



BOARD OF COUNTY COMMISSIONERS

P.O. Box 398
Fort Myers, Florida 33902-0398
(813) 335-2111

Writer's Direct Dial Number
(813) 338-3101

John E. Manning
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing
Examiner

March 31, 1995
SL-95-453

Mr. C. H. Fancy, P.E.
Bureau of Air Regulations,
Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, FL 32399-2400

RE: LEE COUNTY SOLID WASTE ENERGY FACILITY
AFFIDAVIT OF PUBLIC NOTICE OF INTENT
TO ISSUE PERMIT AMENDED PSD-FL-151(A)

Dear Mr. Fancy:

Transmitted herewith is Affidavit of Publication of the Notice of Intent to issue permit amendment for the subject facility from:

- The Fort Myers News-Press

Contact me should you have any questions.

Sincerely,

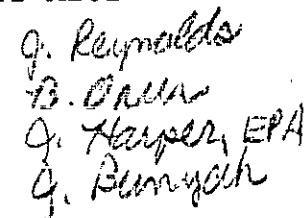
DEPARTMENT OF SOLID WASTE MANAGEMENT


Lindsey J. Sampson, P.E.
Deputy Director

LJS/clr

Attachments

cc: D. Owen
D. Dee
T. Eriksen
D. Knowles (Local D.E.P.)
II A102

(4231) 

RECEIVED

APR 05 1995

Bureau of
Air Regulation

NEWS-PRESS
Published every morning — Daily and Sunday
Fort Myers, Florida

Affidavit of Publication

STATE OF FLORIDA
COUNTY OF LEE

Before the undersigned authority, personally appeared _____

Brenda Leighton

who on oath says that he/she is the _____

Legal Coordinator of the News-Press, a

daily newspaper, published at Fort Myers, in Lee County, Florida; that the

attached copy of advertisement, being a Notice of Intent

to Issue Permit Amended

in the matter of Lee County Solid Waste

Energy Recovery Facility

in the _____ Court

was published in said newspaper in the issues of March 30, 1995

Affiant further says that the said News-Press is a paper of general circulation daily in Lee, Charlotte, Collier, Glades and Hendry Counties and published at Fort Myers, in said Lee County, Florida and that said newspaper has heretofore been continuously published in said Lee County, Florida, each day, and has been entered as a second class mail matter at the post office in Fort Myers in said Lee County, Florida, for a period of one year next preceding the first publication of the attached copy of the 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.

Brenda Leighton

Sworn to and subscribed before me this
thirtieth day of March

_____, 19 95 by

Brenda Leighton

who is personally known to me, and who produces _____

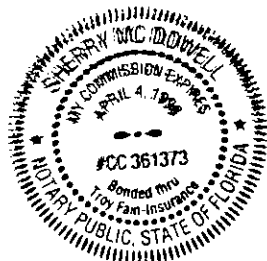
as identification, and who did or did not take an oath.

Notary Public _____

Print Name _____

My Commission Expires:

CLASS-16



**STATE OF FLORIDA
DEPARTMENT OF
ENVIRONMENTAL
PROTECTION
NOTICE OF INTENT
TO ISSUE PERMIT
AMENDMENT
PSD-FL-151(A)**

The Department of Environmental Protection (Department) gives notice of its intent to issue a permit amendment to Lee County Solid Waste Energy Recovery Facility, Buckingham Road and State Road 82, Fort Myers, Florida. This facility consists of two mass burn units with a total capacity of 1320 tons per day (550 MMBtu/hr) capable of generating a total of 40 megawatts of power. The amendments include the following: removing the requirement that the furnace roof temperature be maintained at 1270°F, requiring instead that the appropriate minimum furnace roof temperature be established by the Department based on initial startup test data; removing pressure drop monitoring requirements for certain baghouses on non-major sources; and removing the requirement that the flue gases be cooled to an average temperature not to exceed 300°F. These amendments will not cause or contribute to a violation of any air pollution standard or adversely affect the environment.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes (F.S.). The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within 14 days of publication of this notice. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, F.S.

The Petition shall contain the following information: (a) The name, address, and telephone number of each petitioner; the applicant's name and address; the Department Permit File Number and the county in which the project is proposed; (b) A statement of how and when each petitioner received notice of the Department's action or proposed action; (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action; (d) A statement of the material facts disputed by Petitioner, if any; (e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action; (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and (g) A statement of the re-

lief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, 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 decision of the Department with regard to the application/request have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of publication of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, Florida Administrative Code.

The application/request is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except holidays, at Department of Environmental Protection, Bureau of Air Regulation, 111 S. Magnolia Drive, Suite 4, Tallahassee, Florida 32301. Department of Environmental Protection, South District, 2295 Victoria Avenue, Suite 364, Fort Myers, Florida 33901.

Any person may send written comments on the proposed action to Mr. Al Linero at the Department's Tallahassee address. All comments received within 14 days of the publication of this notice will be considered in the Department's final determination. F.O. 500615, Mar 30, No. 9739.