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BUREAU OF AIR REGULATION

WHEELABRATOR RIDGE ENERGY INC.
A WASTE MANAGEMENT COMPANY

3131 K-Ville Avenue
Auburndale, FL 33823
(863) 665-2255
(863) 665-0400 Fax

Certified Mail 7000 0520 0014 8793 0550

February 7, 2001

A. A. Linero, P.E.
Administrator – New Source Review Section
Florida Department of Environmental Protection
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Re: Affidavit of Publication – Revision to Title V Permit No. 1050216-001-AV,
DEP Project No.: 005; Permit Modification to PSD Permit No. AC53-
206244/PSD-FL-183 DEP Project No.: 006 – Ridge Generating Station

Dear Mr. Linero:

Enclosed please find one original Affidavit of Publication provided by the Lakeland Ledger.

If you have any questions, please contact John Neil (863) 665-2255 (Ext. 250)

Sincerely,

John N. Rivara
Plant Manager

cc: Gerald Kissel
District Permitting Supervisor
Florida Department of Environmental Protection
Southwest District
3804 Coconut Palm Drive
Tampa, FL 33619

Certified Mail 7000 0520 0014 8793 0567

*Jeff Spence, PCESD
Chris Hill, PCESD
Greg Wylie, EPA
John Benyah, NPS*

AFFIDAVIT OF PUBLICATION

THE LEDGER

Lakeland, Polk County, Florida

Case No

STATE OF FLORIDA)
COUNTY OF POLK)

Before the undersigned authority personally appeared Sandra Beeler, who on oath says that she is the Inside Sales Supervisor of The Ledger, a daily newspaper published at Lakeland in Polk County, Florida; that the attached copy of advertisement, being a

Public Notice

in the matter of Wheelabrator Ridge Energy Inc.

in the

Court, was published in said newspaper in the issues of

1-29; 2001

Affiant further says that said The Ledger is a newspaper published at Lakeland, in said Polk County, Florida, and that the said newspaper has heretofore been continuously published in said Polk County, Florida, daily, and has been entered as second class matter at the post office in Lakeland, in said Polk 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.

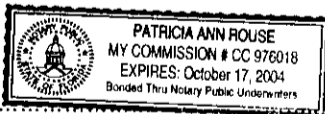
Signed Sandra Beeler
Sandra Beeler
Inside Sales Supervisor
Who is personally known to me.

Sworn to and subscribed before me this 6TH
day of February A.D. 20 01

Patricia Ann Rouse
Notary Public
PATRICIA ANN ROUSE

(Seal)

My Commission Expires



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E995

Attach Notice Here

PUBLIC NOTICE OF INTENT TO ISSUE PSD PERMIT MODIFICATION/REVISION TO TITLE V AIR OPERATION PERMIT

State of Florida
Department of Environmental Protection

Permit Modification to PSD Permit No. AC53-206244/PSD-FL-183 (DEP Project No. 006) and Revised DRAFT Revision to Title V Permit No. 1050216-001-AV (DEP Project No. 005)

The Florida Department of Environmental Protection (permitting authority) gives notice of its intent to issue a PSD Permit Modification/Revision to the Title V Air Operation Permit for the Wheelabrator Ridge Energy, Inc. Plant located in Auburndale, Polk County. The applicant's mailing address is 3131 K-Vi Ave., Auburndale, FL 33823. A Best Available Control Technology (BACT) Determination revision was not required pursuant to Rule 62-212.400, F.A.C. and 40 CFR 52.21. Prevention of Significant Deterioration (PSD).

This facility produces electric power using waste wood and tires for fuel to enhance employee comfort and safety in the Ash Handling Building. The applicant has installed an on-site wet scrubber to remove particulate matter from the building's ventilation system. Also, the applicant is requesting a clarification of wood fuel permitted to be burned. The permitting authority will issue the PSD permit modification/PROPOSED Revision to the Title V Permit and subsequent FINAL Revision to the Title V Permit, with the proposed changes to permit conditions as in accordance with the conditions of the existing DRAFT Revision to the Title V Permit unless a response is received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The permitting authority will accept written comments concerning the proposed permit issuance action for a period of 14 (fourteen) days for the PSD Permit Modification and 30 (thirty) days for the Revised DRAFT Revision to the Title V Air Operation Permit from the date of publication of this Public Notice of Intent to Issue PSD Permit Modification/Revision to Title V Operation Permit. Written comments should be provided to the permitting authority's office, Florida Department of Environmental Protection, Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, FL 32399-2400. A written comment filed shall be made available for public inspection. If written comments receive result in a significant change in the proposed agency action, the permitting authority shall revise the proposed permit and require, if applicable, another Public Notice.

The permitting authority will issue the permits 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) in accordance with Sections 120.569 and 120.57 of the Florida Statutes (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 of Environmental Protection at 304 Commonwealth Boulevard, Mail Station #35, Tallahassee, FL 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen (14) days of the receipt of the notice of intent. Petitions filed by any persons other than those entitled to written notice under Section 120.569(3), F.S., must be filed within fourteen (14) days of publication of the public notice or within fourteen (14) days of receipt of the notice of intent, whichever occurs first. Under Section 120.569(4), 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 submit 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 applicable 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 2.106-203 of the Florida Administrative Code (F.A.C.).

A petition that disputes the material facts upon 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 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 specified facts the petitioner contends warrant reversal or modification of the agency's proposed action as well as the rules and statute which entitle the petitioner to relief.

(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 permitting authority's action is based shall state that no such facts are in dispute and otherwise shall contain the same information 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 in this notice of intent. Persons whose substantial interests will be affected by any such final decision, 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 is not available for this proceeding.

The following paragraph applies to the Revised Title V Operation Permit. In addition to the above, pursuant to 42 United States Code (U.S.C.) Section 7601(b)(2), any person may petition the Administrator of the EPA within 60 (sixty) days of the expiration of the Administrator's (forty-five) day review period as established at 42 U.S.C. Section 7601(b)(1), to object to issuance of any permit. Any petition shall be based only on objections to the permit that were raised with reasonable specificity during the 30 (thirty) day public comment period provided in this notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objection 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 the EPA must meet the requirements of 42 U.S.C. Section 7601(d)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460.

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, Suite 4, 111 S. Magnolia Drive, Tallahassee, FL 32301, Telephone: 850/488-0114, Fax: 850/922-0979.	Polk County Environmental Services Division, 4177 Ben Durrance Road, Bartow, FL 33830, Telephone: 863/534-7377, Fax: 863/534-7374.	Department of Environmental Protection, Southwest District, 8407 Laurel Fair Circle, Tampa, FL 33610, Telephone: 813/744-6100, Fax: 813/744-6658.
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The complete project file includes the application, DRAFT permit modification/Revised DRAFT Revision to the Title V Permit, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact Administrator, New Source Review Section at Suite 4, 111 S. Magnolia Drive, Tallahassee, FL 32301, Telephone: 850/488-0114 or the permitting authority's reviewing engineer for this project, at Southwest District, 8407 Laurel Fair Circle, Tampa, FL 33610, Telephone: 813/744-6100, for additional information.

E995 - 1-29; 2001