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SOUTHWEST FLORIDA

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January 20, 2006

Trina Vielhauer, Chief
Bureau of Air Regulations
2600 Blair Stone Rd., MS #5505
Tallahassee, Fl. 32399-2400

RECEIVED

Writer's Direct Dial Number: (239) 338-3302

JAN 30 2006

BUREAU OF AIR REGULATION

**Subject: Title V Air Operation Permit Renewal No. 0710119-004-AV
Lee County Resource Recovery Facility**

Dear Ms. Vielhauer:

Attached please find an 'Affidavit of Publication' indicating publication of the Departments "Intent to Issue Title V Air Operation Permit".

If you have any questions, please call me.

Sincerely,

Lindsey J. Sampson, Director
Solid Waste Division

Cc: Ron Blackburn, DEP South District Office
S. Coover
J. Howard
C. Tillman
D. Castro
II E 105

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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

Kathy Allebach
who on oath says that he/she is the

Legal Assistant of the News-Press, a
daily newspaper, published at Fort Myers, in Lee County,
Florida; that the attached copy of advertisement, being a

Public Notice

In the matter of

Intent to Issue Title V Air Operation Permit

In the court was published in said newspaper in the
issues of

January 5, 2006

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.



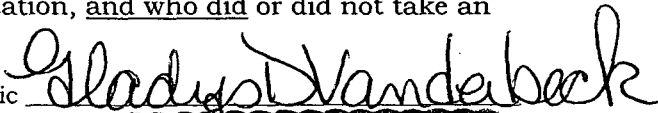
Sworn to and subscribed before me this

5th day of January 2006 by

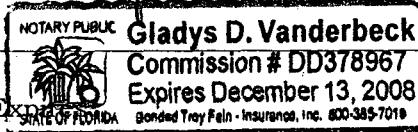
Kathy Allebach
personally known to me or who has produced

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

Notary Public



Print Name



My commission Expires

**PUBLIC NOTICE OF
INTENT TO ISSUE
TITLE V AIR
OPERATION PERMIT**
Department of
Environmental
Protection
DRAFT Title V Air
Operation Permit No.
0710119-004-AV
Lee County Solid Waste
Division
Lee County Resource
Recovery Facility
Lee County
Applicant: The applicant for this project is the Lee County Solid Waste Division, 10500 Buckingham Road, Fort Myers, Florida 33905. The applicant's responsible official is Mr. Lindsey J. Sampson, Director.
Facility Location: The applicant operates the Lee County Resource Recovery Facility, which is located at 10500 Buckingham Road, Ft. Myers, Lee County, Florida.
Project: The applicant submitted an application for a Title V Air Operation Permit (Permit). The Lee County Resource Recovery Facility began operation in August 1994. The facility has a capacity of 660 tons/day per unit for a total of 1,320 tons per day of solid waste fuel with a nominal higher heating value of 5,000 Btu/lb. This is equal to a maximum heat input of 275 MM/Btu/hour per unit, for a total heat input not to exceed 550 MM/Btu/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 remaining electricity is sold to an electric utility market. The facility is owned by Lee County, and was designed and built, and is currently operated by Covanta Lee, Inc.
Waste is combusted in a mass burn furnace at temperatures exceeding 1,800 degrees Fahrenheit, and reduced to an inert ash residue. The air pollution control equipment at the facility consists of dry flue gas scrubbers, fabric filter baghouses, activated carbon injection for mercury control, and a selective non-catalytic reduction system for nitrogen oxides control. This Permit will be a renewal of the permit for this facility.
Permitting Authority: Applications for Title V air operation permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, and 62-213 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and an air permit is required to operate the facility. The Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination regarding this project. The Permitting Authority's mailing address is: 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/488-0114 and facsimile 850/922-6979.

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 address indicated above for the Permitting Authority. The complete project file includes the DRAFT Permit, the Statement of Basis, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may view the DRAFT Permit and file electronic comments by visiting the following website: <http://www.dep.state.fl.us/air/eproducts/bards/>. A copy of the complete project file is also available at the South District Office at 2295 Victoria Avenue, Suite 364, Fort Myers, Florida 33901-3381, (Telephone: 941/332-6975).

Notice of Intent to Issue A Permit: The Permitting Authority gives notice of its intent to issue a permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of the facility 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, 62-256, 62-257, 62-281, 62-296, and 62-297, F.A.C. The Permitting Authority will issue a PROPOSED Permit and subsequent FINAL 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 a significant change of terms or conditions.

Comments: The Permitting Authority will accept written comments concerning the DRAFT Permit for a period of thirty (30) days from the date of publication of this Public Notice. Written comments must be post-marked and all e-mail or facsimile comments must be received by the close of business (5 pm) on or before the end of this 30-day period by the Permitting Authority at the above address, email or facsimile. 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 on the Department's official web site for notices at <http://lhora6.dep.state.fl.us/onw> and in a newspaper of general circulation in the area affected by the permitting action. For additional information, contact the Permitting Authority at the above address or phone number. If written comments or comments received at a public meeting result in a significant change to the DRAFT Permit, the Permitting Authority shall issue a Revised DRAFT Permit and require, if applicable, another Public Notice. All comments filed will be made available for

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 of the Department of Environmental Protection at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within fourteen (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 fourteen (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 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 rights will be affected by the agency determination; (c) A statement of how and when the petitioner received notice of the agency action or proposed action; (d) A statement of all disputed issues of material fact. If there are none, the petition must so state; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action, and; (g) A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the agency to take with respect to the agency's proposed action. A petition that does not dispute the material facts upon which the Permitting Authority's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

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. 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.

Objections: In addition to the above right to petition, pursuant to 42 United States Code

(U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within sixty (60) days of the expiration of the Administrator's 45 (forty-five) 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 thirty (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 62-213, 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>


Jan 5 No. 982419



LEE COUNTY
SOUTHWEST FLORIDA

SOLID WASTE MANAGEMENT
P.O. Box 398, Fort Myers, Florida 33902-0398

01 - RESORTED FIRST CLASS



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US POSTAGE

Trina Vielhauer, Chief
Bureau of Air Regulations
2600 Blair Stone Road,
MS # 5505
Tallahassee, FL32399-2400

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