PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT

Florida Department of Environmental Protection
Division of Air Resource Management, Bureau of Air Regulation
Project No. 0570057-020-AC/Draft Air Construction Permit No. PSD-FL-404
EnviroFocus Lead-Acid Battery Recycling Facility
Facility Upgrade and Production Increase
Hillsborough County

Applicant: The applicant for this project is EnviroFocus Technologies, LLC (EnviroFocus). The applicant's authorized representative and mailing address are: Mr. John Tapper, Chief Operating Officer, EnviroFocus Technologies, LLC, 1901 North 66th Street, Tampa, Florida 33619.

Facility and Location: EnviroFocus operates a lead-acid battery recycling facility, which is located in Hillsborough County at 1901 North 66th Street, Tampa, Florida.

Project: On August 13, 2008, EnviroFocus submitted an application for an air construction permit pursuant to the rules for the Prevention of Significant Deterioration (PSD) in Rule 62-212.400, Florida Administrative Code (F.A.C.) to upgrade and increase the production capacity of its lead-acid battery recycling facility from 32,000 to 150,000 tons per year (TPY) of lead alloy products. A Notice of Application was published in The Tampa Tribune on May 1, 2009. A determination of Best Available Control Technology (BACT) is required for particulate matter (PM/PM_{10}) and nitrogen oxides (NO_X). Details of the project are provided in the application and the Technical Evaluation and Preliminary Determination available at the following link:
www.dep.state.fl.us/Air/emission/construction/hillsborough_county.htm

The facility recycles spent automotive and industrial lead-acid batteries, as well as other lead-bearing scrap materials to produce lead ingots by a process that includes battery breaking, lead smelting and refining/casting. The key production expansion measures include: replacement of the existing battery breaker with a larger hammer mill; addition of a feed dryer and installation of a reverberatory (reverb) furnace for additional smelting; and installation of six kettles for additional refining. A plastics plant will be constructed at the facility to turn the recycled plastic from the battery casings into saleable pellets.

Air pollution control measures include: a new wet impingement scrubber and stack and other improvements at the battery breaking area; a larger afterburner, dryer baghouse, process baghouse, wet scrubber and stack for the lead smelting operation; and a new hygiene baghouse and stack for the refining/casting operation. The entire recycling process will be totally enclosed, placed under negative pressure and exhausted via an expanded building ventilation system through a cartridge collector and stack.

The following table is a comparison provided by EnviroFocus of potential PSD-pollutant emissions after the production increase with baseline actual emissions in tons per year (TPY).

Pollutant	Baseline Actual Emissions (TPY)	Future Potential Emissions (TPY)	Net Emissions Increase (TPY)	PSD Significant Emission Rate (TPY)	PSD Triggered?
Carbon monoxide (CO)	813	912	99	100	NO
NO_X	35	204	169	40	YES
$PM/PM_{10}/PM_{2.5}$	24	65	41	25/15/10	YES
Sulfuric acid mist (SAM)	4.4	6.5	2.1	7	NO
Lead (Pb)	0.97	0.96	-0.01	0.6	NO
Sulfur dioxide (SO_2)	853	892	39	40	NO
Volatile organic compounds (VOC)	60	16	-44	40	NO
Mercury (Hg)	0.012	0.018	0.006	0.1	NO

Smelting is the key source of NO_X. Emissions will be limited to 0.6 pounds per ton of feed (lb/ton) to the reverb furnace and 0.4 lb/ton feed to the blast furnace as BACT. The control techniques will include furnace draft control at both furnaces and replacement of a portion of the combustion air used in the reverb furnace with oxygen to reduce the nitrogen available for thermal NO_X formation.

(Public Notice to be Published in the Newspaper)

$PM/PM_{10}/PM_{2.5}$ emissions from battery breaking, smelting and refining will be controlled by the measures described above (scrubbers and baghouses). The facility will be completely enclosed, covered and placed under negative pressure and ventilated to the atmosphere through a high-efficiency cartridge collector system. The BACT limitation for the key $PM/PM_{10}/PM_{2.5}$ control equipment is 0.005 grains per dry standard cubic foot (gr/dscf). Fugitive emissions of $PM/PM_{10}/PM_{2.5}$ from plant roadways will be controlled through a combination of vacuum sweeping and wet suppression.

Despite the production increases, PSD will be avoided for SAM and SO_2 by installation of a wet impingement scrubber at the battery breaking area and by a caustic scrubber augmented by soda ash injection for smelting process emissions. PSD will be avoided for CO and VOC primarily by installation of a larger afterburner that provides for comingling and incineration of the exhaust from the existing blast furnace and the new reverb furnace. PSD will be avoided for Pb by the BACT measures described above for the control of $PM/PM_{10}/PM_{2.5}$. Pb emissions will be limited to 0.2 and 0.3 milligrams per dry standard cubic meter (mg/dscm) from the smelting and refining steps respectively.

The Department will require installation of continuous emission monitoring systems (CEMS) at the smelting (process) stack for CO, SO_2 and NO_X and at the refining (hygiene) stack for SO_2 and NO_X.

An air quality impact analysis was conducted to ensure that the proposed project does not contribute to or cause a violation of any state or federal ambient air quality standards or PSD Class II Increment according to Rule 62-204.200, F.A.C. It was not necessary for this project to complete a Class I analysis due to low emissions and distance from the Chassahowitzka National Wildlife Refuge. The maximum predicted annual and high, second-high 24-hour PSD Class II area impacts from this project and all other increment-consuming sources in the vicinity of the EnviroFocus Technologies (EFT) facility are shown as micrograms per cubic meter ($\mu g/m^3$) in the following table.

PSD Class II Increment Analysis

Pollutant	Averaging Time	Maximum Predicted Impact ($\mu g/m^3$)	Allowable Increment ($\mu g/m^3$)	Impact Greater Than Allowable Increment?
PM_{10}	24-hour	26	30	NO
	Annual	5	17	NO
NO_2	Annual	10	25	NO

The values given for PM_{10} represent the predicted impacts when the proposed project contribution exceeds the applicable significant impact level. The analysis revealed cases where the maximum predicted impacts exceeded the allowable increments for PM_{10}, but EFT did not cause or contribute to those exceedances.

Although PSD was not triggered for Pb, modeling was conducted that demonstrates future compliance with the new U.S. Environmental Protection Agency (EPA) national ambient air quality standard (NAAQS) of 0.15 micrograms per cubic meter ($\mu g/m^3$).

Ambient Air Quality Impacts for Pb

Pollutant	Averaging Time	Maximum Predicted Impact ($\mu g/m^3$)	Background ($\mu g/m^3$)	Total Impact ($\mu g/m^3$)	Impact Greater Than AAQS?	AAQS ($\mu g/m^3$)
Pb	3-month rolling	0.08	0.05	0.13	NO	0.15

The Department will require installation of additional Pb monitors in the neighborhood to supplement the two source-oriented regulatory monitors already in operation near EFT.

Permitting Authority: Applications for air construction permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters F.A.C. 62-4, 62-210 and 62-212. The proposed project is not exempt from air permitting requirements and an air construction permit pursuant to PSD is required to perform the proposed work. The Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination for this project. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite 4, Tallahassee, Florida. The Permitting Authority's mailing address is: 2600 Blair Stone Road, Mail Station (MS) 5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/488-0114.

Project File: A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at address indicated above for the Permitting Authority. The

complete project file includes the Draft Permit, the Technical Evaluation and Preliminary Determination, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address or phone number listed above. In addition, electronic copies of these documents are available at the web site given above.

Notice of Intent to Issue Air Construction Permit: The Permitting Authority gives notice of its intent to issue an air construction permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of the proposed equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296 and 62-297, F.A.C. The Permitting Authority will issue a Final Permit in accordance with the conditions of the proposed Draft Permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

Comments: The Permitting Authority will accept written comments concerning the proposed Draft Permit and requests for a public meeting for a period of 30 days from the date of publication of the Public Notice. Written comments must be received by the Permitting Authority by close of business (5:00 p.m.) on or before the end of this 30-day period. In addition, if a public meeting is requested within the 30-day comment period and conducted by the Permitting Authority, any oral and written comments received during the public meeting will also be considered by the Permitting Authority. If written comments or comments received at a public meeting result in a significant change to the Draft Permit, the Permitting Authority will issue a revised Draft Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

Petitions: 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 with (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/245-2241; Fax: 850/245-2303). Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of this Public Notice or receipt of a written notice, 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 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 (in a proceeding initiated by another party) 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 when and how each petitioner received notice of the agency action or proposed decision; (d) A statement of all disputed issues of material fact; (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 including an explanation of how the alleged facts relate to the specific rules or statutes; and, (g) A statement of the relief sought by the petitioner, stating precisely the action the 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 Public Notice of Intent to Issue Air Permit. Persons whose substantial interests will be affected by any such final decision of the Permitting Authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation: Mediation is not available in this proceeding.