FINAL DETERMINATION

Air Construction Permit
Okeechobee Landfill, Inc. – Landfill Gas to Energy Project

DEP File No. 0930104-018-AC (PSD-FL-382A)

PERMITTEE

Okeechobee Landfill, Inc. (OLI)
(a Waste Management Company)
c/o Waste Management, Inc. of Florida
1000 Parkwood Circle SE, Suite 700
Atlanta, Georgia 30339

PERMITTING AUTHORITY

Florida Department of Environmental Protection (Department)
Division of Air Resource Management
Bureau of Air Regulation, Special Projects Section
2600 Blair Stone Road, MS #5505
Tallahassee, Florida 32399-2400

PROJECT

DEP File No. 0930104-018-AC (PSD-FL-382A)
Okeechobee Landfill
Landfill Gas to Energy Project
Okeechobee County

The Okeechobee Landfill (OL) is located in Okeechobee County at 10800 NE 128th Street near Okeechobee, Florida. The landfill is operated by Okeechobee Landfill, Inc.(OLI), a Waste Management Company. The OL comprises the Berman Road Landfill and the authorized development known as the Clay Farms Landfill. The total OL comprises 948 acres within 4150 acres owned by the applicant.

On April 19, 2010 the Florida Department of Environmental Protection (FDEP) issued the PSD-FL-382 (0930104-014-AC) air construction permit pursuant to the rules for the Prevention of Significant Deterioration of Air Quality (PSD). This permit requires construction of a landfill gas (LFG) desulfurization plant (GDP) for the existing LFG and flares and authorizes the installation of a landfill gas to energy (LFGTE) plant using desulfurized LFG as fuel to be combusted in a 15 megawatt (MW) Solar Titan 130 combustion turbine-electrical generator (CTG); three 3.5 MW Solar Centaur 40 CTG; and five backup open flares. This permit is available at:

http://www.dep.state.fl.us/air/emission/construction/okeechobee/FPERMIT382.pdf

On October 12, 2010, OLI submitted a request to modify the Final permit PSD-FL-382 (0930104-014-AC):

The changes requested by OLI were related to:

- Project schedule and facility descriptions;
- Operational, monitoring, recordkeeping and reporting for the GDP and flares;
- Purpose and restrictions on open flares; and
- Emission and fuel monitoring

No PSD regulated air emissions were expected to increase as a result of the permit modification request. Consequently, no air modeling was submitted and a new BACT determination was not required.

The permit modification application, Draft Permit modification, the Technical Evaluation and Preliminary Determination (TEPD), Intent to Issue and Public Notice, Revised Draft Permit modification, addendum to the TEPD, Revised Intent to Issue and Public Notice and key correspondence are available at the following web link under the heading Permit # PSD-FL-382A (0930104-018-AC):

http://www.dep.state.fl.us/air/emission/construction/okeechobee.htm

As of late January 2011, OLI had completed installation of three new open flares and extensive piping to deliver preconditioned raw LFG to the GDP. It should also be noted that OLI decided to the install the biological process called the Paques/THIOPAQ® rather than the chemical process called LO-CAT® originally planned.

NOTICES AND PUBLICATION

On April 6, 2011, the Permitting Authority gave notice of its intent to issue an air permit to the applicant for the project described above. OLI did not publish the Public Notice and elected to submit Requests for Extension of Time in order to negotiate with the Department the Draft permit. These requests were dated April 22, 2011 for an extension until May 2 and April 28 for an extension until June 2. The last one "Order Granting Second Request for Extension of Time to File a Petition for Hearing" was granted on May 6, 2011 until OLI's requested date of June 2, 2011.

On June 20, 2011, the Permitting Authority gave a revised Notice of its Intent to Issue an Air Permit to the applicant for this project as described above. The applicant published the revised Public Notice of Intent to Issue Air Permit on June 29, 2011, in the legal section of a newspaper of general circulation in the area affected by this project: Independent Newspapers-Okeechobee News**.**

COMMENTS ON THE DRAFT PERMIT

No comments were received from the applicant, consultant, government agencies or the public.

CONCLUSION

The final action of the Department is to issue the final permit with no changes from the draft permit.