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DEC 27 2006

BUREAU OF AIR REGULATION

December 19, 2006

Scott M. Sheplak, P.E.
Air Permitting South Section
State of Florida, Department of Environmental Protection
Mail Station #5505
2600 Blair Stone Road
Tallahassee, FL 32399

Dear Mr. Sheplak:

Enclosed please find the original affidavit of publication of the Public Notice of Intent to Issue Air Construction Permit that was published in the St. Petersburg Times on December 1, 2006.

Sincerely,

A handwritten signature in cursive script that reads "Kelsi Oswald".

Kelsi Oswald
Waste to Energy Program Manager

enclosure

PLEASE ADDRESS REPLY TO:
3095 - 114th Avenue North
St. Petersburg, Florida 33716
Phone: (727) 464-7500
FAX: (727) 464-7713
Website: www.pinellascounty.org



STATE OF FLORIDA
COUNTY OF PINELLAS

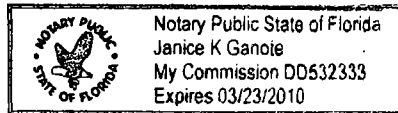
§.S.

ST. PETERSBURG TIMES
Published Daily
St. Petersburg, Pinellas County, Florida

Before the undersigned authority personally appeared Lori Showen
who on oath says that she is Legal Clerk
of the St. Petersburg Times Full Run
a daily newspaper published at St. Petersburg, in Pinellas County, Florida: that
the attached copy of advertisement, being a Legal Notice
in the matter RE: Board of County Commissioners - Intent To Issue Air Construction Permit
ad#1002199676 in the Court
was published in said newspaper in the issues of December 1, 2006

Affiant further states the said St. Petersburg Times
is a newspaper published at St. Petersburg, in said Pinellas County, Florida, and
that the said newspaper has heretofore been continuously published in said Pinellas
County, Florida, each day and has been entered as second class mail matter at the
post office in St. Petersburg, in said Pinellas County, Florida, for a period of one year
next preceding the first publication of the attached copy of advertisement, and affiant
further says that he 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 1st day of
December A.D. 2006
Janice K Ganoe
Notary Public



Personally known ✓ (Seal)
or produced identification _____
Type of identification produced _____

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LEGAL NOTICE

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PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DEP File No.: 1030117-007-AC and PSD-FL-011C and PSD-FL-098C
Pinellas County Waste-To-Energy Facility
Facility Improvement Projects
Pinellas County

The Department of Environmental Protection (Department) gives notice of its intent to issue an Air Construction Permit to the Pinellas County Utility Administration, Department of Solid Waste Operations. The permit will authorize the Facility Improvement Projects at the Pinellas County Waste-To-Energy Facility located in the North of St. Petersburg on 114th Avenue and near I-275 in Pinellas County. A Best Available Control Technology (BACT) determination was not required. The applicant's name and address are Pinellas County Utility Administration, Department of Solid Waste Operations, 14 South Fort Harrison Avenue, 5th Floor, Clearwater, Florida 33756.

The facility consists of three municipal solid waste combustors, Unit Nos. 1, 2, and 3, with auxiliary burners, lime storage and processing facilities, an activated carbon storage facility, ash storage and processing facilities, a metals recovery system, a cooling tower, ancillary support equipment, and a contiguous municipal solid waste landfill. Units 1 and 2 began commercial operation May 4, 1983; Unit 3 began commercial operation August 1, 1986. Odor is controlled by drawing combustion air from the refuse tipping area. Following retrofit to comply with NSPS-40 CFR 60, Subpart Cb, spray dry absorbers and baghouses are used for control of acid gases and particulates, selective non-catalytic reduction (SNCR) for control of nitrogen oxides (NOx), and activated carbon injection systems (ACI) for control of mercury (Hg) and certain organic emissions.

The proposed project involves primarily the replacement of existing equipment and systems. In summary, the applicant proposes to replace boiler tubes in the furnace section of the boilers, replace various components of the grate system for each boiler, replace air preheaters for each boiler, replace the ash processing and storage building and make improvements to the facility's air pollution control system. This project's schedule is to replace one boiler furnace per year starting in 2007 or 2008 and ending in 2009 or 2010. This air construction permit authorizes these projects at the existing facility.

The proposed project is subject to 40 CFR 60, Subpart Cb - Emission Guidelines for Existing Large Municipal Waste Combustors as revised and published by the Environmental Protection Agency (EPA) on May 10, 2006.

The Department has reasonable assurance that the project will not result in significant net emission increases from the units thus avoiding a review under the Rules for the Prevention of Significant Deterioration (PSD) Program at Rule 62-212.400, F.A.C. or 40 CFR 52.21. The Department has incorporated provisions in the Draft permit requiring submittal of information on an annual basis for a period of 5 years to confirm that the project did not cause significant net emission increases in actual emissions.

The Department will issue the 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 significant change of terms or conditions.

The Department will accept written comments concerning the proposed permit issuance action for a period of 14 (fourteen) days from the date of publication of this Public Notice of Intent to Issue Air Construction Permit. Written comments should be provided to the Department's Bureau of Air Regulation at 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 the proposed agency action, the Department shall revise the proposed permit and require, if applicable, another Public Notice.

The Department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to sections 120.569 and 120.57 F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below. Mediation is not available in this proceeding. A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under section 120.60(3) of the Florida Statutes 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. Under section 120.60(3), however, any person who asked the Department for notice of agency action may file a petition within fourteen 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 of the Florida Administrative Code.

A petition that disputes the material facts on which the Department'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 interests will be affected by the agency determination; (c) A statement of how and when 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 indicate; (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 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 Department'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

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. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition 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 32399-2400
Telephone: 850-488-0114
Fax: 850-921-9533

Department of Environmental Protection
Southwest District Office
13051 North Telecom Parkway
Temple Terrace, Florida 33637-0928
Telephone: 813-632-7600
Fax: 813-744-6458

Pinellas County Department of
Environmental Management
300 South Garden Avenue
Clearwater, Florida 33756-5424
Telephone: 727-464-4422
Fax: 727-464-4420

The complete project file includes the application, technical evaluations, Draft Permit, and the information submitted by the authorized representative, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact Scott M. Sheplak in the Bureau of Air Regulation at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850-488-0114 for additional information. Key correspondence, the Draft permit and technical evaluation can be accessed by clicking on "Pinellas County Waste-to-Energy Facility" under the "Waste-to-Energy" tab at the following web page: www.dep.state.fl.us/Air/permitting/construction.html.

December 1, 2006