

PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DEP File No.: 0310001-002-AC/PSD-FL-010(D)
Flyash Beneficiation Process at the St. Johns River Power Park
Duval County, Florida

THE FLORIDA TIMES-UNION
Jacksonville, FL
Affidavit of Publication

Florida Times-Union

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit to Separation Technologies, Inc. (STI) to construct two flyash receiving bins, one carbon separation unit, one clean-up vacuum, one flyash surge bin, one mineral additive storage bin, and one gas-fired dryer at the St. Johns River Power Park, Duval County. The applicant's name and address are Separation Technologies, Inc., 10 Kearney Road, Needham, Massachusetts 02494. Separation Technologies, Inc. (STI) is proposing to beneficiate and market the 300,000 tons per year of flyash produced by St. Johns River Power Park (SJRPP) in Duval County, Florida. STI proposes to construct the new flyash processing system on a portion of leased property at SJRPP in Duval County, Florida. The purpose of the proposed equipment is to remove the residual carbon and ammonia from the flyash leaving a saleable product. As a result of the proposed construction, environmental benefits will include a 255,000 ton reduction in the flyash currently sent to landfill by SJRPP each year and an overall reduction in the ammonia releases with the recovery and subsequent recycle of ammonia removed from the flyash. PM10 emissions will be controlled utilizing dust collectors. The potential PM10 emissions for all proposed sources combined is less than 15 tons per year. Therefore, the construction is not subject to review under the Prevention of Significant Deterioration (PSD) program. This project does not affect fuel handling or power generation at the existing facility. The maximum emissions in tons per year based on information provided to the Department is summarized below.

Table with 3 columns: Pollutant, Maximum Potential Emissions (tpy), PSD Significant Emission Rate (tpy). Rows include PM10, CO, NOx, VOC, SO2.

The Department will issue the FINAL Permit, in accordance with the conditions of the DRAFT 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 public meetings concerning the proposed permit issuance action for a period of 30 (thirty) days from the date of publication of this Public Notice of Intent to Issue Air Construction Permit. Written comments and requests for public meetings should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station #5305, 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 Section 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, 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 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 32301. Telephone: 850/488-0114, Fax: 850/922-6979. Dept. of Environmental Protection, Northeast District Office, 7825 Baymeadows Way, Suite 200B, Jacksonville, Florida 32256-7590. Telephone: 904/448-4300, Fax: 904/448-4366. Jacksonville Regulatory and Environmental Services Dept., Suite 225, Jacksonville, Florida 32202. Telephone: 904/630-3484, Fax: 904-630-6338.

The complete project file includes 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, New Resource Review Section at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/488-0114, for additional information.

REFERENCE: 0493679

R07664 Public Notice of Int

State of Florida
County of Duval

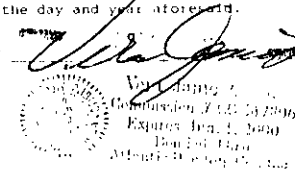
Before the undersigned authority personally appeared Steven L. Smith who on oath says he is a Legal Advertising Representative of The Florida Times Union, a daily newspaper published in Jacksonville in Duval County, Florida; that the attached copy of advertisement is a legal ad published in The Florida Times-Union. Affiant further says that The Florida Times-Union is a newspaper published in Jacksonville, in Duval County, Florida, and that the newspaper has heretofore been continuously published in Duval County, Florida each day, has been entered as second class mail matter at the post office in Jacksonville, in Duval County, Florida for a period of one year preceding the first publication of the attached copy of advertisement; and affiant further says that he/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.

PUBLISHED ON: 05/05/00

FILED ON: 05/05/00

Name: Steven L. Smith Title: Legal Advertising Representative
In testimony whereof, I have hereunto set my hand and affixed my official seal, the day and year aforesaid.

NOTARY



cc: S. Airy, BAR
NED
Duval
EPA

RECEIVED

MAY 10 2000

BUREAU OF AIR REGULATION