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THE TAMPA TRIBUNE
Published Daily
Tampa, Hillsborough County, Florida

State of Florida }
County of Hillsborough } ss.

Before the undersigned authority personally appeared C. Pugh, who on oath says that she is the Advertising Billing Supervisor of The Tampa Tribune, a daily newspaper published at Tampa in Hillsborough County, Florida; that the attached copy of advertisement being a

LEGAL NOTICE

in the matter of PUBLIC NOTICE OF INTENT

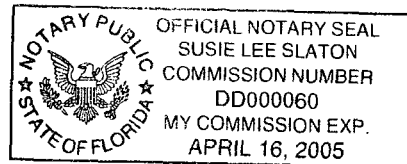
was published in said newspaper in the issues of
NOVEMBER 20, 2004

Affiant further says that the said The Tampa Tribune is a newspaper published at Tampa in said Hillsborough County, Florida, and that the said newspaper has heretofore been continuously published in said Hillsborough County, Florida, each day and has been entered as second class mail matter at the post office in Tampa, in said Hillsborough County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, this advertisement for publication in the said newspaper.

Sworn to and subscribed by me, this 22 day
of NOVEMBER, A.D. 20 04

Personally Known or Produced Identification _____
Type of Identification Produced _____

Susie Lee Slaton



PUBLIC NOTICE OF INTENT
TO ISSUE TITLE V AIR
OPERATION PERMIT

Department Of
Environmental Protection
DRAFT Title V Air Operation
Permit No. 0570127-004-AV
City of Tampa - McKay Bay
Refuse to Energy Facility
Hillsborough County

Applicant: The applicant for this project is City of Tampa, 4010 Spruce Street, Tampa, Florida 33607. The applicant's responsible official is Ms. Nancy McCann, Responsible Official.

Facility Location: The applicant operates the McKay Bay Refuse to Energy Facility, which is located at 107 North 34th Street, in Tampa, Hillsborough County, Florida.

Project: The applicant submitted an application for a Title V Air Operation Permit (Permit). The facility consists of the following emissions units:

Municipal waste Combustor Units 1 through 4 are stationary water wall mass burn type units. Each unit has a short term tonnage capacity of 288 tons of water per day and a maximum heat input capacity of 120 mmBtu/hr. Nominal heat input capacity is 104 mmBtu/hr. These capacities are not limited by this permit. Instead the nominal capacity is limited to 250 tons of waste per day, at 5,000 Btu/lb as determined by a rolling 12 month average. Short-term capacity is restricted by limiting steam production, which effectively limits heat input. Natural gas fired auxiliary burners and combustion control systems with continuous monitoring devices for combustion and process parameters and SO₂, NO_x and CO are installed to improve combustion efficiency and control. The air pollution control equipment for each line consists of a spray dryer absorber, a fabric filter, and activated carbon injection system. A selective non-catalytic reduction system (SNCR) and auxiliary gas burners are installed in the furnaces. Emissions from the four units exhaust through a multi-flued stack, 201 feet tall. These emissions units are regulated under NSPS - 40 CFR 60, Subpart Cb, Emissions Guidelines and Compliance Times for Large Municipal Waste Combustors That Are Constructed on or Before September 20, 1994, adopted and incorporated by reference, subject to provisions, in Rule 62-204.800(8)(b), F.A.C.; NSPS-40 CFR 60, Subpart E, Standards of Performance for Incinerators, adopted and incorporated by reference in Rule 62-204.800(7), F.A.C.; and, Rule 62-296.401(2), F.A.C., Incinerators; Rule 62-296.416, F.A.C., Waste-to-Energy Facilities. This Permit will be a revision of the permit for this facility. The permit revision updates Specific Condition A.32, with the current language in 40 CFR 60.58b., that includes a special case for CO related to loss of boiler water control.

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 Department of Environmental Protection, Bureau of Air Regulation, is the Permitting Authority responsible for making a permit determination

regarding this project. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301. 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 website: <http://www.dep.state.fl.us/air/eproducts/yards/>. A copy of the complete project file is also available at the Hillsborough County Environmental Protection Commission, Air Quality Management Division at 1410 North 21st Street, Tampa, Florida 33605. (Telephone: 813/272-5530).

Comments: The Permitting Authority will accept written comments concerning the DRAFT Permit for a period of thirty (30) days from the date of publication of this Public Notice. Written comments must be 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 to permitting@dep.state.fl.us 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://tlhora6.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

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 proceeding (hearing) under 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 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 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 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 action; and (f) A statement of 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, 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 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 in 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>.