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June 23, 2003

RECEIVED

JUN 24 2003

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

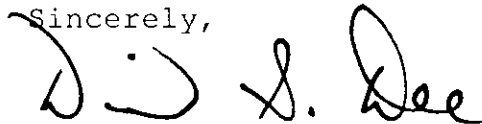
Re: Lee County Solid Waste Energy Recovery Facility;
PPSA Supplemental Application No. 90-30SA1;
PSD Permit No. PSD-FL-151C

Dear Ms. Vielhauer:

Enclosed for your file is a copy of an Affidavit of Publication from the Ft. Myers News-Press newspaper. The Affidavit and the attached notice confirm that Lee County published notice on June 13, 2003, concerning the above-referenced application and the public notice of intent to re-issue a PSD Permit.

Please call me if you have any questions.

Sincerely,



David S. Dee

Enclosure

cc: Buck Oven
Scott Goorland
Lindsey Sampson
Sam Rosania

M. Halpin
D. Nelson
R. Blackburn, SD
D. Benyah, NPS
J. Nully, EPA

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 **display** in the matter of **Public Notice of Intent to Issue PSD Permit** in the Court was published in said newspaper in the issues of **June 13, 2003**

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 13th day of June, 2003 by

Brenda Leighton personally known to me or who has produced

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

Notary Public *Janet E Cobb*
Print Name

My commission Expires:

 Janet E Cobb
MY COMMISSION # CC980442 EXPIRES
November 19, 2004
BONDED THRU TROY FARM INSURANCE, INC.

PUBLIC NOTICE OF INTENT TO ISSUE PSD PERMIT

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DRAFT Permit No. PSD-FL-151C
Lee County Energy Recovery Facility
Lee County

The Department of Environmental Protection (Department) gives notice of its intent to re-issue a PSD Permit to Lee County for the construction of an additional Municipal Waste Combustor (MWC) at its existing Lee County Resource Recovery Facility located at 10500 Buckingham Road, Fort Myers, Lee County, Florida. A review for the Prevention of Significant Deterioration (PSD) and Best Available Control Technology determination were required pursuant to Rule 62-212.400, F.A.C. The applicant's name and address are: Lee County Board of County Commissioners, Solid Waste Division, 10500 Buckingham Road, Fort Myers, Florida 33905.

The existing facility consists of a municipal waste combustion facility with two mass burn municipal waste combustion units. The facility currently has an existing capacity of 660 tons/day per unit for a total of 1,320 tons per day of solid waste fuel with a nominal HRV of 5,000 Btu/lb. This is equal to a maximum heat input of 275 MMBtu/hour per unit, for a total heat input not to exceed 550 MMBtu/hr. The facility converts solid waste into saleable energy. It produces up to 40 MW of electricity daily. The facility is self-sufficient and operates on a small portion of the power it generates. The new (third) MWC will be approximately the same size, with a slightly higher maximum heat input of 291.5 MMBtu/hr. The new MWC will be subject to 40 CFR 60, Subpart Eb - Standards of Performance for Large Municipal Waste Combustors for which Construction is Commenced After September 20, 1994 or for which Modification or Reconstruction is Commenced After June 19, 1996, Rule 62-296.401(4) and Rule 62-296.416, F.A.C. Waste-to-Energy Facilities. The proposed unit will incorporate a lime spray dryer absorber and fabric filter. It will additionally include acid gas control for sulfur dioxide and hydrogen chloride and an activated carbon injection system for mercury control. Nitrogen oxides will be controlled by selective non-catalytic reduction. Combustion controls and auxiliary natural gas burners will be incorporated to minimize formation of dioxins and furans, volatile organic compounds, and particulate matter. The PSD permit contains limits and testing requirements for sulfur dioxide, nitrogen oxides, ammonia slip, lead, fluoride, mercury, carbon monoxide, opacity, hydrogen chloride, carbon monoxide, cadmium and dioxins/furans. Continuous emission monitors will be installed for opacity, sulfur dioxide, nitrogen oxides, ammonia slip and carbon monoxide. Proposed emission limits for the new MWC as well as annual emissions are as follows:

Pollutant Name	Standard(s)	Lb./hour	TPY	PSD Review?
Particulate Matter (PM ₁₀)	20.6 mg/dscm, corrected to 7% O ₂	5.12	22.3	YES
MWC Metals (PM)	20.6 mg/dscm, corrected to 7% O ₂	5.12	22.3	YES
Sulfur Dioxide (SO ₂)	26 ppm, or 80% reduction, at 7% O ₂	56.9	249.4	YES
Sulfuric Acid Mist	15 ppmd @ 7% O ₂	15.1	66.1	YES
Nitrogen Oxides (NO _x)	110 ppm @ 7% O ₂ - 12-month rolling average 150 ppm @ 7% O ₂ - 24 hour average	70.8	289.4	YES
Carbon Monoxide (CO)	80 ppm @ 7% O ₂ - 12-month rolling average 100 ppm @ 7% O ₂ - 4 hr average	23.0 28.73	100.6	YES
Mercury (Hg)	0.028 mg/dscm @ 7% O ₂ or 85% reduction	0.0168	0.0736	YES
Visible Emissions (VE)	10 %, 6 minute average			YES
Lead (Pb)	0.2 mg/dscm, corrected to 7% O ₂	0.05	0.22	NO
MWC Acid Gas (HCl)	25 ppm or 95% reduction @ 7% O ₂	46.76	204.8	YES
Hydrogen Fluoride (HF)	3.5 ppmd @ 7% O ₂	0.718	3.145	YES
Cadmium (Cd)	0.02 mg/dscm @ 7% O ₂	0.005	0.022	NO
Dioxin/Furan (PCDD/F)	13 ng/dscm, corrected to 7% O ₂	3.2 x 10 ⁻⁶	1.4 x 10 ⁻⁵	YES
Ammonia	30 ppmd @ 7% O ₂			NO

The general area is in attainment with respect to all State and National Ambient Air Quality Standards. There have been very substantial reductions in air pollutants due to the recently constructed Ft. Myers Repowering Project. An air quality analysis was performed for the proposed project for both Class I (Everglades) and Class II areas. All predicted impacts are less than significant. The proposed project will not cause or contribute to any violations of ambient air quality standards or allowable increments.

The Department will issue the FINAL PSD Permit, in accordance with the conditions of the DRAFT Permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments and request for a public hearing (meeting) concerning the proposed DRAFT Permit issuance action for a period of 30 (thirty) days from the date of publication of this Notice. Written comments should be provided to the Department's Bureau of Air Regulation, 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400. Any written comments filed shall be made available for public inspection. If comments received result in a significant change in this DRAFT Permit, the Department shall issue a Revised DRAFT Permit and require, if applicable, another Public Notice.

The Department will issue FINAL Permit with the conditions of the DRAFT Permit unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57 F.S. The procedures for petitioning for a hearing are set forth below. Mediation is not available for this action.

This PSD permitting action is being coordinated with a certification under the Power Plant Siting Act (Sections 403.501 - 519, F.S.). If a petition for an administrative hearing on the Department's intent to issue is filed by a substantially affected person, that hearing shall be consolidated with the certification hearing, as provided under Section 403.507(3), F.S.

A person whose substantial interests are affected by the Department's 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 (received) in the Office of General Counsel of the Department, 3900 Concessionway, Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, telephone 850/245-2242, fax: 850/245-2303. Petitions must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. A petitioner must 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 will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-5.207 of the Florida Administrative Code.

A petition must contain the following information: (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the 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 the facts that the petitioner contends warrant reversal or modification of the Department's action or proposed action; (f) A statement identifying the rules or statutes that the petitioner contends require reversal or modification of the Department's action or proposed action; and (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the Department to take with respect to the Department's action or proposed action addressed in this notice of intent.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice of intent. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to become a party to the proceeding, in accordance with the requirements set forth above.

A complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

Department of Environmental Protection
Bureau of Air Regulation
111 S. Magnolia Drive, Suite 4
Tallahassee, Florida 32301
Telephone: 850/488-0114
Fax: 850/922-6777

Department of Environmental Protection
South District
2295 Victoria Avenue, Suite 364
Fort Myers, Florida 33901-3381
Telephone: 239/332-6975
Fax: 239/332-6969

The complete project file includes the Draft Permit, the application, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Administrator, New Resource Review Section at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/488-0114 for additional information. The key documents may be accessed at www.dep.state.fl.us/air/permitting/consrvt.htm