

Covanta Lake, Inc.
A Covanta Energy Company
3830 Rogers Industrial Park Road
Okahumpka, FL 34762
Tel 352 365 1611
Fax 352 365 6359

RECEIVED

NOV 18 2009

BUREAU OF AIR REGULATION

November 17, 2009

Mr. Bruce Mitchell
Air Permit Engineer
FDEP, Division of Air Resource Management
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

SUBJECT: Covanta Lake II, Inc.
Lake County Resource Recovery Facility - ID No. 069-0046-009-AV
Public Notice Affidavit of Publication

Dear Mr. Mitchell:

Attached please find Affidavit of Publication of the Intent to Issue.

If additional information is needed, please do not hesitate to contact Viet Ta
at (727) 919-7671.

Sincerely,



Gary Main
Facility Manager

CC: File

Orlando Sentinel

Published Daily

State of Florida } S.S.
COUNTY OF ORANGE }

Before the undersigned authority personally appeared Tamela Vargas, who on oath says that he/she is the Legal Advertising Representative of Orlando Sentinel, a daily newspaper published at Tavares in Lake County, Florida; that the attached copy of advertisement, being a Public Notice in the matter of Applicant: Covanta Lake II, Inc. In the Lake County, was published in said newspaper in the issue; of 11/11/09

Affiant further says that the said Orlando Sentinel is a newspaper published at Tavares, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, each Week Day and has been entered as second-class mail matter at the post office in Tavares in said Lake County, Florida, for a period of one year next 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 the said newspaper.

Tamela Vargas

The foregoing instrument was acknowledge before me this 12 day of November, 2009, by Tamela Vargas, who is personally known to me and who did take an oath.

[Signature]

(SEAL)
DEBORAH M TONEY
Comm# DD0482759
Expires 11/18/2009
Florida Notary Assn., Inc.

Order# 1032965

PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMITS

Florida Department of Environmental Protection Division of Air Resource Management, Bureau of Air Regulation Draft/Proposed Title V Air Operation Permit No. 0690044-008-AV Draft Air Construction Permit Modification No. 0690044-008-AC (PSD-FL-1 13H) Covanta Lake II, Inc., Lake County Resource Recovery Facility Lake County, Florida

Applicant: The applicant for this project is Covanta Lake II, Inc. The applicant's responsible official and mailing address are: Mr. Gary Main, Facility Manager, 3830 Rogers Industrial Park Road, Okahumpka, Florida 34762.

Facility Location: Covanta Lake II, Inc. operates the existing Lake County Resource Recovery Facility, which is a municipal solid waste processing facility, located at 3830 Rogers Industrial Park Road in Okahumpka, Lake County, Florida.

Project: On August 24, 2009, Covanta Lake II, Inc. submitted an application for authorization to process regulated garbage from international or interstate movements in the existing Lake County Resource Recovery Facility's municipal solid waste combustor (MSWC) Units 1 and 2. This permit package contains an air construction permit and concurrently revises the Title V air operation permit to incorporate the changes. In addition, the applicant made a request to change the averaging period of the segregated load weight limitation from monthly to quarterly in order to accommodate spikes in deliveries of this type of waste stream due to events such as natural disasters (e.g., hurricanes, etc.). Regulated garbage from international or interstate movements means garbage (U.S.) or Canada. The term "interstate" includes Hawaii, Alaska and the U.S. territories. The term "movement" includes, but is not limited to, air, rail, water, and motor vehicle modes of transport, such as the air-line, cruise lines, trucks, etc. International and interstate regulated garbage is not expected to differ from non-regulated garbage except for the point of origin. The applicant indicated that there will be no new pollutants, no changes in actual emissions and no change in the waste throughput or steam production. The draft permit approves regulated garbage from international or interstate movements as an authorized segregated waste, but no change was made to the averaging period.

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 of the Florida Administrative Code (F.A.C.). Applications for Title V air operation permits are subject to review in accordance with the provisions of Chapter 403, F.S., and Chapters 62-4, 62-210 and 62-213, F.A.C. The proposed project is not exempt from air permitting requirements; therefore, an air construction permit and a Title V air operation permit are required. The Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination for these projects. The Permitting Authority's physical address is: 11 South Magnolia Drive, Suite #4, Tallahassee, Florida. The Permitting Authority's mailing address is: 2600 Blair Stone Road, MS #3503, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone 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 the address indicated above for the Permitting Authority. The complete project file includes the application, the draft/proposed Title V air operation permit, the Technical Evaluation and Preliminary Determination, the Statement of Basis and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may view the draft air construction permit and draft/proposed Title V air operation permit by visiting the following website, <http://www.dep.state.fl.us/air/emission/psd/decou.asp>, and entering the project numbers shown above. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address or phone number listed above.

Notice of Intent to Issue Air Permits: The Permitting Authority gives notice of its intent to issue an air construction 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 appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-296 and 62-297, F.A.C. The Permitting Authority will issue a final permit in accordance with the conditions of the draft/proposed Title V air operation permit unless a response received in accordance with the following procedures results in a different decision or a significant change of terms or conditions.

The Permitting Authority gives notice of its intent to issue a Title V air operation 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 appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-296 and 62-297, F.A.C. The Permitting Authority will issue a final permit in accordance with the conditions of the draft/proposed Title V air operation permit unless a response received in accordance with the following procedures results in a different decision or a significant change of terms or conditions.

Comments: The Permitting Authority will accept written comments concerning the draft air construction 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 written comments received result in a significant change to the draft air construction permit, the Permitting Authority shall revise the draft air construction permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

The Permitting Authority will accept written comments concerning the draft/proposed Title V air operation permit for a period of 30 days from the date of publication of the Public Notice. Written comments must be received by the close of business (5:00 p.m.), on or before the end of this 30-day period by the Permitting Authority at the above address. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location in the Florida Administrative Weekly. A public meeting is requested within the 30-day comment period and conducted by the Permitting Authority, any oral and written comments received during the public meeting will also be considered by the Permitting Authority.

If timely received written comments or comments received at a public meeting result in a significant change to the draft/proposed Title V air operation permit, the Permitting Authority shall issue a revised draft/proposed Title V air operation permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection. For additional information, contact the Permitting Authority at the above address or phone number.

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 at the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by the applicant or any of the parties listed below must be filed within 14 days of receipt of this Public Notice of Intent to Issue Air Permits. 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.

... if timely received written comments or comments received at a public meeting result in a significant change to the draft/proposed Title V air operation permit, the Permitting Authority shall issue a revised draft/proposed Title V air operation permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection. For additional information, contact the Permitting Authority at the above address or phone number.

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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 Permits. 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 for this proceeding.

EPA Review: EPA has agreed to treat the draft/proposed Title V air operation permit as a proposed Title V air operation permit and to perform its 45-day review provided by the law and regulations concurrently with the public comment period. Although EPA's 45-day review period will be performed concurrently with the public comment period, the deadline for submitting a citizen petition to object to the EPA Administrator will be determined as if EPA's 45-day review period is performed after the public comment period has ended. The final Title V air operation permit will be issued after the conclusion of the 45-day EPA review period so long as no adverse comments are received that result in a different decision or significant change of terms or conditions. The status regarding EPA's 45-day review of this project and the deadline for submitting a citizen petition can be found at the following website address: <http://www.epa.gov/region4/air/permits/Florida.htm>.

Objections: Finally, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 days of the expiration of the Administrator's 45-day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to the issuance of any Title V air operation permit. Any petition shall be based only on objections to the permit that were raised with reasonable specificity during the 30-day public comment period provided in the Public Notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit properly issued pursuant to the provisions of Chapter 62-2-13, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460. For more information regarding EPA review and objections, visit EPA's Region 4 web site at <http://www.epa.gov/region4/air/permits/Florida.htm>.

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