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O. K. REAVES 1877-1970
DOYLE E. CARLTON 1885-1972

TAMPA - ORLANDO - PENSACOLA - TALLAHASSEE

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April 7, 1986

Ms. Susan L. Smith
Department of Justice
Environmental Defense Section
12th & Pennsylvania Avenue, N.W.
Washington, D.C. 20026-3986

DER

APR 8 1986

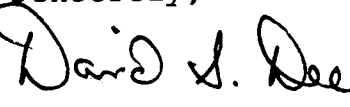
BAQM

RE: Hillsborough County Resource Recovery Facility

Dear Susan:

Pursuant to your instructions, Hillsborough County has published notice of its draft PSD permit. The notice appeared in the Tampa Tribune newspaper on Sunday, April 6, 1986. A copy of the notice is attached for your file. Since you have advised us that the notice should be published one time only, we do not intend to publish the notice again. It is our understanding that EPA does not need to publish notice in the Federal Register and, therefore, will not do so.

Please call us if you or EPA receive any written comments concerning the preliminary determination and draft permit.

Sincerely,

David S. Dee

DSD/mm
Attachment

cc: Gary Early, Esq.
Winston Smith
Jewell Harper
Ed Svec
Joe Mount, Esq.
Mary Cummings

Notice of Prevention of Significant Deterioration (PSD)

Draft Permit

Name and address of applicant
 Hillsborough County
 Hillsborough County Courthouse
 419 Pierce Street
 Tampa, Florida 33602
 Name and address of office processing application:
 Department of Environmental Regulation
 Bureau of Air Quality Management
 2600 Blair Stone Road
 Tallahassee, Florida 32301

On December 12, 1983, Hillsborough County applied to the Florida Department of Environmental Regulation (DER) to construct an energy recovery facility at the county's Fauskenburg Road site. The application is subject to U.S. Environmental Protection Agency (EPA) regulations for Prevention of Significant Deterioration of Air Quality (PSD), codified at 40 CFR 52.21. These regulations require that, before construction on a source of air pollution subject to PSD may begin, a permit must be obtained from EPA. Such permit can only be issued if the new construction has been determined by EPA to comply with the requirements of the PSD regulations which are described in 40 CFR 52.21. These requirements include a restriction on the incremental increases in air quality due to the new source, and application of best available control technology (BACT).

The DER has been granted delegation by EPA to carry out the PSD review of this source, except for final signature of the PSD permit. Acting under that delegation, the DER has prepared a draft permit and made a preliminary determination that the construction will comply with all applicable provisions of the PSD regulations. The degree of increment consumption that will result from the construction is:

Class I Area	
Pollutant	Annual Average
Sulfur Dioxide	150%
24-hr. Avg.	3-hr. Avg.
120%	14%

Class II Area	
Pollutant	Annual Average
Sulfur Dioxide	25%
24-hr. Avg.	3-hr. Avg.
96%	91%

A copy of the administrative record of the application, including the draft PSD permit, the preliminary determination, and all materials submitted by the applicant, will be available for review for 30 days during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the following locations:

Department of Environmental Regulation
 Bureau of Air Quality Management
 2600 Blair Stone Road
 Tallahassee, Florida 32301
 Department of Environmental Regulation
 Southwest District
 7601 Highway 301 North
 Tampa, Florida 33609

Further information on the application, including copies of the application, the draft permit, and a fact sheet, may be obtained from the person named above.

All comments postmarked within 30 days of the date of this notice will be considered by DER in preparing the final determination. The final determination will be sent to EPA for issuance or denial of the PSD application.

Any person may request a public hearing on the draft permit. Request must be in writing, and shall state the issues to be raised in the hearing.

Requests for a hearing must be postmarked not later than 30 days from the date of this notice and sent to:

C. H. Fancy, P.E.
 Bureau of Air Quality Management
 Department of Environmental Regulation
 2600 Blair Stone Road
 Tallahassee, Florida 32301
 Telephone (904)488-1344

A special set of circumstances is applicable to this PSD permit application. A permit to construct the source was issued by the Power Plant Siting Board on December 18, 1984 under the Florida Power Plant Siting Act. At that time, DER considered such a permit to constitute a PSD permit issued under Florida's PSD regulations, which have been approved by EPA. Such approval by EPA transferred permit signature authority for PSD sources from EPA to DER. Subsequent to the issuance of that permit, EPA determined that Power Plant Site Certifications, because of certain procedural differences, do not constitute PSD permits under the DER regulations, and thus do not satisfy the requirements of the Federal Clean Air Act. In order to rectify this situation, EPA withdrew authority from DER to issue PSD permits to such sources, but delegated to DER the authority to process the PSD applications in preparation for issuance of a permit by EPA.

Since Florida had already issued a Site Certification to Hillsborough County, the source had begun construction prior to EPA's determination that the Florida procedure is inadequate. Consequently, EPA issued an administrative order under Section 167 of the Clean Air Act, which required Hillsborough County to either immediately apply for a PSD permit or cease construction. Because of the special circumstances surrounding this application, EPA determined that the determination of best available control technology for this source could be made as of the date of the original complete application to Florida for a Power Plant Site Certification permit. Therefore, the draft permit and preliminary determination reflect the best available control technology as of August 16, 1984, the date of that application.

THE TAMPA TRIBUNE
Classified Section