PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMITS

Florida Department of Environmental Protection
Division of Air Resource Management, Office of Permitting and Compliance

Draft Permit Nos. 0112119-017-AC/PSD-FL-105E, Air Construction Permit & Revision
Combustion of Higher Rates of Non-MSW Materials; Waste (Fuel Slate) Revisions & Miscellaneous Revision
Wheelabrator South Broward, Inc., South Broward Waste-to-Energy Facility
Broward County, Florida

Draft Permit Nos. 0112120-015-AC/PSD-FL-112D, Air Construction Permit & Revision
Combustion of Higher Rates of Non-MSW Materials; Waste (Fuel Slate) Revisions & Miscellaneous Revision
Wheelabrator North Broward, Inc., North Broward Waste-to-Energy Facility
Broward County, Florida

This public notice is for the two projects (permit nos.) listed above and described below.

Applicant: The applicant for project (Draft Permit Nos. 0112119-017-AC/PSD-FL-105E) is Wheelabrator South Broward, Inc., South Broward Waste-to-Energy Facility. The applicant's authorized representative and mailing address are: Mr. Scott McIlvaine, Plant Manager, South Broward Waste-to-Energy Facility, Wheelabrator South Broward, Inc., 4400 South State Road 7, Fort Lauderdale, Florida 33414.

The applicant for project (Draft Permit Nos. 0112120-015-AC/PSD-FL-112D) is Wheelabrator North Broward, Inc., North Broward Waste-to-Energy Facility. The applicant's authorized representative and mailing address are: Mr. Jim Epsilantis, Plant Manager, Plant Manager, North Broward Waste-to-Energy Facility, Wheelabrator North Broward, Inc., 2600 NW 48th Street, Pompano Beach, Florida 33073.

Facility Location: The existing South Broward Waste-to-Energy Facility is located in Broward County at 4400 South State Road 7, Fort Lauderdale.

The existing North Broward Waste-to-Energy Facility is located in Broward County at 2600 NW 48th Street, Pompano Beach.

Project: Wheelabrator South Broward, Inc., the applicant, applied on August 13, 2013, to the Department for a minor source air construction permit at the South Broward Waste-to-Energy Facility. The minor source air construction permit is for the combustion of higher rates of non-MSW materials; waste (fuel slate) revisions & a miscellaneous revision for the Municipal Solid Waste Combustor (MWC) Unit Nos. 1, 2 & 3 at the South Broward Waste-to-Energy Facility.

The existing South Broward Waste-to-Energy Facility consists primarily of three MWC units identical in configuration, and each has a nameplate rating of 863 tons per day of waste. Emissions are controlled by: a spray dryer absorber (SDA), fabric filter baghouse, selective non-catalytic reduction (SNCR), and an activated carbon injection system.

Wheelabrator North Broward, Inc., the applicant, applied on August 9, 2013, to the Department for a minor source air construction permit at the North Broward Waste-to-Energy Facility. The minor source air construction permit is for the combustion of higher rates of non-MSW materials and waste (fuel slate) revisions for the Municipal Solid Waste Combustor (MWC) Unit Nos. 1, 2 & 3 at the North Broward Waste-to-Energy Facility.

The existing North Broward Waste-to-Energy Facility consists primarily of three MWC units identical in configuration, and each has a nameplate rating of 807 tons per day of waste. Emissions are controlled by: a spray dryer absorber (SDA), fabric filter baghouse, selective non-catalytic reduction (SNCR), and an activated carbon injection system.

There are no expected significant emission rate increases from each proposed project; emissions were estimated to be below the significant emission rates. Each project therefore is not subject to Prevention of Significant Deterioration (PSD) preconstruction review. In each draft permit, the Permitting Authority is requiring testing

and/or monitoring to confirm the level of emissions and to demonstrate compliance with emission standards/limits while burning higher rates of non-MSW materials.

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 62-4, 62-210 and 62-212 of the F.A.C. The proposed project is not exempt from air permitting requirements. The 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: 2600 Blair Stone Road, Tallahassee, Florida. The Permitting Authority's mailing address is: 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's phone 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 the address indicated above for the Permitting Authority. The complete project file includes the draft air construction permit, the Technical Evaluation & Preliminary Determination, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may view each draft air construction permit by visiting the following web site: http://www.dep.state.fl.us/air/emission/apds/default.asp and entering the permit number shown above. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address or phone number listed above.

Notice of Intent to Issue Air Permit: The Permitting Authority gives notice of its intent to issue each draft air construction permit for the project described above. The applicant has provided reasonable assurance that operation of the existing equipment 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, 62-296 and 62-297, F.A.C. The Permitting Authority will issue each final permit in accordance with the conditions of each draft air construction 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 each draft air construction permit for a period of 14 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 14-day period. If written comments received result in a significant change to the draft air construction permit modification, the Permitting Authority shall revise the draft air construction 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. 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 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. A petition for administrative hearing must contain the information set forth below and must be filed (received) with the Agency Clerk in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, Agency.Clerk@dep.state.fl.us, before the deadline. 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, any email address, telephone number, and any facsimile number of the petitioner; the name, address, any email address, telephone number, and any facsimile 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. 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 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 Permits. 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.