Jeb Bush
Governor

M. Rony François, M.D., M.S.P.H., Ph.D.
Secretary, Department of Health

INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT
PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT

February 27, 2006

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Radu Alexander Damian, Director, Field Operations, Operations and Maintenance Resources
South Florida Water Management District
3301 Gun Club Road, Department 5100
West Palm Beach, FL 33406

Re: DRAFT Air Construction Permit No. 099349-003-AC
Palm Beach County – SFWMD Pump Station S-5A

Dear Mr. Damian:

One copy of the Technical Evaluation and Preliminary Determination, the combined Public Notice, and the Draft Air Construction Permit, for the South Florida Water Management District Pump Station S-5A, located along the West Palm Beach Canal, immediately east of Twenty Mile Bend, at 20700 State Road 80 in Loxahatchee, Palm Beach County, is enclosed. The permitting authority's "INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT "and the "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT " are also included.

The "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT" must be published as soon as possible. Proof of publication, i.e., newspaper affidavit, must be provided to the permitting authority's office within 7 (seven) days of publication pursuant to Rule 62-110.106(5), F.A.C. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit.

Please submit any written comments you wish to have considered concerning the permitting authority's proposed action to Jose M. Garcia, P.E., at the below letterhead address. If you have any other questions, please contact Mr. Garcia at 561-355-3136, ext. 1142.

Sincerely,

_____

James E. Stormer , Q.E.P., Environmental Administrator
Air Pollution Control Section
Division of Environmental Health and Engineering

Air Permit Engineer: Jose M. Garcia P.E.

JES/jmg
Enclosures
[electronic file name: 0349003.INT]

In the Matter of an
Application for Permits by :

South Florida Water Management District
3301 Gun Club Road
West Palm Beach, FL 33406
_____/

DRAFT Permit No.: 00990349-003-AC
SFWMD Pump Station S-5A
Palm Beach County

INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT

The Palm Beach County (PBC) Health Department (permitting authority) gives notice of its intent to issue an Air Construction Permit (copy of the DRAFT Air Construction Permit attached) for the Title V source detailed in the application specified above and the attached Technical Evaluation and Preliminary Determination, for the reasons stated below.

On June 24, 2005, the South Florida Water Management District, applied to the Palm Beach County Health Department for an Air Construction Permit for Pump Station S-5A, located on the West Palm Beach Canal, immediately east of Twenty Mile Bend, and midway between West Palm Beach and Belle Glade. Pump station S-5A consists of six (6) diesel engine/pump combinations, and two (2) two emergency electrical generators. All six pump engines and both emergency generators currently operate on low sulfur fuel oil (0.05% S by wt). During periods of low sulfur fuel curtailment these engines can be operated on regular distillate fuel (0.5% S by wt). The applicant proposes to modify the six pump engines to allow the combustion of a mixture of natural gas (approximately 80%) and low sulfur distillate oil (approximately 20%) as well as 100% No. 2 distillate oil (low-sulfur or regular grade). The emergency generators will remain unchanged. The SFWMD has proposed to restrict the annual emissions of nitrogen oxides (NOx) from the facility to avoid classification as a major source of air pollution under the Prevention of Significant Deterioration (PSD) program. The permittee requested a federally enforceable heat input cap of 155,880 million BTU per year for all the stationary emission sources at Pump Station S-5A. The nitrogen oxides emissions associated with the combustion of the various types of fuels under the proposed heat input cap are anticipated to be below the PSD major source threshold (250 tons per year). Other pollutants associated with the fuel combustion, including sulfur dioxide, carbon monoxide, particulate matter (TSP and PM10), and volatile organic compounds, will also be indirectly capped at levels of less than 50% of the PSD Major Source thresholds. The proposed permit modification will re-classify the facility as a synthetic PSD minor source of air pollution.

The Florida Department of Environmental Protection (FDEP) has permitting jurisdiction under the provisions of Chapter 403 of the Florida Statutes (F.S.) and Chapters 62-4, 62-210, and 62-213 of the Florida Administrative Code (F.A.C.). However, in accordance with Section 403.182, F.S., DEP recognizes the Health Department as the approved local air pollution control program in Palm Beach County. As such, FDEP and the PBC Health Department have entered into a Specific Operating Agreement that authorizes the Health Department to issue or deny permits for this type of air pollution source located in Palm Beach County. The Health Department has determined that an Air Construction Permit is required to construct and to commence or continue operations at the described facility.

The permitting authority intends to issue the Air Construction Permit based on the belief that reasonable assurances have been provided to indicate that the construction activity and operation of the source will not adversely impact air quality, and the source will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-256, 62-257, 62-281, 62-296, and 62-297, F.A.C.

Pursuant to Sections 403.815 and 403.087, F.S., and Rules 62-110.106 and 62-210.350(3), F.A.C., you (the applicant) are required to publish at your own expense the enclosed "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT." The notice shall be published one time only as soon as possible in the legal advertisement section of a newspaper of general circulation in the area affected. 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. Where there is more than one newspaper of general circulation in the county, the newspaper used must be one with significant circulation in the area that may be affected by the permit. If you are uncertain that a newspaper meets these requirements, please contact the permitting authority at the address or telephone number listed below. The applicant shall provide proof of publication to the permitting authority's office, Attention: Air Pollution Control Section, Palm Beach County Health Department, Post Office Box 29, West Palm Beach, Fl 33402-0029 (Telephone: 561/355-3136; Fax: 561/804-9405), within 7 (seven) days of publication pursuant to Rule 62-110.106(5), F.A.C. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit pursuant to Rule 62-110.106(11), F.A.C.

The permitting authority will issue the Air Construction Permit, in accordance with the conditions of the attached DRAFT Air Construction Permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The permitting authority will accept written comments concerning the proposed Draft Air Construction Permit issuance action for a period of 14 (fourteen) days from the date of publication of the "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT." Written comments should be provided to the permitting authority office. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this DRAFT Air Construction Permit, the permitting authority shall issue a Revised DRAFT Air Construction Permit and require, if applicable, another Public Notice.

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 (received) in the Palm Beach County Health Department Legal Office, located at 826 Evernia Street in West Palm Beach, Florida, 33401 (Telephone: (561) 355-3007, Fax (561) 804-9405). Petitions filed by the permits' applicant or any of the parties listed below must be filed within 14 (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), F.S. must be filed within 14 (fourteen) days of publication of the public notice or within 14 (fourteen) days of receipt of this notice of intent, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the permitting authority for a notice of agency action may file a petition within 14 (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, 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 how and when each 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, as well as the rules and statutes which entitle the petitioner to relief;
(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 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 notice of intent. Persons whose substantial interests will be affected by any such final decision of the permitting authority on the application(s) have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation will not be available in this proceeding.

Executed in West Palm Beach, Florida.
PALM BEACH COUNTY HEALTH DEPARTMENT

_____
James E. Stormer , Q.E.P., Environmental Administrator
Air Pollution Control Section
Division of Environmental Health and Engineering

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT (including the PUBLIC NOTICE and the Draft Air Construction Permit Package) and all copies were sent by certified mail or electronically (with Read Receipt) before the close of business on _____ to the person(s) listed:

Mr. Radu Alexander Damian, Director, Field Operations, Operations and Maintenance Resources

In addition, the undersigned duly designated deputy agency clerk hereby certifies that copies of this INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT (including the combined PUBLIC NOTICE and the Draft Air Construction Permit Package) were sent by U.S. mail or electronically (with Read Receipt) on the same date to the person(s) listed or as otherwise noted:

Mr. Jeffrey A. Smith, South Florida Water Management District
Mr. Carl St. Cin, Tetra Tech FW, Inc.

In addition, the undersigned duly designated deputy agency clerk hereby certifies that copies of this INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT (including the DRAFT Air Construction Permit package) were sent by INTERNET E-mail on the same date to the person(s) listed or as otherwise noted:

Ms. Barbara Friday, BAR [Barbara.Friday@dep.state.fl.us] (for posting with Region 4, U.S. EPA)
Mr. Darrel J. Graziani, P.E., Southeast District Office, FDEP, West Palm Beach

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.

_____

(Clerk) (Date)

PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT

PALM BEACH COUNTY HEALTH DEPARTMENT

DRAFT Air Construction Permit No.: 00990349-003-AC

SFWMD Pump Station S-5A

Palm Beach County

The Palm Beach County (PBC) Health Department (permitting authority) gives notice of its intent to issue an Air Construction Permit for the South Florida Water Management District Pump Station S-5A, located on the West Palm Beach Canal, immediately east of Twenty Mile Bend, and midway between West Palm Beach and Belle Glade, in Palm Beach County, Florida. The applicant's name and address are: Mr. Radu Alexander Damian, Director, Field Operations, Operations and Maintenance Resources, South Florida Water Management District, 3301 Gun Club Road, Department 5100, West Palm Beach, FL 33406.

Pump station S-5A consists of six (6) diesel engine/pump combinations, and two (2) two emergency electrical generators. The engines at this station are used to power six flood control pumps. The pump station is part of the Everglades Construction Project authorized by the Everglades Forever Act, Section 373.4592, Florida Statutes. All six pump engines and both emergency generators currently operate on low sulfur fuel oil (0.05% S by wt). During periods of low sulfur fuel curtailment these engines can be operated on regular distillate fuel (0.5% S by wt). The applicant proposes to modify the six pump engines to allow the combustion of a mixture of natural gas (approximately 80%) and low sulfur distillate oil (approximately 20%) as well as 100% No. 2 distillate oil (low-sulfur or regular grade). The emergency generators will remain unchanged. The permittee requested a federally enforceable heat input cap of 155,880 million BTU per year for all the stationary emission sources at Pump Station S-5A. The nitrogen oxides emissions associated with the combustion of the various types of fuels under the proposed heat input cap are anticipated to be below the PSD major source threshold (250 tons per year). Other pollutants associated with the fuel combustion, including sulfur dioxide, carbon monoxide, particulate matter (TSP and PM10), and volatile organic compounds, will also be indirectly capped at levels of less than 50% of the PSD Major Source thresholds.

The permitting authority will issue the Air Construction Permit in accordance with the conditions of the DRAFT Air Construction Permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The permitting authority will accept written comments concerning the proposed Draft Air Construction Permit issuance action for a period of 14 (fourteen) days from the date of publication of this Public Notice. Written comments should be provided to the permitting authority's office: Palm Beach County Health Department, Post Office Box 29, West Palm Beach, Fl 33402-029. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this Draft Air Construction Permit, the permitting authority shall issue a Revised Draft Air Construction Permit and require, if applicable, another Public Notice.

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 of the Florida Statutes (F.S.). The petition must contain the information set forth below and must be filed (received) in the permitting authority's Legal Office, Attention: Chief Legal Officer, located at 826 Evernia Street in West Palm Beach, Florida, 33401 (Telephone: (561) 355-3007, Fax (561) 804-9405). Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 (fourteen) days of publication of the public notice or within 14 (fourteen) days of receipt of the notice of intent, 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 (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 applicable 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 (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 how and when each 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, as well as the rules and statutes which entitle the petitioner to relief;
(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 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 notice of intent. Persons whose substantial interests will be affected by any such final decision of the permitting authority on the application(s) have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation is not available for this proceeding.

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:

Permitting Authority:
Palm Beach County Health Department
901 Evernia Street
West Palm Beach, Fl 33401
Telephone: 561/355-3136
Fax: 561/804-9405

The complete project file includes the Technical Evaluation and Preliminary Determination and associated Draft Air Construction Permit, the application(s), and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact Jose M. Garcia, P.E., at the above address, or call 561/355-3136, extension 1142, for additional information.