

BEFORE THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

In the Matter of an
Application for Permit by:

DER File No. AC42-161703

Mr. Orlando J. Fero, Jr.
Owner
Fero Funeral Home
Post Office Box 266
Beverly Hills, Florida 32665

INTENT TO ISSUE

The Department hereby gives notice of its intent to issue a permit (copy attached) for the proposed project as detailed in the application specified above. The Department is issuing this Intent to Issue for the reasons stated below.

The applicant, Fero Funeral Home applied on March 6, 1989 to the Department of Environmental Regulation for a permit to construct an Industrial Equipment & Engineering, Inc. Model IE-43 Power Pak Incinerator at U.S. Highway 41 North, Dunellon, Marion County.

The Department has permitting jurisdiction under 403.087(c), F.S. to issue or deny permits for air pollution sources. The project is not exempt from permitting procedures. The Department has determined that an air pollution construction permit is required for the proposed work.

The Department intends to issue this permit based on the belief reasonable assurances have been provided to indicate the proposed project will not adversely impact air quality and the proposed project will comply with the appropriate provisions of Florida Administrative Code Rules 17-2 and 17-4.

Pursuant to Section 403.815, F.S. and DER Rule 17-103.150, FAC, you (the applicant) are required to publish at your own expense the enclosed Notice of Proposed Agency Action on permit applications. The notice must be published one time only in a section of a major local newspaper of general circulation in the county in which the project is located and within thirty (30) days from receipt of this intent. Proof of publication must be provided to the Department within seven days of publication of the notice. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit.

The Department will issue the permit with the attached conditions unless petition for an administrative proceeding (hearing) is filed pursuant to the provisions of Section 120.57, F.S.. 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. Petitions must comply with the requirement of Florida Administrative Code Rules 17-103.155 and 28-5.201 (copies enclosed) and be filed with (received by) the Office of General Counsel of the Department at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Petitions filed by the permit applicant must be filed within fourteen (14) days of receipt of this intent. Petitions filed by other persons must be filed within fourteen (14) days of publication of the public notice or within fourteen (14) day of receipt of this intent, whichever first occurs. 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, Florida Statutes, concerning the subject permit application. Petitions which are not filed in accordance with the above provisions will be dismissed.

Executed in Tampa, Florida.

Issued this 17 day of April
1983.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION



Richard D. Garrity, Ph.D
Deputy Assistant Secretary
Southwest District

4520 Oak Fair Boulevard
Tampa, Florida 33610-7347
(813) 623-5561

cc: Richard T. Donelan, Esq.
Thomas E. Brumagin, P.E.

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this NOTICE OF INTENT TO ISSUE and all copies were mailed before the close of business on 4/18/89 to the listed persons.

P 827 903 422

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL
(See Reverse)

Sent to Mr. Orlando J. Fero, Jr.	
Street and No. Owner	
P.O. State and ZIP Code Fero Funeral Home	
Postage P.O. Box 266	\$
Certified Fee Beverly Hills, FL 32665	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$
Postmark or Date 4/18/89	

PS Form 3800, June 1985

Clerk Stamp

FILING AND ACKNOWLEDGEMENT
FILED, on this date, pursuant to §120.60(3), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Sharilyn Quispe
Clerk 4/18/89
Date

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.
Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. <input type="checkbox"/> Show to whom delivered, date, and addressee's address. ↑(Extra charge)↑	2. <input type="checkbox"/> Restricted Delivery ↑(Extra charge)↑
3. Article Addressed to: AC42-161703 Mr. Orlando J. Fero, Jr. Owner Fero Funeral Home P.O. Box 266 Beverly Hills, FL 32665	4. Article Number P 827 903 422 Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail Always obtain signature of addressee or agent and DATE DELIVERED .
5. Signature - Addressee X <i>Orlando J. Fero</i>	8. Addressee's Address (ONLY if requested and fee paid)
6. Signature - Agent X <i>[Signature]</i>	
7. Date of Delivery 4-21-89	

State of Florida
Department of Environmental Regulation
Notice of Proposed Agency Action
on Permit Application

The Department gives notice of its intent to issue a permit to Fero Funeral Home to construct an Industrial Equipment & Engineering, Inc. Model IE-43 Power Pak Incinerator at U.S. Highway 41 North, Dunellon, Marion County. Permit number AC42-161703.

A determination of Best Available Control Technology is not required.

Persons whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative determination (hearing) in accordance with Section 120.57, Florida Statutes. The petition must conform to the requirements of Chapters 17-103 and 28-5, Florida Administrative Code, and must be filed (received) in the Department's Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within fourteen (14) days of publication of this notice. Failure to file a petition within the fourteen (14) days constitutes a waiver of any right such person has to an administrative determination (hearing) pursuant to Section 120.57, Florida Statutes.

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 proposed agency action. Therefore, persons who may not wish to file a petition may wish to intervene in the proceeding. A petition for intervention must be filed pursuant to Rule 28-5.207, Florida Administrative Code, at least five (5) days before the final hearing and be filed with the hearing officer if one has been assigned at the Division of Administrative Hearings, Department of Administration, 2009 Apalachee Parkway, Tallahassee, Florida 32301. If no hearing officer has been assigned, the petition is to be filed with the Department's Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, Florida Statutes.

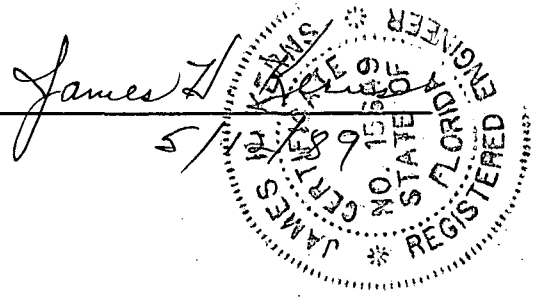
The application is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at The Department of Environmental Regulation, 4520 Oak Fair Boulevard, Tampa, Florida 33619-7347.

CERTIFICATION

Application No. AC42-161703

I HEREBY CERTIFY that the engineering features described in the above-referenced application (provide/~~do not provide~~^{AK}) reasonable assurance of compliance with applicable provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Title 17. However, I have not evaluated and I do not certify aspects of the proposal outside of my area of expertise (including but not limited to the electrical, mechanical, structural, hydrological, and geological features).

(Signed)



(Date)

(Seal)

TECHNICAL EVALUATION
AND
PRELIMINARY DETERMINATION
FOR

Fero Funeral Home
Marion County
Construction Permit
Application Number

AC42-161703

Florida Department of Environmental Regulation
Division of Environmental Permitting
Southwest District

Tampa, FL

April 14, 1989

Prepared By: George W. Richardson

I. Project Description:

A. Applicant:

Mr. Orlando J. Fero, Jr.
Owner
Fero Funeral Home
Post Office Box 266
Beverly Hills, Florida 32665

B. Engineer:

Mr. Thomas E. Brumagin, P.E.
Central Florida Testing Laboratories, Inc.
1400 Starkey Road
Largo, Florida 34641

C. Project and Location:

The applicant proposes to construct an Industrial Equipment & Engineering, Inc. Incinerator at U.S. Highway 41 North, Dunellon Marion County.

D. Process and Controls:

The applicant is requesting permission to construct an Industrial Equipment & Engineering, Inc. Model IE-43 Power Pak Incinerator with afterburner. The incinerator is fired with LP gas only.

E. Application Information:

Received on: 3-6-89
Information Requested: None
Application Complete: 3-6-89
Notice Published Requested:

II. Rule Applicability

This project is subject to the preconstruction review requirements of Chapter 403, Florida Statutes and Chapter 17-2, Florida Administrative Code (F.A.C.).

The location of this project is outside the Hillsborough County particulate and ozone nonattainment area. It is not subject to the stringent new source review requirements of Section 17-2.500, F.A.C., since the facility is considered minor.

This incinerator is regulated under Subsection 17-2.600(1)(a) which specifies that there be no visible emissions (5% opacity) except that visible emissions up to 20% opacity are allowed up to three minutes in any one hour.

No objectionable odor is allowed.

III. Summary of Emissions

Visible Emissions: An opacity less than 5%.

Testing shall be in accordance with DER Method No. 9.

<u>Pollutant</u>	<u>Actual Emissions</u>		<u>Uncontrolled Emissions</u>	
	lbs/hr.	TPY	lbs/hr.	TPY
Particulates	0.61	0.95	0.61	0.95
Nitrogen Oxides	0.43	0.67	0.43	0.67

IV. Conclusions:

The emission limits proposed by the applicant will meet all of the requirements of Chapter 17-2, F.A.C.

The General and Specific Conditions listed in the proposed permit (attached) will assure compliance with all the applicable requirements of Chapter 17-2, F.A.C.

V. Proposed Agency Action:

Pursuant to Section 403.087, Florida Statutes and Section 17-4.07, Florida Administrative Code the Department hereby gives notice of its intent to issue a permit to construct the aforementioned air pollution source in accordance with the draft permit and its conditions as stipulated (see attached).