

LANDERS & PARSONS, P.A.

ATTORNEYS AT LAW

DAVID S. DEE
RONALD A. LABASKY
JOSEPH W. LANDERS, JR.
JOHN T. LAVIA, III
FRED A. McCORMACK
PHILIP S. PARSONS
ROBERT SCHEFFEL WRIGHT

310 WEST COLLEGE AVENUE
TALLAHASSEE, FL 32301

MAILING ADDRESS:
POST OFFICE BOX 271
TALLAHASSEE, FL 32302-0271

TELEPHONE (850) 681-0311
TELECOPY (850) 224-5595
www.landersondparsons.com

October 22, 2003

Ms. Trina Vielhauer
Bureau Chief
Division of Air Regulation
Department of Environmental Protection
2600 Blair Stone Road
MS 5505
Tallahassee, Florida 32399-2400

RECEIVED

OCT 23 2003

BUREAU OF AIR REGULATION

Re: Lee County Solid Waste Energy Recovery Facility;
Permit No. PSD-FL-151C

Dear Trina:

On October 13, 2003, the Florida Department of Environmental Protection issued a PSD permit (No. PSD-FL-151C) for the construction of the third municipal waste combustor at the existing Lee County Solid Waste Energy Recovery Facility. After reviewing the Department's permit, the County noted a few inconsistencies between the requirements of the PSD permit and the "Summary of Best Available Control Technology Determination (BACT)" that is attached to the permit as Appendix BD. On behalf of Lee County, I am sending you this letter to identify the inconsistencies for your records.

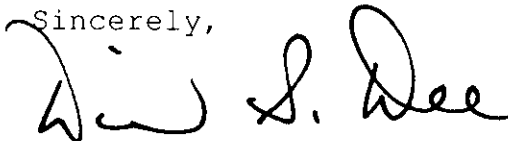
1. In Appendix BD, on page BD-2, third full paragraph, the first sentence states that "a BACT emission limit of 110 ppmvd @ 7% O₂ shall be established on a 30-day rolling average." This sentence should refer to a 12-month rolling average, consistent with the provisions of Sections III.B.4 and III.B.8 in the permit.

2. Similarly, on page BD-3, in the initial paragraph, the last sentence states that the "Department will establish two CO limits as BACT, the NSPS as well as a 30-day rolling average of 80 ppmvd @ 7% O₂." This sentence also should refer to a 12-month rolling average.

Ms. Trina Vielhauer
October 22, 2003
Page 2

3. On page BD-4, the table indicates that the emission limit for carbon monoxide is "80 ppm @ 7% O₂ -- 30-day rolling average." Here, too, a 12-month average should be utilized.

None of these comments warrant any further action by the Department. The County simply wishes to identify the inconsistencies for the record and thus help avoid potential confusion in the future concerning the emission limits that are applicable to the County's Facility.

Sincerely,


David S. Dee

cc: Lindsey Sampson
David Owen
Don Elias
Sam Rosania
Hamilton Owen

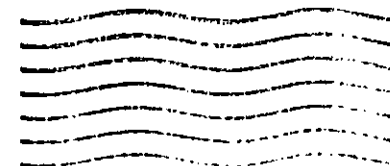
LANDERS & PARSONS, P.A.

ATTORNEYS AT LAW

310 WEST COLLEGE AVENUE

POST OFFICE BOX 271

TALLAHASSEE, FLORIDA 32302



Ms. Trina Vielhauer
Bureau Chief
Division of Air Regulation
Department of Environmental Protection
2600 Blair Stone Road
MS 5505
Tallahassee, Florida 32399-2400

32399+2400 