PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT MODIFICATION

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Hillsborough County Resource Recovery Facility Unit 4

DEP File No. 0570261-009-AC (PSD-FL-369A)

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit modification to modify the planned nitrogen oxides (NO_X) control equipment for the previously approved Unit 4 at the Hillsborough County Resource Recovery Facility located southeast of Tampa, west of I-75 and near Brandon. A review under the Rules for the Prevention of Significant Deterioration (PSD) of Air Quality and a determination of best available control technology (BACT) were previously conducted. The applicant's address is Hillsborough County Department of Solid Waste Management, 601 East Kennedy Boulevard, Tampa, Florida 33602.

Unit 4 is a nominal 600 tons per day municipal waste combustor and is presently under construction. The Department previously determined that BACT for NO_X is 110 parts per million by volume, dry corrected to 7 percent oxygen (ppmvd @7% O_2) of NO_X on a 24-hour average and 90 ppmvd @7% O_2 on a 12-month average, rolled monthly. The previously approved controls to achieve these values included a flue gas recirculation (FGR) system and a urea-based selective non catalytic reduction (SNCR) system.

The operator, Covanta, supplies much of the equipment used at the facility. Covanta now proposes to meet the approved BACT limits for NO_X by its recently developed Low NO_X (LN) combustion system in lieu of the FGR system and employing an ammonia-based SNCR system instead of one based on urea.

For reference, the overall pollution control equipment will now consist of: a spray dryer (SD) with lime injection to absorb MWC acid gases; an activated carbon injection (ACI) system to adsorb MWC organics and mercury (Hg); a fabric filter (FF) baghouse to remove particulate matter, including absorption/adsorption reagent; an LN system to limit NO_X formation; and an ammonia based SNCR system to destroy NO_X. Continuous emissions monitoring systems (CEMS) are required for CO, NO_X, SO_2 and Hg are required as well as a continuous opacity monitoring system (COMS).

The County also requests a modification of the maximum steam production limit from 190,000 to 200,000 pounds per hour based on improved cycle efficiency related to the project changes. There are no changes proposed in the approved emission limitations. No additional ambient air quality analysis is required.

The Department will issue the Final Air Construction Permit Modification 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 the enclosed Public Notice of Intent to Issue Air Construction 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 Modification and require, if applicable, another Public Notice.

The Department will issue the Permit Modification 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 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 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 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 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:

Dept. of Environmental Protection Bureau of Air Regulation 111 S. Magnolia Drive, Suite 4 Tallahassee, Florida 32399-2400 Telephone: 850/488-0114 Fax: 850/921-9533	Dept. of Environmental Protection Southwest District Office 13051 North Telecom Parkway Temple Terrace, Florida 33637-0926 Telephone: 813/632-7600 Fax: 813/744-6458	Hillsborough County Environmental Protection Commission 3629 Queen Palm Drive Tampa, Florida 33619-1309 Telephone: 813/627-2600 Fax: 813-627-2660

The complete project file includes the permit application, draft air construction permit modification, technical evaluation, and the information submitted by the authorized representative, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Program Administrator, South Permitting Section at 2600 Blair Stone Road, MS 5505, Tallahassee, Florida 32399-2400 or call 850/488-0114 for additional information. Key correspondence, the draft permit modification and the technical evaluation can be accessed at the following web page: www.dep.state.fl.us/Air/permitting/construction/hillsborough.htm