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BUREAU OF AIR REGULATION

STATE OF FLORIDA
COUNTY OF BREVARD

Before the undersigned authority personally appeared MAUREEN FARR who on oath says that she is LEGAL ADVERTISING CLERK

of the FLORIDA TODAY, a newspaper published in Brevard County, Florida;

that the attached copy of advertising being a LEGAL NOTICE

(AD#820026-S491.22) in the matter of

DERENZO AND ASSOCIATES

The Court

NOTICE OF INTENT FOR PERMIT

was published in the FLORIDA TODAY

in the issues of JANUARY 25, 2007

affiant further says that the said FLORIDA TODAY

is a newspaper in said Brevard County, Florida, and that the said newspaper has heretofore been continuously published in said Brevard County, Florida, regularly as stated above, and has been entered as periodicals matter at the post office in MELBOURNE in said Brevard County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in said newspaper.

Signature of Maureen Farr (Affiant)

Sworn to and subscribed before this 25TH DAY OF JANUARY, 2007

Signature of Linda A. Braud (Notary Public)

LINDA A. BRAUD (Name of Notary Typed, Printed or Stamped)



Personally Known or P
Type Identification Produced

Dept. of Environmental Protection
Bureau of Air Regulation
111 S. Magnolia Drive, Suite 4
Tallahassee, Florida, 32301
Telephone: 850/488-0114
Fax: 850/922-6979
Dept. of Environmental Protection
Central District
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767
Telephone: 407/894-7555
Fax: 407/897-5963

The complete project file include the application, technical evaluations, Draft Permit, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Administrator of the Permitting North Section at 850/488-0114 for additional information.

AD#820026-1/24/2007

PUBLIC NOTICE OF INTENT TO ISSUE PSD AIR CONSTRUCTION PERMIT
STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DEP File No. 0090069-004-AC (PSD-FL-378)

Brevard County Solid Waste Management Central Disposal Facility
Brevard Energy, LLC
Brevard County

The Department of Environmental Protection (Department) gives notice of its intent to issue a Prevention of Significant Deterioration (PSD) air construction permit to Brevard Energy, LLC for installation of six (6) lean-burn Caterpillar Model G3520C landfill gas-fueled internal combustion engines at Brevard County Solid Waste Management Central Disposal Facility (Central Disposal Facility) located at 2250 Adairson Road, Cocoa, Brevard County, Florida. A Best Available Control Technology (BACT) determination was required for nitrogen oxide (NOx), carbon monoxide (CO) and particulate matter less than or equal to 10 microns (PM10) pursuant to Rule 62-212.400, F.A.C. The applicant's name and address are Brevard Energy, LLC, 29261 Wall Street, Wixom, Michigan 48393. The authorized representative is Mr. Scott Salisbury, Managing Member, Brevard Energy, LLC applied on June 5, 2006 to install six engines for generating electricity by combusting landfill gas that is currently being flared at the Central Disposal Facility. Each lean-burn engine will be connected to an individual 1,600 kilowatt electrical generator. The plant will have the potential to generate 9.6 megawatts of electricity under base load operating conditions and will be interconnected to the Florida Power & Light distribution network through a nearby power line. The project results in potential CO emissions of greater than 250 tons per year (TPY) making the facility a Major Stationary Source for PSD review. The increases in emissions of CO, NOx and PM10 will exceed the significant emission rates. The total annual increases due to the proposed project are approximately 356 TPY of CO, 78 TPY of NOx and 31 TPY of PM10. CO and NOx emissions will be controlled through combustor design (lean-burn engine) and good combustion practices (air-to-fuel ratio control). PM10 emissions will be minimized through the pretreatment of the landfill gas prior to combustion and proper equipment maintenance of the engines. An air quality impact analysis was conducted. Emissions from the facility will not significantly contribute to or cause a violation of any state or federal ambient air quality standards. Maximum predicted air quality impacts due to emissions from the proposed new project are less than the applicable PSD Class II significant impact levels. Therefore, multi-source modeling in the vicinity of the project and PSD Class II increment consumption was not required. No PSD Class I analysis was required due to the distance of the project from the Chassahowitzka National Wilderness Area and the level of emissions associated with the project.

The permitting authority has determined that a PSD Air Construction Permit is required. The Department will issue the Final PSD Air Construction Permit in accordance with the conditions of the Draft PSD 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 Department will accept written comments and requests for a public meeting concerning the proposed permit issuance action for a period of 30 (thirty) days from the date of publication of "PUBLIC NOTICE OF INTENT TO ISSUE PSD AIR CONSTRUCTION PERMIT." 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 and require, if applicable, another Public Notice.

The Department will issue the permit 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. Mediation is not available in this proceeding.

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 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'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; 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 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, F.A.C. 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: