

August 19, 2005

Mr. A.A. Linero, P.E.  
Program Administrator  
Permitting South Section  
Department of Environmental Protection  
Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

**RECEIVED**

AUG 22 2005

BUREAU OF AIR REGULATION

**RE: Pinellas County Resource Recovery Facility  
Draft Title V Air Operation Permit Renewal No. 1030117-006-AV  
Proof of Publication of Public Notice**

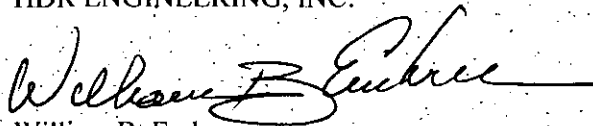
Dear Mr. Linero:

Pursuant to Rule 62-110.106(5), F.A.C., Pinellas County is required to provide proof of publication of the "Public Notice of Intent to Issue Title V Air Operation Permit" (Public Notice) to the Permitting Authority at the above address within seven (7) days of publication. Attached is a copy of the affidavit of publication provided by the newspaper.

Should you have any questions, please contact me at (727-464-7500) or Mr. M. Kirk Dunbar of HDR Engineering, Inc. at (763-591-5476).

Sincerely,

HDR ENGINEERING, INC.



William B. Embree  
Sr. Project Manager

Attachment

cc: P. Talley - Pinellas County Utilities  
D. Castro - HDR Engineering, Inc.  
K. Dunbar - HDR Engineering, Inc.  
T. Cascio - FDEP DARM

STATE OF FLORIDA } S.S.  
COUNTY OF PINELLAS }

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

Before the undersigned authority personally appeared Jacqueline Petrin  
who on oath says that she is Legal Clerk \_\_\_\_\_  
of the St. Petersburg Times Full Run Classified  
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 - Notice of Intent To Issue Title V  
Air Operation Permit  
ad# 1001645302 in the \_\_\_\_\_ Court  
was published in said newspaper in the issues of August 14, 2005

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 15th day of  
August A.D. 2005

NOTARY PUBLIC  
STATE OF FLORIDA  
Notary Public State of Florida  
Lori A Showen  
My Commission DD439109  
Expires 06/09/2009

Notary Public (SEAL)

Personally known \_\_\_\_\_  
or produced identification \_\_\_\_\_  
Type of identification produced \_\_\_\_\_

RECEIVED  
AUG 17 2005  
SOLID WASTE OPERATION

Aug 17 6:47 PM '05  
PINELLAS COUNTY, FL  
BOARD OF  
COUNTY COMMISSIONERS  
RECEIVED

LEGAL NOTICE

**PUBLIC NOTICE OF INTENT TO ISSUE  
TITLE V AIR OPERATION PERMIT**

Department of Environmental Protection  
DRAFT Title V Air Operation Permit No. 1030117-006-AV  
Pinellas County Utilities Administration  
Pinellas County Resource Recovery Facility  
Pinellas County

**Applicant:** The applicant for this project is the Pinellas County Utilities Administration, 14 South Fort Harrison Avenue, Clearwater, Florida 33756. The applicant's responsible official is Mr. Pick Talley, Director of Utilities.

**Facility Location:** The applicant operates the Pinellas County Resource Recovery Facility, which is located at 3001 110th Avenue North in St. Petersburg, Pinellas County, Florida.

**Project:** The applicant submitted an application for a Title V Air Operation Permit (Permit). This 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 (not operated with chromium based water treatment chemicals), ancillary support equipment, and a contiguous municipal solid waste landfill. The gross nominal electric generating capacity of the facility is 75 megawatts (MW), which is sold to Florida Power Corporation (FPC). Also included in this permit are miscellaneous unregulated/insignificant emissions units and/or activities. 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 NO<sub>x</sub>, and activated carbon injection systems (ACI) for control of Hg and certain organic emissions. 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 web-site: <http://www.dep.state.fl.us/air/products/ards/>. A copy of the complete project file is also available at the Southwest District Office at 3804 Coconut Palm Drive, Tampa, Florida 33619-8318 (Telephone: 813/744-6100).

**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 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://thoras6.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 public inspection.

**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 120.569, F.S. must be filed with the

## BEST AVAILABLE COPY

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>

August 14, 2005

645302-01