



Department of Environmental Protection

Lawton Chiles
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Virginia B. Wetherell
Secretary

October 11, 1994

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. G. J. Aldina, Sr. Vice President
Environmental Testing/CEM
Ogden Projects, Inc.
40 Lane Road
CN 2615
Fairfield, N.J. 07007-2615

Dear Mr. Aldina:

Re: Amendment of Permit No. PSD-FL-151(A)
Lee County Solid Waste Energy Recovery Facility

The Department is in receipt of your September 29, 1994 letter (enclosure) requesting permission to use another EPA stack test method to measure the emissions from the referenced facility that is located at Buckingham Road and State Road 82 in Ft. Myers, Lee County, Florida.

Your request is acceptable and this letter amends Specific Condition No. 3.a. of Permit No. PSD-FL-151(A) to authorize the use of EPA Method 7E, as described in 40 CFR 60, Appendix A, to measure the nitrogen oxides emissions from Units 1 and 2 of the Lee Country Solid Waste Energy Recovery facility.

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. Petitions filed by the applicant of the amendment request/application and the parties listed below must be filed within 14 days of receipt of this amendment. Petitions filed by other persons must be filed within 14 days of the amendment issuance or within 14 days of their receipt of this amendment, whichever occurs first. 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.

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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 relief sought by petitioner, stating precisely the action the 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 amendment. Persons whose substantial interests will be affected by any decision of the Department with regard to the request/application 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 receipt of this amendment 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.

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A copy of this letter amendment must be attached to the referenced permit, No. PSD-FL-151(A), and shall become a part of that permit.

Sincerely,



Howard L. Rhodes
Director
Division of Air Resources
Management

HLR/WH/bjb

Enclosure

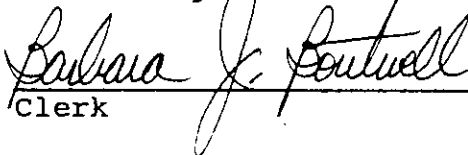
cc: David Knowles, SD
Jewell Harper, EPA
John Bunyak, NPS
Buck Oven, PPC

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this AMENDMENT and all copies were mailed by certified mail before the close of business on 10/17/94 to the listed persons.

Clerk Stamp

FILING AND ACKNOWLEDGMENT
FILED, on this date, pursuant to 120.52(11), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.


Clerk

10/17/94
Date

Fold at line over top of

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3 and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

also wish to receive the following services (for an extra fee):

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:
Mr. G. J. Aldina, Sr. Vice Pres.
Environmental Testing/CEM
Ogden Projects, Inc.
40 Lane Road
ON 2615
Fairfield, N.J. 07007-2615

4a. Article Number:
Z 751 859 994

4b. Service Type:
 Registered Insured
 Certified COD
 Express Mail Return Receipt for Merchandise

7. Date of Delivery:
OCT 20 1994

5. Signature (Addressee)

6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811 December 1991 U.S. GPO: 1992-323-402 DOMESTIC RETURN RECEIPT

Is your RETURN ADDRESS completed on the reverse side

Thank you for using Return Receipt Service

Z 751 859 994
Receipt for Certified Mail
 No Insurance Coverage Provided
 Do not use for International Mail
 (See Reverse)



PS Form 3800, March 1993

Sent to Mr. G. J. Aldina	
Street and No. 40 Lane Road	
P.O., State and ZIP Code Fairfield, N.J. 07007-2615	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date Mailed: 10/17/94 PSD-FL-151(A)	

Florida Department of
Environmental Protection

Memorandum

To: *Hatched* Rhodes
From: *Brown* Clair Fancy
Date: *10/11/94* October 11, 1994
Subject: Amendment of Permit
PSD-FL-151(A)

Attached for your approval and signature is a letter that will amend the construction permit for the Lee County Solid Waste Energy Recovery Facility that is located in Ft. Myers, Florida. The amendment will authorize the use of another EPA test method to measure nitrogen oxides emissions.

I recommend your approval and signature.

CF/WH/wh

Attachment