



Department of Environmental Protection

Jeb Bush
Governor

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

Colleen M. Castille
Secretary

October 20, 2005

Mr. Martin Kreft, General Manager
Cedar Bay Generating Company, L.P.
9640 Eastport Road
Jacksonville, Florida 32218

Re: DEP File No. 0310337-009-AC, 0310337-010-AV and PA 88-24
Modification of Permit No. PSD-FL-137 and 0310337-007-AV
Cedar Bay Generating Plant / Duval County

Dear Mr. Kreft:

On August 2, 2005, the Department received your application to co-fire 5% tire-derived fuel (TDF) in boilers A, B and C at the above facility, which is located in Duval County. Enclosed are the following related documents: "Technical Evaluation Preliminary Determination and Statement of Basis" and "Draft Permit Revision". The "Technical Evaluation Preliminary Determination and Statement of Basis" summarizes the Permitting Authority's technical review of the application and provides the rationale for making the preliminary determination to issue the permit. The "Draft Permit Revision" includes the specific changes to the above permit conditions that the Department intends to make.

The Department is providing its preliminary determination to issue revisions to these permits at the same time. Enclosed are the following combined documents related to these projects: "Written Notice of Intent to Issue Revised Air Construction Permit/Title V Air Operation Permit" and "Public Notice of Intent to Issue Revised Air Construction Permit/Title V Air Operation Permit". These documents revise both permits, allowing for a single Public Notice. The "Written Notice" provides important information regarding: the Permitting Authority's intent to issue the permits; the requirements for publishing the Public Notice of the Permitting Authority's intent to issue the air permits; the procedures for submitting comments on the Draft Permits; the requirements for requesting a public meeting; the process for filing a petition for an administrative hearing; and the availability of mediation. The "Public Notice" is the actual notice that you must have published in the legal advertisement section of a newspaper of general circulation in the area affected by this project.

If you have any questions, please contact the Project Engineer, Michael P. Halpin, P.E., at 850/921-9519.

Sincerely,

Trina Vielhauer, Chief
Bureau of Air Regulation

Enclosures

"More Protection, Less Process"

Printed on recycled paper.

**WRITTEN NOTICE OF INTENT TO ISSUE
REVISED AIR CONSTRUCTION PERMIT/TITLE V AIR OPERATION PERMIT**

Mediation: Mediation is not available in this proceeding.

Objections to the FINAL Title V Permit: Finally, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within sixty (60) 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 the issuance of any Title V air operation permit. Any petition shall be based only on objections to the Permit that were raised with reasonable specificity during the thirty (30) day public comment period provided in the Public 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. For more information regarding EPA review and objections, visit EPA's Region 4 web site at <http://www.epa.gov/region4/air/permits/Florida.htm>.

Executed in Tallahassee, Florida.



Trina Vielhauer, Chief
Bureau of Air Regulation

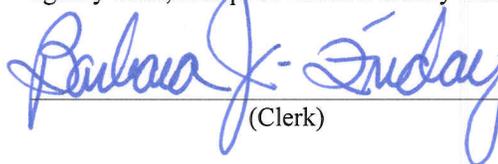
CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this "Written Notice of Intent to Issue Air Permit" package (including the Written Notice of Intent, the Public Notice, the Technical Evaluation and Preliminary Determination, the Draft Air Construction and Draft Title V Air Operation Permit) was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on 10/25/05 to the persons listed below.

Martin Kreft, Cedar Bay *
Jeff Walker, Cedar Bay
Ken Kosky, P.E., Golder Associates
Hamilton Owen, P.E., PPSO
Richard Robinson, P.E., City of Jacksonville EQD
Doug Neeley, EPA
John Bunyak, NPS
Chris Kirts, DEP-NED
Dot Mathias, Northside Civic Association

Clerk Stamp

FILING 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.

 10/25/05
(Clerk) (Date)