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Tampa Bay Times
Published Daily
St. Petersburg, Pinellas County, Florida

STATE OF FLORIDA
COUNTY OF Pinellas } **S.S.**

Before the undersigned authority personally appeared **L. Phillips** who on oath says that he/she is **Legal Clerk** of the ***Tampa Bay Times*** 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: Written Ntc Of Intent To Issue Air Permit #11030117-009-AC PSDFL420** was published in said newspaper in the issues of **Classified N Pinellas Classified S Pinellas , 10/19/2012 .**

Affiant further says the said **Tampa Bay 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 /she 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.

L. A. Phillips

Signature of Affiant

Sworn to and subscribed before me
this **19th** day of **October A.D.2012**

NOTARY PUBLIC STATE OF FLORIDA
JESSICA ATTARD
MY COMMISSION # EE 078485
EXPIRES: March 28, 2015
Bonded Thru Budget Notary Services

Jessica Attard

Signature of Notary Public

Personally known X or produced indentification

Type of indentification produced _____

Received
OCT 23 2012
TO: KD # 41
DEI-Div. of Solid Waste

BOARD OF COUNTY COMMISSIONERS
PINELLAS COUNTY FLORIDA
2012 OCT 22 AM 9:46
RECEIVED
BOARD OF

WRITTEN NOTICE OF INTENT TO ISSUE AIR PERMIT

In the Matter of an
Application for Air Permit by:

Pinellas County Environment and Infrastructure
3095 114th Avenue North
St. Petersburg, Florida 33716

Authorized Representative:
Robert J. Hauser, Director, Solid Waste Division

Draft Permit No. 1030117-009-AC (PSD-FL-420)
Pinellas County Resource Recovery Facility

Facility Improvement Projects
Emission Standards and Process Limits
Pinellas County, Florida

Facility Location: The existing Pinellas County Resource Recovery Facility is owned by Pinellas County and is operated by Veolia ES Pinellas, Inc. The existing facility is located in Pinellas County at 3001 113th Avenue North in St. Petersburg, Florida.

Project: The Department will permit the portion of the Facility Improvement Project (previously permitted in December 2006) consisting of: MWC furnace tube, stoker grate and air preheater replacements and improvements to the MWC air pollution control and monitoring systems.

The project is subject to the preconstruction review requirements of Rule 62-212.400, Florida Administrative Code (F.A.C), Prevention of Significant Deterioration (PSD) of Air Quality, for the following pollutants: carbon monoxide (CO), sulfur dioxide (SO2), particulate matter with an aerodynamic diameter less than 2.5 micrometers (PM2.5) and municipal waste combustor acid gases (MWC acid gases). Best Available Control Technology (BACT) determinations were required for these pollutants.

The new BACT emission standards or certain emission standards from the Department Rule 62-204.800(9)(b), F.A.C. (the Department's MWC Rule) will replace less stringent BACT determinations performed by EPA when permitting the three MWC in 1979 and 1987. The Department will replace several process throughput limits with a single short-term steam limitation and a single total long-term waste throughput limit.

The previous written notice and accompanying documents transmitted on July 25, 2012 are hereby withdrawn and replaced with the present revised notice and accompanying documents.

Permitting Authority: Applications for air construction permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-1, 62-210 and 62-212, F.A.C. The proposed project is not exempt from air permitting requirements and a draft permit is required to perform the proposed work. The Division of Air Resource Management's (DARM) Office of Permitting and Compliance is the Permitting Authority responsible for making a permit determination for this project. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, Tallahassee, Florida. The Permitting Authority's mailing address is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/717-9000.

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 Technical Evaluation and Preliminary Determination, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address and phone number listed above.

Notice of Intent to Issue Air Permit: The Permitting Authority gives notice of its intent to issue an air permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of the existing facility will not adversely impact air quality and that the project will comply with all applicable provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296 and 62-297, F.A.C. The Permitting Authority will issue a Final Permit in accordance with the conditions of the proposed Draft Permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

Public Notice: Pursuant to Section 403.815, F.S. and Rules 62-110.106 and 62-210.350, F.A.C., you (the applicant) are required to publish at your own expense the enclosed Public Notice of Intent to Issue Air Permit (Public Notice). The Public Notice shall be published one time only as soon as possible in the legal advertisement section of a newspaper of general circulation in the area affected by this project. The newspaper used must meet the requirements of Sections 50.011 and 50.031, F.S. in the county where the activity is to take place. If you are uncertain that a newspaper meets these requirements, please contact the Permitting Authority at the address or phone number listed above. Pursuant to Rule 62-110.106(5) and (9), F.A.C., the applicant shall provide proof of publication to the Permitting Authority at the above address within 7 days of publication. Failure to publish the notice and provide proof of publication may result in the denial of the permit pursuant to Rule 62-110.106(11), F.A.C.

Comments: The Permitting Authority will accept written comments concerning the proposed Draft Permit and requests for a public meeting for a period of 30 days from the date of publication of the Public Notice. Written comments must be received by the Permitting Authority by close of business (5:00 p.m.) on or before the end of this 30-day period. In addition, if a public meeting is requested within the 30-day comment period and conducted by the Permitting Authority, any oral and written comments received during the public meeting will also be considered by the Permitting Authority. If timely received comments result in a significant change to the Draft Permit, the Permitting Authority shall revise the 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, 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 14 days of receipt of this Written Notice of Intent to Issue Air Permit. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the attached Public Notice or within fourteen 14 days of receipt of this *Written Notice of Intent to Issue* Air Permit, 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 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 (in a proceeding initiated by another party) 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 interests will be affected by the agency determination; (c) A statement of when and how each petitioner received notice of the agency action or proposed decision; (d) A statement of all disputed issues of material fact; (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 including an explanation of how the alleged facts relate to the specific rules or statutes; 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 Written Notice of Intent to Issue Air Permit. 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.

Executed in Tallahassee, Florida.
(Electronic Signature)

Jeffery F. Koerner, Program Administrator
Office of Permitting and Compliance
Division of Air Resource Management

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Written Notice of Intent to Issue Air Permit package (including the Written Notice of Intent to Issue Air Permit, the Public Notice of Intent to Issue Air Permit, the Technical Evaluation and Preliminary Determination and the Draft Permit with Appendices) was sent by electronic mail or a link to these documents made available electronically on a publicly accessible server, with received receipt requested before the close of business on the date indicated below to the following persons.

Robert J. Hauser, Director, Pinellas County Solid Waste Division: rhauser@pinellascounty.org
Christopher Neu, Facility Manager, Veolia ES Pinellas, Inc.: **christopher.neu@veoliaes.com**
Christopher C. Tilman, P.E., ARCADIS: **christopher.tilman@arcadis-us.com**
Mr. Robert Wong, Administrator, DEP SWD: **robert.wong@dep.state.fl.us**
Patricia Comer, Esq., DEP OGC: **patricia.comer@dep.state.fl.us**
David Dee, Esq.: **ddee@gbwlegal.com**
Cindy Mulkey, DEP Siting Office: **cindy.mulkey@dep.state.fl.us**
Heather Ceron, EPA Region 4: **ceron.heather@epa.gov**
Lynn Scearce, DEP OPC: **lynn.scearce@dep.state.fl.us**

Clerk Stamp
FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to Section 120.52(7), Florida Statutes, with the designated agency clerk, receipt of which is hereby acknowledged.
(Electronic Signature)

10/19/12 1003834866