

## PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT

Florida Department of Environmental Protection  
Division of Air Resource Management, Bureau of Air Regulation

Draft Air Permit No. 0810226-001-AC  
Florida Biomass Energy, LLC Clean Woody Biomass Power Plant  
Manatee County, Florida

**Applicant:** The applicant for this project is Florida Biomass Energy, LLC (FBE). The applicant's authorized representative and mailing address is: Mr. Rick Jensen, President, Florida Biomass Energy, LLC, 9040 Town Center Parkway, Bradenton, Florida 34202.

**Facility Location:** FBE proposes to construct a new net 60.0 megawatt (MW) power plant fueled by clean woody biomass that will be located in Manatee County at 11805 US Highway 41 North in Port Manatee, Palmetto, Manatee County, Florida. The plant will be located immediately west of U.S. Highway 41 and approximately 2 miles southwest of the Manatee County municipal airport.

**Project:** The fuel feedstock for the project will consist of clean woody biomass, which will be processed at a remote fuel preparation area. At this remote area, the feedstock will be sorted, screened and chipped to size. Although some leaves and small branches may inadvertently find their way into the feedstock, the focus is on producing wood chips from the clean woody biomass. In addition, a fuel crop is under consideration to supplement available feedstock supplies. The fuel will be combusted in a grate-type suspension boiler (GSB) to produce a net 60.0 MW of electric power. Biodiesel or as a backup ultralow sulfur distillate (ULSD) fuel oil (FO) will be used for GSB startup, shutdown and bed stabilization and also for use in emergency equipment.

Based on the air permit application, the project will result in emissions increases of: 99.0 tons per year (TPY) of carbon monoxide (CO); 67.6 TPY of nitrogen oxides (NO<sub>x</sub>); 44.6 TPY of particulate matter (PM); 36.2 TPY of PM with a mean diameter of 10 micrometers (µm) or less (PM<sub>10</sub>); 34.0 TPY of PM with a mean diameter of 2.5 µm or less (PM<sub>2.5</sub>); 1.2 TPY of sulfuric acid mist (SAM); 53.1 TPY of sulfur dioxide (SO<sub>2</sub>); 10.1 TPY of volatile organic compounds (VOC); 0.16 TPY of lead (Pb); and 24.95 TPY of hazardous air pollutants (HAP) and less than 10 TPY of any individual HAP.

A review for the Prevention of Significant Deterioration (PSD) and a best available control technology (BACT) determination were not required because the potential-to-emit (PTE) any single PSD-pollutant will be less than 250 TPY. A case-by-case maximum achievable control technology (MACT) determination was not required because the PTE of any single HAP will be less than 10 TPY and the PTE for all HAP is less than 25 TPY.

To insure that emissions are less than the respective major source thresholds for PSD and HAP and that compliance is achieved with applicable new source performance standards, FBE will install or implement the following air pollution control equipment and practices: efficient combustion in the GSB and emergency equipment to minimize formation of particulate matter (PM/PM<sub>10</sub>/PM<sub>2.5</sub>), NO<sub>x</sub>, CO and volatile organic compounds (VOC); limitation of biomass to clean woody untreated biomass to minimize SO<sub>2</sub> and HAP formation; use of inherently clean fuels (biodiesel and backup ULSD FO) for startup, shutdown and bed stabilization of the GSB and the operation of emergency equipment; an oxidation catalyst (ox-cat) system to reduce CO, VOC and HAP; ammonia (NH<sub>3</sub>) injection into a selective catalytic reduction (SCR) reactor to destroy NO<sub>x</sub> and further reduce VOC and HAP; an in-duct sorbent injection system (IDSIS) of lime, trona, or sodium bicarbonate to control SO<sub>2</sub> and HAP such as hydrogen chloride (HCl) and hydrogen fluoride (HF); an electrostatic precipitator (ESP) to further control PM/PM<sub>10</sub>/PM<sub>2.5</sub> and to remove reacted sorbents; and, reasonable precautions and best management practices to minimize fugitive dust emissions from biomass handling, storage and processing and ash (bottom and fly) handling, storage and shipment.

Continuous emissions monitoring systems (CEMS) will be required for SO<sub>2</sub>, NO<sub>x</sub>, CO, HCl and HF. A continuous opacity monitor system (COMS) will be required for visible emissions (VE).

The Department reviewed an air quality analysis prepared by the applicant. The analysis demonstrated that the sum of ground-level concentrations of nitrogen dioxide (NO<sub>2</sub>), PM<sub>10</sub>, CO and SO<sub>2</sub> caused by the project and background concentrations will be much less than the respective National or Florida ambient air quality standards (AAQS).

The Technical Evaluation and Preliminary Determination document and the air quality analysis are available at the following web link: [www.dep.state.fl.us/Air/emission/construction/port\\_manatee.htm](http://www.dep.state.fl.us/Air/emission/construction/port_manatee.htm)

**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 62-4, 62-210 and 62-212, Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and an air permit is required to perform the proposed work. The Florida Department of Environmental Protection's Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination for this project. The Bureau of Air Regulation's

physical address is 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301 and the mailing address is 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Bureau of Air Regulation's phone 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 and phone number listed above. In addition, electronic copies of these documents are available at the previously mentioned web link.

**Notice of Intent to Issue Air Permit:** The Permitting Authority gives notice of its intent to issue an air 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 applicable 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 for a period of 14 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 14-day period. If timely received comments result in a significant change to the Draft Permit, the Permitting Authority shall revise the 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.