 65 gross megawatts. In support of the request, JEA has provided test results, under tests which were authorized by the Department during October of 2004, which indicate that CO levels can be consistently maintained under 11 ppmvd @ 15% O<sub>2</sub> while operating at 65 gross megawatts on natural gas. Currently, the permit limits CO emissions to 15 ppmvd @ 15% O<sub>2</sub> while firing natural gas and minimizes operation below 50% output as a result of expected increases in CO while operating at lower loads.

The Department has reviewed the modification request. The referenced permit is hereby modified as follows:

### III. Emissions Unit(s) Specific Conditions

Applicable Standards And Regulations (Specific Condition 26. rewritten in entirety):

26. Excess emissions resulting from startup, shutdown or malfunction shall be permitted provided that best operational practices are adhered to and the duration of excess emissions shall be minimized. Excess emissions occurrences shall in no case exceed two hours in any 24-hour period for other reasons unless specifically authorized by DEP for longer duration. Operation below 50% output while firing fuel oil (and below 62 gross megawatts while firing natural gas) shall be limited to 2 hours per unit cycle (breaker closed to breaker open). Excess emissions caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure that may reasonably be prevented during startup, shutdown or malfunction, shall be prohibited pursuant to Rule 62-210.700, F.A.C.

All other terms and conditions of this permit remain unchanged. A copy of this letter shall be filed with the referenced permit and shall become part of the permit. This permit modification is issued pursuant to Chapter 403, Florida Statutes.

Any party to this order (permit modification) 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 order is filed with the clerk of the Department.

Executed in Tallahassee, Florida.

Michael G. Cooke, Director  
Division of Air Resource  
Management

"More Protection, Less Process"

Printed on recycled paper.

## FINAL DETERMINATION

JEA

Brandy Branch Generating Station  
DEP File No. 0310485-010-AC, PA 00-43

The Department distributed a public notice package on December 6, 2004 to allow the applicant to allow for low load operation of Unit 1 at the Brandy Branch Generating Station located near Baldwin in Duval County. The Public Notice of Intent to Issue was published in the Florida Times Union on December 16, 2004.

### COMMENTS/CHANGES

No comments were received by the Department from the public, the applicant or from EPA.

Minor comments were received from ERMD (Jacksonville) regarding the lack of adequate test data (provided by the applicant) to warrant issuance of a permit modification which allows operation at reduced loads while firing fuel oil. As a result of the ERMD comments, the final permit language has been modified as follows:

### DRAFT LANGUAGE

#### III. Emissions Unit(s) Specific Conditions

*Applicable Standards And Regulations (Specific Condition 26. rewritten in entirety):*

26. Excess emissions resulting from startup, shutdown or malfunction shall be permitted provided that best operational practices are adhered to and the duration of excess emissions shall be minimized. Excess emissions occurrences shall in no case exceed two hours in any 24-hour period for other reasons unless specifically authorized by DEP for longer duration. Operation below ~~50% output~~ 62 gross megawatts shall be limited to 2 hours per unit cycle (breaker closed to breaker open). Excess emissions caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure that may reasonably be prevented during startup, shutdown or malfunction, shall be prohibited pursuant to Rule 62-210.700, F.A.C.

### FINAL LANGUAGE

#### III. Emissions Unit(s) Specific Conditions

*Applicable Standards And Regulations (Specific Condition 26. rewritten in entirety):*

Excess emissions resulting from startup, shutdown or malfunction shall be permitted provided that best operational practices are adhered to and the duration of excess emissions shall be minimized. Excess emissions occurrences shall in no case exceed two hours in any 24-hour period for other reasons unless specifically authorized by DEP for longer duration. Operation below 50% output while firing fuel oil (and below 62 gross megawatts while firing natural gas) shall be limited to 2 hours per unit cycle (breaker closed to breaker open). Excess emissions caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure that may reasonably be prevented during startup, shutdown or malfunction, shall be prohibited pursuant to Rule 62-210.700, F.A.C.

### CONCLUSION

The final action of the Department is to issue the permit with the minor changes described above.

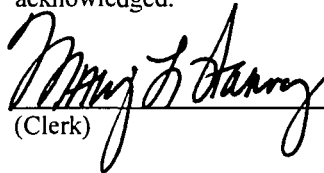
**CERTIFICATE OF SERVICE**

The undersigned duly designated deputy agency clerk hereby certifies that this permit modification was sent by certified mail (\*) and copies were mailed by U.S. Mail before the close of business on 1/20/05 to the person(s) listed:

James M. Chansler, JEA \*  
N. Bert Gianazza, P.E., JEA  
Gregg Worley, EPA  
John Bunyak, NPS  
Chris Kirts, NED  
Robert S. Pace, P.E. EQD  
Hamilton S. Oven, DEP-Siting

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) 1/20/05  
(Date)

**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. James M. Chansler, P.E.  
 D.P.A.  
 Vice President, Operations and  
 Maintenance  
 JEA  
 21 West Church Street  
 Jacksonville, Florida 32202

2. Article Number  
 (Transfer from service label)

7000 1670 0013 3110 2226

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
 x *Pat Ameres*  Agent  Addressee

B. Received by (Printed Name) **JAN 25** Date of Delivery

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

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540

**U.S. Postal Service  
 CERTIFIED MAIL RECEIPT  
 (Domestic Mail Only; No Insurance Coverage Provided)**

7000 1670 0013 3110 2226

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$</b>

Postmark  
 Here

Delivered to James M. Chansler, P.E. D.P.A.  
 Vice President, Operations and Mainten.  
Street, Apt. No., or PO Box No.  
 JEA - 21 West Church Street  
City, State, ZIP+4  
 Jacksonville, Florida 32202

PS Form 3800, May 2000

See Reverse for Instructions

# Memorandum

# Florida Department of Environmental Protection

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TO: Trina Vielhauer

THRU: J. K. Pennington

FROM: M. P. Halpin *MH*

DATE: November 24, 2004

SUBJECT: JEA  
PSD Permit Modification – low load operation on natural gas  
DEP File No. PA 00-43 (PSD-FL-267)

Attached is the public notice package for JEA's Brandy Branch permit modifications. The permit modification allows for Unit 1 to operate on natural gas down to loads of 62 megawatts (approximately 35% output). This is an existing facility and neither a PSD Review nor a new determination of Best Available Control Technology (BACT) was required as a result of this request.

In support of the request, JEA has provided test results, under tests which were authorized by the Department during October of 2004, which indicate that CO levels can be consistently maintained under 11 ppmvd @ 15% O<sub>2</sub> while operating at 65 megawatts. Currently, the permit limits CO emissions to 15 ppmvd @ 15% O<sub>2</sub> while firing natural gas and minimizes operation below 50% output (approximately 90 megawatts) as a result of expected increases in CO while operating at loads below 50%.

A preliminary review supports the applicant's contention that the existing permit condition limiting the low load to 50% may be relaxed while ensuring that all other permit conditions (emission limits) will be met.

I recommend your approval.

JKP/mph

Attachments

TRINA  
I fixed the typographical errors herein.  
— Mike



# Department of Environmental Protection

Jeb Bush  
Governor

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

Colleen M. Castille  
Secretary

December 6, 2004

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. James M. Chansler, P.E., D.P.A.  
Vice President, Operations and Maintenance  
JEA  
21 West Church Street  
Jacksonville, Florida 32202

Re: DEP File No. 0310485-010-AC; Modification of Permit No. PSD-FL-267 (PA 00-43)  
Brandy Branch Generating Station / Duval County

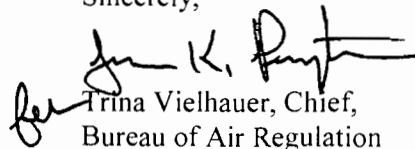
Dear Mr. Chansler:

Enclosed is one copy of the Draft PSD Permit Modification relative to JEA's request to allow for Unit 1 to operate on natural gas down to loads of at least 65 megawatts. The facility is located near Baldwin City in Duval County.

The Public Notice of Intent to Issue PSD Permit Modification must be published one time only, as soon as possible, in the legal advertisement section of a newspaper of general circulation in the area affected, pursuant to the requirements Chapter 50, Florida Statutes. Proof of publication, i.e., newspaper affidavit, must be provided to the Department's Bureau of Air Regulation office within seven days of publication. Failure to publish the notice and provide proof of publication may result in the denial of the permit.

Please submit any written comments you wish to have considered concerning the Department's proposed action to J. K. Pennington, P.E., Administrator, North Permitting Section at the above letterhead address. If you have any other questions, please contact Michael P. Halpin, P.E. at 850/921-9519.

Sincerely,

  
Trina Vielhauer, Chief,  
Bureau of Air Regulation

TV/mph

Enclosures

"More Protection, Less Process"

Printed on recycled paper.

In the Matter of an  
Application for Permit by:

James M Chansler, Vice President Operations & Maintenance  
JEA  
21 West Church Street  
Jacksonville, Florida 32202-3139

DEP File No. PSD-FL-267 (PA 00-43)

### **INTENT TO ISSUE PSD PERMIT MODIFICATION**

The Department of Environmental Protection (Department) gives notice of its intent to issue a PSD Permit Modification (copy of Draft permit attached) for the proposed project, detailed in the application specified above and for the reasons stated below.

The applicant, James M. Chansler, Vice President Operations & Maintenance, JEA, applied on November 23, 2004, to the Department for a PSD Permit Modification for its Brandy Branch Station, located near Baldwin City, Duval County. The request is to allow for Unit 1 to operate on natural gas down to loads of at least 65 megawatts.

In support of the request, JEA has provided test results, under tests which were authorized by the Department during October of 2004, which indicate that CO levels can be consistently maintained under 11 ppmvd @ 15% O<sub>2</sub> while operating at 65 megawatts. Currently, the permit limits CO emissions to 15 ppmvd @ 15% O<sub>2</sub> while firing natural gas and minimizes operation below 50% output (approximately 90 megawatts) as a result of expected increases in CO while operating at loads below 50%.

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, 62-212 and 40 CFR 52.21. The above actions are not exempt from permitting procedures. The Department has determined that a PSD Permit Modification is required to revise the permit with respect to changes in hours of use.

The Department intends to issue this PSD Permit Modification based on the belief that reasonable assurances have been provided to indicate that operation of these emission units will not adversely impact air quality, and the 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. and 40 CFR 52.21.

Pursuant to Section 403.815, F.S., and Rule 62-110.106(7)(a)1., F.A.C., you (the applicant) are required to publish at your own expense the enclosed Public Notice of Intent to Issue PSD Permit Modification. The notice shall be published one time only in the legal advertisement section of a newspaper of general circulation in the area affected. Rule 62-110.106(7)(b), F.A.C., requires that the applicant cause the notice to be published as soon as possible after notification by the Department of its intended action. 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. If you are uncertain that a newspaper meets these requirements, please contact the Department at the address or telephone number listed below. The applicant shall provide proof of publication to the Department's Bureau of Air Regulation, at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400 (Telephone: 850/488-0114; Fax 850/ 922-6979). You must provide proof of publication within seven days of publication, pursuant to Rule 62-110.106(5), F.A.C. No permitting action for which published notice is required shall be granted until proof of publication of notice is made by furnishing a uniform affidavit in substantially the form prescribed in section 50.051, F.S. to the office of the Department issuing the permit. Failure to publish the notice and provide proof of publication may result in the denial of the permit pursuant to Rules 62-110.106(9) & (11), 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 permit issuance action for a period of 14 (fourteen) days from the date of publication of Public Notice of Intent to Issue PSD Permit Modification. Written comments should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, FL 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the proposed 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 proceeding (hearing) under sections 120.569 and 120.57 of the Florida Statutes. 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 permit applicant or any of the parties listed below must be filed within 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) of the Florida Statutes must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under section 120.60(3), however, any person who asked the Department 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 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 of the Florida Administrative Code.

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, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (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 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.

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 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 in this proceeding.

In addition to the above, a person subject to regulation has a right to apply 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.

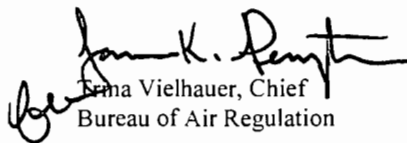
The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. The petition must specify the following information: (a) The name, address, and telephone number 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 EPA 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.

  
Emma Vielhauer, Chief  
Bureau of Air Regulation

**CERTIFICATE OF SERVICE**

The undersigned duly designated deputy agency clerk hereby certifies that this Intent to Issue PSD Permit Modification (including the Public Notice of Intent to Issue PSD Permit Modification and the Draft 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:

James M. Chansler, JEA \*  
N. Bert Gianazza, P.E., JEA  
Gregg Worley, EPA  
John Bunyak, NPS  
Chris Kirts, NED  
Robert S. Pace, P.E. EQD  
Hamilton S. Oven, DEP-Siting

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) 12/6/04  
(Date)

**PUBLIC NOTICE OF INTENT TO ISSUE PSD PERMIT MODIFICATION**

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

DEP File No. PSD-FL-267 (PA 00-43)

JEA  
Brandy Branch Generating Station  
Duval County

The Department of Environmental Protection (Department) gives notice of its intent to issue a PSD Permit Modification to Brandy Branch Generating Station, located near Baldwin City, Duval County. The permit modification allows for Unit 1 to operate on natural gas down to loads of 62 megawatts. This is an existing facility and a new determination of Best Available Control Technology (BACT) was not required. The applicant's mailing address is: 21 West Church Street, Jacksonville FL 32202-3139.

In support of the request, JEA has provided test results, under tests which were authorized by the Department during October of 2004, which indicate that CO levels can be consistently maintained under 11 ppmvd @ 15% O<sub>2</sub> while operating at 65 megawatts. Currently, the permit limits CO emissions to 15 ppmvd @ 15% O<sub>2</sub> while firing natural gas and minimizes operation below 50% output (approximately 90 megawatts) as a result of expected increases in CO while operating at loads below 50%.

An air quality impact analysis was not required. 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 permit issuance action for a period of 14 (fourteen) days from the date of publication of this Public Notice of Intent to Issue PSD Permit Modification. Written comments should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, FL 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the proposed 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. Mediation is not available in this proceeding.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57 of the Florida Statutes. 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 permit applicant or any of the parties listed below must be filed within 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) of the Florida Statutes must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under section 120.60(3), however, any person who asked the Department 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 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 of the Florida Administrative Code.

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

NOTICE TO BE PUBLISHED IN THE NEWSPAPER

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, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (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 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.

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

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:

Florida Department of  
Environmental Protection  
Bureau of Air Regulation  
111 S. Magnolia Drive, Suite 4  
Tallahassee, Florida, 32301  
Telephone: (850) 488-1344  
Fax: (850) 922-6979

Florida Department of  
Environmental Protection  
Northeast District  
Suite 200B, 7825 Baymeadows Way  
Jacksonville, Florida 32256  
Telephone: (904) 448-4300

The complete project file includes the application, Draft permit, and the information submitted by the Responsible Official, exclusive of confidential records under Section 403.111, F.S. Interested persons may review specific details of this project by contacting the Administrator, North Permitting Section, at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/488-0114, for additional information.

NOTICE TO BE PUBLISHED IN THE NEWSPAPER

**DRAFT**

December 6, 2004

Mr. James M. Chansler, P.E., D.P.A.  
Vice President, Operations and Maintenance  
JEA  
21 West Church Street  
Jacksonville, Florida 32202

Re: DEP File No. 0310485-010-AC; Modification of Permit No. PSD-FL-267 (PA 00-43)  
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The Department has reviewed the modification request. The referenced permit is hereby modified as follows:

III. Emissions Unit(s) Specific Conditions

Applicable Standards And Regulations (Specific Condition 26. rewritten in entirety):

26. Excess emissions resulting from startup, shutdown or malfunction shall be permitted provided that best operational practices are adhered to and the duration of excess emissions shall be minimized. Excess emissions occurrences shall in no case exceed two hours in any 24-hour period for other reasons unless specifically authorized by DEP for longer duration. Operation below ~~50% output~~ 62 gross megawatts shall be limited to 2 hours per unit cycle (breaker closed to breaker open). Excess emissions caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure that may reasonably be prevented during startup, shutdown or malfunction, shall be prohibited pursuant to Rule 62-210.700, F.A.C.

All other terms and conditions of this permit remain unchanged. A copy of this letter shall be filed with the referenced permit and shall become part of the permit. This permit modification is issued pursuant to Chapter 403, Florida Statutes.

Any party to this order (permit modification) 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 order is filed with the clerk of the Department.

Executed in Tallahassee, Florida.

\_\_\_\_\_  
Michael G. Cooke, Director  
Division of Air Resource  
Management

**DRAFT**

**CERTIFICATE OF SERVICE**

The undersigned duly designated deputy agency clerk hereby certifies that this permit modification was sent by certified mail (\*) and copies were mailed by U.S. Mail before the close of business on \_\_\_\_\_ to the person(s) listed:

- James M. Chansler, JEA \*
- N. Bert Gianazza, P.E., JEA
- Gregg Worley, EPA
- John Bunyak, NPS
- Chris Kirts, NED
- Robert S. Pace, P.E. EQD
- Hamilton S. Oven, DEP-Siting

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)

**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. James M. Chansler, P.E. D.P.A.  
 Vice President, Operations and  
 Intenance

West Church Street  
 Jacksonville, Florida 32202

2. Article Number (Transfer from service label) 7000 1670 0013 3110 2035

PS Form 3811, August 2001 Domestic Return Receipt 102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 Addressee

B. Received by (Printed Name) C. Date of Delivery  
 J. Richardson 12/9/04

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

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

7000 1670 0013 3110 2035

**U.S. Postal Service  
 CERTIFIED MAIL RECEIPT  
 (Domestic Mail Only; No Insurance Coverage Provided)**

7000 1670 0013 3110 2035

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

Sent To Chanster  
 Mr. James Chandier, P.E.  
 Vice President, Operations & Maint.  
 JEA/ 21 West Church Street  
 City, State, ZIP+4  
 Jacksonville, Florida 32202

21 West Church Street  
Jacksonville, Florida 32202-3139

November 19, 2004



Jim Pennington, P.E.  
Administrator  
Permitting North  
Bureau of Air Regulation  
Florida Department of Environmental Protection  
2600 Blair Stone Road  
Tallahassee, FL 32399-2400

ELECTRIC

WATER

SEWER

RE: Brandy Branch Generating Station Unit 1  
PSD Permit PSD-267  
Title V Permit 0310485-005-AV  
*0310485-010-AC*

Dear Mr. Pennington:

Enclosed please find the stack test reports for the low load testing on the above referenced unit as previously authorized by the Department.

Low load testing on gas fuel showed compliance with permit limits at a load of 65 MW. We request a permit revision reflecting this new low load limit.

Testing was not completed on oil and therefore we are not seeking a permit revision allowing lower load operation on oil at this time. However, the test report for the one run conducted on oil is also enclosed.

If you have any questions, please don't hesitate to call me at 665-6247.

Sincerely,

A handwritten signature in black ink, appearing to read 'N. Bert Gianazza', is written over a horizontal line.

N. Bert Gianazza, P.E.  
Environmental Services

cc: Mike Halpin, P.E., FDEP (w/o atta.)  
Robert S. Pace, P.E., EQD (w/o atta.)

RECEIVED

NOV 23 2004

BUREAU OF AIR REGULATION



PUBLIC NOTICE OF INTENT TO ISSUE PSD PERMIT MODIFICATION

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DEP File No. PSD-FL-267 (PA 00-43)

JEA
Brandy Branch Generating Station
Duval County

The Department of Environmental Protection (Department) gives notice of its intent to issue a PSD Permit Modification to Brandy Branch Generating Station, located near Baldwin City, Duval County. The permit modification allows for Unit 1 to operate on natural gas down to loads of 62 megawatts. This is an existing facility and a new determination of Best Availability Control Technology (BACT) was not required. The applicant's mailing address is: 21 West Church Street, Jacksonville, FL 32202-3139.

In support of the request (JEA has provided test results, under tests which were authorized by the Department October of 2004, which indicates that CO levels can be consistently maintained under 11 ppmvd @ 15% O2 while operating at 65 megawatts. Currently, the permit limits CO emissions to 15 ppmvd @ 15% O2, while firing natural gas and minimizes operation below 505 output (approximately 90 megawatts) as a result of expected increases in CO while operating at loads below 50%.

An air quality impact analysis was not required. 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 permit issuance action for a period of 14 (fourteen) days from the date of publication of this Public Notice of Intent to Issue PSD Permit Modification. Written comments should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, FL 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the proposed permit and require, if applicable, another Public Notice.

The Department will issue the permit with the attached condition 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. Mediation is not available in this proceeding.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57 of the Florida Statutes. 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 permit applicant or any of the parties listed below must be filed within 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) of the Florida Statutes must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under section 120.60(3), however, any person who asked the Department 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 appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under sections 120.1569 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 28-105.25-05 of the Florida Administrative Code.

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, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (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 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.

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

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:

Florida Department of Environmental Protection
Bureau of Air Regulation
111 S. Magnolia Drive, Suite 4
Tallahassee, Florida, 32301
Telephone: (850) 488-1344
Fax: (850) 922-6979

Florida Department of Environmental Protection
Northeast District
Suite 200B, 7825 Baymeadows Wy
Jacksonville, Florida 32256
Telephone: (904) 448-4300

The complete project file includes the application, Draft permit, and the information submitted by the Responsible Official, exclusive of confidential records under Section 403.111, F.S. Interested persons may review specific details of this project by contacting the Administrator, North Permitting Section, at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/448-0114, for additional information.

THE FLORIDIA TIMES-UNION Jacksonville, Fl
Affidavit of Publication

Florida Times-Union

J.E.A./ENVIRONMENTAL
ATTN: DAVE ENGLISH
21 W CHURCH ST T-8
JACKSONVILLE FL 32202

RECEIVED

DEC 29 2004

CURE-U OF AIR REGULATION

REFERENCE: 0334984
R046488 Public Notice

State of Florida
County of Duval

before the undersigned authority personally appeared Kimalete Frazier who on oath says she is a Legal Advertising Representative of The Florida Times-Union, a daily newspaper published in Jacksonville in Duval County, Florida; that the attached copy of advertisement is a legal ad published in The Florida Times-Union. Affiant further says that The Florida Times-Union is a newspaper published in Jacksonville, in Duval County, Florida, and that the newspaper has therefore been continuously published in Duval County, Florida each day, has been entered as second class mail matter at the post office in Jacksonville, in Duval County, Florida for a period of one year preceeding the first publication of the attached copy of advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission, or refund for the purpose of securing this advertisement for publication in said newspaper.

PUBLISHED ON: 12/16

FILED ON: 12/20/04

Name: Kimalete Frazier Title: Legal Advertising Representative
In testimony whereof, I have hereunto set my hand and affixed my of seal, the day and year aforesaid.

Notary Public Signature

Notary Seal: State of Florida, Notary Public, Commission Expires 12/31/2006

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature <input checked="" type="checkbox"/> Agent <i>J. Richardson</i> <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>J. Richardson</i></p> <p>C. Date of Delivery <i>12/9/04</i></p>
<p>1. Article Addressed to:</p> <p>Mr. James M. Chansler, P.E. D.P.A. Vice President, Operations and Maintenance</p> <p>West Church Street Jacksonville, Florida <i>32202</i></p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type  <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)</p>	<p>7000 1670 0013 3110 2035</p>
<p>PS Form 3811, August 2001</p>	<p>Domestic Return Receipt 102595-02-M-1540</p>

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

OFFICIAL USE

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
<b>Total Postage &amp; Fees</b>	<b>\$</b>	

*Chanster*

Sent To	Mr. James <i>Chanster</i> Chandler, P.E.
Signature	Vice President, Operations & Maint.
Address	JEA/ 21 West Church Street
City, State, ZIP+4	Jacksonville, Florida 32202

*Chanster*

PS Form 3800, May 2000 See Reverse for Instructions

7000 1670 0013 3110 2035

<p><b>SENDER: COMPLETE THIS SECTION</b></p> <ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul> <p>1. Article Addressed to:  Mr. James M. Chansler, P.E.  D.P.A.  Vice President, Operations and  Maintenance  JEA  21 West Church Street  Jacksonville, Florida 32202</p> <p>2. Article Number  (Transfer from service label) <span style="float: right;">7000 1670 0013 3110 2226</span></p>	<p><b>COMPLETE THIS SECTION ON DELIVERY</b></p> <p>A. Signature  <i>x Pat Amerest</i> <span style="float: right;"><input type="checkbox"/> Agent  <input type="checkbox"/> Addressee</span></p> <p>B. Received by (Printed Name) <span style="float: right;">C. Date of Delivery</span>  <span style="float: right; font-size: 2em;">JAN 25</span></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes  If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type  <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
*(Domestic Mail Only; No Insurance Coverage Provided)*

**OFFICIAL USE**

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

7000 1670 0013 3110 2226

9222 DTTE ET00 0297 0000

Send To: James M. Chansler, P.E. D.P.A.  
Vice President, Operations and Maintenance  
Street, Apt. No., or PO Box No.  
JEA - 21 West Church Street  
City, State, ZIP+4  
Jacksonville, Florida 32202

PS Form 3800, May 2000 See Reverse for Instructions

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
DEP File No. PSD-FL-267 (PA 00-43)

JEA  
Brandy Branch Generating Station  
Duval County

The Department of Environmental Protection (Department) gives notice of its intent to issue a PSD Permit Modification to Brandy Branch Generating Station, located near Baldwin City, Duval County. The permit modification allows for Unit 1 to operate on natural gas down to loads of 62 megawatts. This is an existing facility and a new determination of Best Availability Control Technology (BACT) was not required. The applicant's mailing address is: 21 West Church Street, Jacksonville, FL 32202-3139.

In support of the request (JEA has provided test results, under tests which were authorized by the Department October of 2004, which indicates that CO levels can be consistently maintained under 11 ppmvd @ 15% O2 while operating at 65 megawatts. Currently, the permit limits CO emissions to 15 ppmvd @ 15% O2, while firing natural gas and minimizes operation below 505 output (approximately 90 megawatts) as a result of expected increases in CO while operating at loads below 50%.

An air quality impact analysis was not required. 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 permit issuance action for a period of 14 (fourteen) days from the date of publication of this Public Notice of Intent to Issue PSD Permit Modification. Written comments should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, FL 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the proposed permit and require, if applicable, another Public Notice.

The Department will issue the permit with the attached condition 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. Mediation is not available in this proceeding.

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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, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (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 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.

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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:

Florida Department of  
Environmental Protection  
Bureau of Air Regulation  
111 S. Magnolia Drive, Suite 4  
Tallahassee, Florida, 32301  
Telephone: (850) 488-1344  
Fax: (850) 922-6979

Florida Department of  
Environmental Protection  
Northeast District  
Suite 200B, 7825 Baymeadows Wy  
Jacksonville, Florida 32256  
Telephone: (904) 448-4300

The complete project file includes the application. Draft permit, and the information submitted by the Responsible Official, exclusive of confidential records under Section 403.111, F.S. Interested persons may review specific details of this project by contacting the Administrator, North Permitting Section, at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call-850/448-0114, for additional information.

THE FLORIDIA TIMES-UNION Jacksonville, Fl  
Affidavit of Publication

Florida Times-Union

RECEIVED

DEC 29 2004

BUREAU OF AIR REGULATION

J.E.A./ENVIRONMENTAL  
ATTN: DAVE ENGLISH  
21 W CHURCH ST T-8  
JACKSONVILLE FL 32202

REFERENCE: 0334984  
R046488 Public Notice

State of Florida  
County of Duval

Before the undersigned authority personally appeared Kimalete Frazier who on oath says she is a Legal Advertising Representative of The Florida Times-Union, a daily newspaper published in Jacksonville in Duval County, Florida; that the attached copy of advertisement is a legal ad published in The Florida Times-Union. Affiant further says that The Florida Times-Union is a newspaper published in Jacksonville, in Duval County, Florida, and that the newspaper has heretofore been continuously published in Duval County, Florida each day, has been entered as second class mail matter at the post office in Jacksonville, in Duval County, Florida for a period of one year preceeding the first publication of the attached copy of advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission, or refund for the purpose of securing this advertisement for publication in said newspaper.

PUBLISHED ON: 12/16

FILED ON: 12/20/04

Name: Kimalete Frazier Title: Legal Advertising Representative  
In testimony whereof, I have hereunto set my hand and affixed my official seal, the day and year aforesaid.

NOTARY:

*Twilla Shipp*



TWILLA SHIPP  
Notary Public, State of Florida  
My comm. expires May 13, 2006  
Comm. No. DD 117248