Florida Department of
Environmental Protection
South District Office
Post Office Box 2549
Fort Myers, Florida 33902-2549

Rick Scott
Governor

Jennifer Carroll
Lt. Governor

Herschel T. Vinyard Jr.
Secretary

NOTICE OF FINAL TITLE V AIR OPERATION PERMIT

November 8, 2011

In the Matter of an
Application for Permit Renewal:

Mr. Timothy B. Hawkins
Waste Management Inc. of Florida
2700 Wiles Road
Pompano Beach, Florida 33073

FINAL Permit Project No.: 0710133-015-AV
Gulf Coast Sanitary Landfill
Lee County

Enclosed is the FINAL Permit, No. 0710133-015-AV. The purpose is for the renewal of the Title V Air Operation Permit No. 0710133-009-AV, issued on March 16, 2007. The facility is located in Lee County. This permit renewal is issued pursuant to Chapter 403, Florida Statutes (F.S.). There were no comments received from Region 4, U.S. EPA, regarding the PROPOSED Permit.

Any party to this order (permit) has the right to seek judicial review of the permit pursuant to Section 120.68, F.S., by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Legal Office; 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 of Appeal must be filed within 30 (thirty) days from the date this Notice is filed with the Clerk of the Department.

Executed in Fort Myers, Florida.

_____ _____
Jon M. Iglehart Date
Director of
District Management

JMI/SRM/jw

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF FINAL TITLE V AIR OPERATION PERMIT (including the FINAL Determination and the FINAL Permit) was sent by FedEx (*) and electronically (or a link to these documents made available on a publicly accessible server) with Received Receipt requested before the close of business on _____ to the person(s) listed or as otherwise noted:

Mr. Timothy B. Hawkins, Waste Management*: thawkins@wm.com
Mr. Fernando Casey, Waste Management: fcasey2@wm.com
Mr. Kristofer L. Carlson, P.E., Carlson Environmental Consultants: kcarlsn@cecenv.com
Ms. Katy Forney, U.S. EPA Region 4: forney.kathleen@epamail.epa.gov
Ms. Ana Oquendo, EPA Region 4: oquendo.ana@epamail.epa.gov
Ms. Barbara Friday, DEP BAR: barbara.friday@dep.state.fl.us (for posting with U.S. EPA, Region 4)

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.

_____ _____
(Clerk) (Date)

FINAL Determination

I. Public Notice.

An "INTENT TO ISSUE TITLE V AIR OPERATION PERMIT RENEWAL" to Waste Management Inc. of Florida for the Gulf Coast Sanitary Landfill located in Lee County at 11990 State Road 82 East, Fort Myers, Florida 33913 was clerked on September 14, 2011. The "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT RENEWAL" was published in the News-Press on September 24, 2011. The DRAFT Permit was available for public inspection at the South District Office in Fort Myers and the permitting authority's office in Fort Myers. Proof of publication of the "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT RENEWAL" was received on October 3, 2011.

II. Public Comment(s).

Comments were received and the DRAFT/PROPOSED Permit was changed. The comments were not considered significant enough to reissue the DRAFT/PROPOSED Permit and require another Public Notice. Comments were received from one respondent(s) during the 30 (thirty) day public comment period. Listed below is each comment letter in the chronological order of receipt and a response to each comment in the order that the comment was received. The comment(s) will not be restated. Where duplicative comments exist, the original response is referenced.

A. Letter from **Applicant** dated **October 7, 2011**, and received on **October 14, 2011**.

1. Response: The application clearly specified in the application that Emissions Unit 004 was to be removed from the renewal permit. The application did not request approval to remove Emissions Unit 004. The Department has added the following specific condition to the permit:

As a result of this comment, Specific Condition No. **FW10**. is hereby added:

FW10. The owner or operator shall physically remove emissions unit 004 from the facility site within 90 days of issuance date of this permit. [Rule 62-4.070(3), F.A.C.]

{Permitting Note: The permittee requested through the Title V renewal application received July 26, 2011 that EU004 be removed from the Title V renewal permit. EU004 has been physically disconnected from the gas collection system and blower.}

2. Response: In Section I and Section III, Subsections A, the Department will clarify that the NMOC emissions are calculated to be less than 50 Mg per year.

3. Response: Specific Condition FW9. is standard permit template language. The condition will not be changed.

4. Response: The Department has specified in the permit that the flare is an "open" flare.

5. Response: The Department agrees that 40 CFR 60 Subpart Cc is not applicable to the facility. Subpart Cc is applicable to landfills that were constructed and began receiving waste before May 30, 1991. This facility does meet this criteria. However, since the facility was modified (horizontal expansion and a vertical expansion) after May 30, 1991 the facility is not subject to Subpart Cc. References to Subpart Cc have been removed from the permit. Appendix Cc has been removed from the permit.

6. Response: In accordance with Subpart WWW, a control equipment removal removal is required for emissions unit 004.

7. Response: See Response no. 5.

8. Response: Permit no. 0710133-007-AC required an "integrating" flow meter. This permit is a federally enforceable permit that was accepted by the permittee. Any requested modification to the air construction permit must be requested through an air construction permit.

9. Response: The Department has reworded emission unit EU003's description in Section III, Subsection B to more accurately describe the emission unit's specification.

10. Response: Permit no. 0710133-007-AC required monitoring for hydrogen sulfide. This permit was a federally enforceable permit that was accepted by the permittee. Any requested modification to the air construction permit must be requested through an air construction permit.

11. Response: Annual VE testing was required by air construction permit no. 0710133-007-AC. This permit is a federally enforceable air construction permit accepted by the permittee. Specific condition B.12. states that *prior to renewal* the owner or operator shall conduct a VE test demonstrating compliance Rule per 62-297.310(7)(a)3, F.A.C. The conditions will not be changed.

12. Response: Specific Conditions B.5 and B.13 are emission limitations that were in permit no. 0710133-007-AC. Emissions unit 030, flare, is also subject to federal regulations in 40 CFR 60.18 which is more stringent than that permitted in 0710133-007-AC. Title V permits must include all emissions limitations and standards (both state and federal). However, per 62-213.440(1), F.A.C., ..”when there are multiple, redundant, or conflicting applicable requirements, these provisions can be reduced to a single streamlined term or condition that is the most stringent of the multiple applicable requirements.” Therefore, in line with the aforementioned rule, since 40 CFR 60.18 provides for the more stringent of the applicable requirements, the department has removed the 20% opacity from Specific condition B.5. and Specific condition B.13. has been changed to state “Method 22 for a duration of 2 hours” in order to be consistent with conditions B.9., B.10 and 40 CFR Subpart WWW**.**

13. Response: The Department agrees to remove Specific Conditions B.14., B.15 and B.16 since they pertain to the backup flare, emissions unit 004, which is no longer a permitted emissions unit. The conditions are obsolete.

14. Response: See response no. 5.

IV. EPA Comment(s).

No comments were received from the USEPA during their 45 day review period of the PROPOSED Permit.

V. Conclusion.

In conclusion, the changes that have been made are insignificant in nature and do not impose additional public noticing requirements. The permitting authority hereby issues the FINAL Permit, with any changes noted above.