

INTEROFFICE MEMORANDUM

TO: Michael Cooke

THRU: Trina Vielhauer
Scott Sheplak *TS*

FROM: Bruce Mitchell *BM*

SUBJECT: Exemption for An Identical Dolomitic Lime Feed System to be Added to Each Municipal Waste Combustor's (MWC; Units Nos. 1 and 2) Ash Handling System
Covanta Lake, Inc.
Lake County Resource Recovery Facility

DATE: November 14, 2003

The attached exemption is for the above referenced proposed new emission units/activities, which is for an identical dolomitic lime feed system to be added to each MWC's (Units Nos. 1 and 2) ash handling system. Each independent dolomitic lime feed system will consist of: a storage silo, a hopper, a feeder, and a screw conveyor. Each silo will have a baghouse control system and each hopper, feeder, and screw conveyor will be covered/enclosed for control of particulate matter/particulate matter less than 10 microns (PM/PM10) emissions and visible emissions. The silos will be pneumatically filled with the dolomitic lime delivered by bulk trucks.

The increase of potential PM emissions from each new dolomitic lime feed system is 14 pounds per year (0.007 tons per year).

Upon the next opening of the facility's Title V operation permit, each identical dolomitic lime feed system will be identified/designated as an "insignificant" emissions unit/activity and placed in Appendix I-1, Insignificant Emissions Units/Activities.

The construction of these emissions units/activities should not be controversial. Therefore, it is recommended that the attached exemption be signed as drafted.

MGC/bm

Attachment



Jeb Bush
Governor

Department of Environmental Protection

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

David B. Struhs
Secretary

November 14, 2003

CERTIFIED MAIL – Return Receipt Requested

Mr. Leon Brasowski
V.P., Environmental Permitting and R.O.
Covanta Projects, Inc.
40 Lane Road, CN 2615
Fairfield, N.J. 07007-2615

Re: Covanta Lake, Inc.
Lake County Resource Recovery Facility
Exemption for An Identical Dolomitic Lime Feed System to be Added to Each Municipal Waste Combustor's (MWC;
Units Nos. 1 and 2) Ash Handling System

Dear Mr. Brasowski:

The Department has evaluated the proposed new emission units/activities identified above. An identical dolomitic lime feed system will be added to each MWC's (Units Nos. 1 and 2) ash handling system. Each independent dolomitic lime feed system will consist of: a storage silo, a hopper, a feeder, and a screw conveyor. Each silo will have a baghouse control system and each hopper, feeder, and screw conveyor will be covered/enclosed for control of particulate matter/particulate matter less than 10 microns (PM/PM10) emissions and visible emissions. The silos will be pneumatically filled with the dolomitic lime delivered by bulk trucks.

The increase of potential PM emissions from each new dolomitic lime feed system is 14 pounds per year (0.007 tons per year).

The existing facility is a "major source of air pollution" or "Title V Source" for criteria pollutants and hazardous air pollutant emissions pursuant to Rule 62-210.200, Florida Administrative Code (F.A.C.). Since the proposed contemporaneous PM/PM10 emissions increase is much less than the significant emissions rates of 25/15 TPY, respectively, contained in Table 212.400-2, F.A.C., the proposal is not subject to PSD new source review requirements pursuant to Rule 62-212.400(5), F.A.C.; also, for PSD review consideration pursuant to Rule 62-212.400(6)(b), F.A.C., it is determined that the proposal is not considered as part of a phased project. Finally, there are no specific emission limiting standards applicable to this proposed activity pursuant to Rule 62-204.800 and Chapter 62-296, F.A.C.

Based on the above findings, the Department is granting an exemption from the air construction permitting requirements of the Florida Department of Environmental Protection for the two (2) identical dolomitic lime feed systems subject to the conditions below. The exemption is based on the premise that any air pollutants emitted from the proposed two identical dolomitic lime feed systems will not be in significant quantities to contribute to air pollution problems in the state pursuant to Rule 62-4.040(1)(b), F.A.C.

The conditions of this exemption are:

A. Two identical dolomitic lime feed systems

1. Each storage silo shall be equipped with a baghouse control system to control PM/PM10 emissions and visible emissions during pneumatic loading of dolomitic lime from bulk truck deliveries.
2. Each storage hopper, feeder and screw conveyor shall be covered/enclosed to minimize fugitive PM/PM10 emissions.
3. The operation of this activity shall not cause or contribute to an objectionable odor.
4. If the conditions on which this exemption are based change, the operator shall notify the Department's Bureau of Air Regulation of the changes and request the exemption be amended.
5. Upon the next opening of the facility's Title V operation permit, each identical dolomitic lime feed system will be identified/designated as an "insignificant" emissions unit/activity and placed in Appendix I-1, Insignificant Emissions Units/Activities.

"More Protection, Less Process"

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This conditional exemption will take effect 21 days from the clerking date unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, Florida Statutes (F.S.). The procedures for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the proposed agency action may petition for an administrative proceeding (hearing) under 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 at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida, 32399-3000. Petitions filed by the applicant or any of the parties listed below must be filed within twenty-one 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), F.S., must be filed within twenty-one days of publication of the public notice or within twenty-one days of receipt of this notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Department for notice of agency action may file a petition within twenty-one 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 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, as well as the rules and statutes which entitle the petitioner to relief; and, (f) A demand for relief.

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, F.A.C.

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 request for conditional exemption have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation is not available in this proceeding.

NOTICE OF APPEAL RIGHTS

Any party to this conditional exemption has the right to seek judicial review of it under Section 120.68, F.S., by filing a Notice of Appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the Clerk of the Department of Environmental Protection in the Office of General Counsel, Mail Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000, and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The notice must be filed within thirty days after this conditional exemption is filed with the Clerk of the Department.

A copy of the conditional exemption and accompanying materials related to the proposed agency action are 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

Covanta Projects, Inc.

Covanta Lake, Inc.

Lake County Resource Recovery Facility

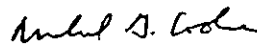
Exemption for An Identical Dolomitic Lime Feed System to be Added to Each Municipal Waste Combustor's (MWC; Units Nos. 1 and 2) Ash Handling System

Page 3 of 4

Department of Environmental Protection, Division of Air Resource Management, Suite 23, Magnolia Courtyard, 111 South Magnolia Drive, Tallahassee, Florida 32301, and at the Department's Central Florida District Office, 3319 Maguire Blvd., Suite 232, Orlando, Florida 32803-3767.

Executed in Tallahassee, Florida.

**STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION**



Michael G. Cooke, Director
Division of Air Resource Management
2600 Blair Stone Road
Tallahassee, Florida 32399-2400
(850)488-0114

MGC/bm

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <i>Joseph B. Monetti</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) JOSEPH B. MONETTI C. Date of Delivery NOV 02 2003</p>
<p>1. Article Addressed to: Mr. Leon Brasowski V.P., Permitting and R.O. Covanta Projects, Inc. 40 Lane Road, CN 2615 Fairfield, N.J. 07007-2615</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label) 7001 1140 0002 1577 9717</p>	
<p>PS Form 3811, August 2001 Domestic Return Receipt 102595-02-M-1540</p>	

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

OFFICIAL USE

Mr. Leon Brasowski, V.P.

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Sent To
 Mr. Leon Brasowski, VpP.
 Street, Apt. No.,
 or PO Box No. 40 Lane Road, CN 2615
 City, State, ZIP+4
 Fairfield, N.J. 07007-2615

PS Form 3800, January 2001 See Reverse for Instructions

Covanta Projects, Inc.
Covanta Lake, Inc.
Lake County Resource Recovery Facility
Exemption for An Identical Dolomitic Lime Feed System to be Added to Each Municipal Waste Combustor's (MWC; Units
Nos. 1 and 2) Ash Handling System
Page 4 of 4

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF EXEMPTION and all copies were sent by certified mail before the close of business on 11/17/03 to the person(s) listed:

Mr. Leon Brasowski, V.P., Environmental Permitting and R.O., Covanta Projects, Inc.

In addition, the undersigned duly designated deputy agency clerk hereby certifies that copies of this NOTICE OF EXEMPTION were sent by U.S. mail on the same date to the person(s) listed, unless otherwise noted:

Mr. Len Kozlov, CD (Interoffice mail)

11/17/03 cc: Bruce Mitchell
Reading Site
Shirley Site
Len Kozlov (CD)

Clerk Stamp

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to Section 120.52(7), F.S., with the designated agency Clerk, receipt of which is hereby acknowledged.

Rubena J. Friday 11/17/03
(Clerk) (Date)