



Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

August 17, 2007

Electronic Mail – Received Receipt Requested

kbw@miami-dade.gov

Ms. Kathleen Woods-Richardson, Director
Miami-Dade County Department of
Solid Waste Management (DSWM)
2525 Northwest 62nd Street, 5th Floor
Miami, Florida 33147

tom.morello@veoliaes.com

Mr. Tom Morello, Facility Manager
Miami-Dade County Resource Recovery Facility
Veolia Environmental Services
6990 Northwest 97th Avenue
Miami, Florida 33178

Re: Draft Air Construction Permit No. 0250348-008-AC
Modification of Carbon Monoxide Emissions Limit
Miami-Dade County Resource Recovery Facility

Dear Ms. Woods-Richardson and Mr. Morello:

Enclosed is one copy of the draft air construction permit to increase the carbon monoxide limit applicable to the Miami-Dade County Resource Recovery Facility, located at 6990 Northwest 97th Avenue, Miami-Dade County. The Department's Intent to Issue Air Construction Permit, the Technical Evaluation and Preliminary Determination, and the Public Notice of Intent to Issue Air Construction Permit are also included.

The Public Notice must be published one time only as soon as possible in a newspaper of general circulation in the area affected, pursuant to the requirements of Chapter 50, Florida Statutes. Proof of publication, such as a newspaper affidavit, must be provided to the Department's Bureau of Air Regulation office within seven days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in denial of the permit modification.

Please submit any written comments you wish to have considered concerning the Department's proposed action to A. A. Linero, P.E., Program Administrator at the above letterhead address. If you have any other questions, please contact Tom Cascio, at 850/921-9526.

Sincerely,

For: Trina L. Vielhauer, Chief
Bureau of Air Regulation

Enclosures

TLV/aal/tbc

In the Matter of an
Application for an Air Construction Permit by:

Miami-Dade County Department of
Solid Waste Management
2525 Northwest 62nd Street, 5th Floor
Miami, Florida 33147

DEP File No. 0250348-008-AC
PSD-FL-006(F)
Miami-Dade County Resource Recovery Facility
Carbon Monoxide (CO) Emission Limit

INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT

The Department of Environmental Protection (Department) gives notice of its intent to issue an Air Construction Permit (copy of the Draft Air Construction Permit attached) for the Title V source detailed in the application specified above and the attached Technical Evaluation and Preliminary Determination, for the reasons stated below.

The applicant, Miami-Dade County Department of Solid Waste Management (the County) through its contractor, Veolia Environmental Services (Veolia ES), applied on March 30, 2005 to the Department for an air construction permit for the Miami-Dade Resource Recovery Facility, located at 6990 Northwest 97th Avenue, Medley, Florida.

The air construction permit will increase the CO limit applicable to the facility from 200 to 250 parts per million by volume, dry basis and corrected to 7 percent oxygen concentration. The revised limit is consistent with a recent change in 40 Code of Federal Regulations 60, Subpart Cb that specifically addressed the CO limits for municipal waste combustors of the type operated by Veolia ES for the County.

The Department has permitting jurisdiction under the provisions of Chapter 403, Florida Statutes (F.S.), Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, and 62-212. The above actions are not exempt from permitting procedures. Department has determined that an air construction permit is required.

The Department intends to issue this air construction permit based on the belief that reasonable assurances have been provided to indicate that operation of these emission units will not adversely impact air quality, and the emission units will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296 and 62-297, F.A.C.

Pursuant to Section 403.815, F.S., and Rule 62-110.106(7)(a)1., F.A.C., you (the applicant) are required to publish at your own expense the enclosed Public Notice of Intent to Issue Air Construction Permit. The notice shall be published one time only in the legal advertisement section of a newspaper of general circulation in the area affected. Rule 62-110.106(7)(b), F.A.C., requires that the applicant cause the notice to be published as soon as possible after notification by the Department of its intended action. For the purpose of these rules, publication in a "newspaper of general circulation in the area affected" means publication in a newspaper meeting 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 Department at the address or telephone number listed below. The applicant shall provide proof of publication to the Department's Bureau of Air Regulation, at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400 (Telephone: 850/488-0114; Fax 850/921-9533). You must provide proof of publication within seven days of publication, pursuant to Rule 62-110.106(5) & (9), F.A.C. No permitting action for which published notice is required shall be granted until proof of publication of notice is made by furnishing a uniform affidavit in substantially the form prescribed in

section 50.051, F.S. to the office of the Department issuing the permit. Failure to publish the notice and provide proof of publication may result in the denial of the permit pursuant to Rules 62-110.106(9) & (11), F.A.C.

The Department will issue the final permit with the attached conditions unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed permit issuance action for a period of 14 days from the date of publication of the enclosed Public Notice. Written comments should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400. Any written comments filed shall be made available for public inspection. If comments received result in a change in the proposed agency action, the Department shall revise the proposed permit and require, if applicable, another Public Notice.

The Department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to sections 120.569 and 120.57, F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

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 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. 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 public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under section 120.60(3), however, any person who asked the Department for notice of agency action may file a petition within fourteen 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 Department'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 the petitioner received notice of the agency 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 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 Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above. Mediation is not available in this proceeding.

Executed in Tallahassee, Florida.



For: Trina L. Vielhauer, Chief
Bureau of Air Regulation

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Technical Evaluation and Preliminary Determination, Draft Air Construction Permit, Intent to Issue an Air Construction Permit, and Public Notice of Intent to Issue an Air Construction Permit, and all copies were sent electronically (with Received Receipt) before the close of business on **August 17, 2007** to the person(s) listed below.

Kathleen Woods-Richardson, Miami-Dade DSWM: kbw@miami-dade.gov
Tom Morello, Veolia Environmental Services: tom.morello@veoliaes.com
Lee S. Casey, Miami-Dade DSWM: le1@miamidade.gov
David Buff, P.E., Golder Associates, Inc. dbuff@golder.com
Lee Hoefert, P.E., Southeast District Office: lee.hoefert@dep.state.fl.us
H. Patrick Wong, Miami-Dade DERM: wongp@miamidade.gov
Anetha Lue, P.E., Veolia Environmental Services: anetha.lue@veoliaes.com

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)

8/17/07
(Date)

PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

DEP File No. 0250348-008-AC

Miami-Dade County Resource Recovery Facility
Miami-Dade County

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit to the Miami-Dade County Department of Solid Waste Management (the County), for the Miami-Dade County Resource Recovery Facility. A review pursuant to the rules for the Prevention of Significant Deterioration (PSD) and a determination of best available control technology (BACT) were not required. The authorized representative's name and the facility address are: Mr. Tom Morello, Facility Manager, Veolia Environmental Services, 6990 Northwest 97th Avenue, Miami, Florida 33178.

The air construction permit implements a request to increase the carbon dioxide (CO) limit applicable to the municipal waste combustors (MWCs) at the facility from 200 to 250 parts per million by volume, dry and at 7 percent oxygen (ppmvd). The change is consistent with a recent modification by the Environmental Protection Agency of the rule applicable to the type of MWCs operated by Veolia Environmental Services for the County.

The specific rule is 40 Code of Federal Regulations, Subpart Cb – Emissions Guidelines and Compliance Plans for Large Municipal Waste Combustors That are Constructed Before September 20, 1994. The category of MWC affected by the change is “semi-suspension refuse-derived fuel-fired combustor/wet refuse-derived fuel process conversion”.

The applicant estimates that CO emissions due to the change will increase by 41 tons per year (TPY). Because the increase is less than 100 TPY, a review under the PSD rules and a BACT determination are not required.

The Department will issue the Final Air Construction Permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments and requests for a public meeting concerning the proposed permit issuance action for a period of 14 days from the date of publication of this Public Notice of Intent to Issue Air Construction Permit. Written comments should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the proposed permit and require, if applicable, another Public Notice.

The Department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to sections 120.569 and 120.57 of the Florida Statutes (F.S.), before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below. Mediation is not available in this proceeding.

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 (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within 14 days of receipt of this notice of intent. 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 public notice or within 14 days of receipt of this notice of intent, whichever occurs first. Under section 120.60(3), F.S., however,

Notice to be published in the newspaper

any person who asked the Department 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 of the Florida Administrative Code (F.A.C.).

A petition that disputes the material facts on which the Department'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 how and when petitioner received notice of the agency 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 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 Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

A complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

Florida Department of Environmental Protection Bureau of Air Regulation 111 S. Magnolia Drive, Suite 4 Tallahassee, Florida 32301 Telephone: 850/488-0114 Fax: 850/921-9533	Florida Department of Environmental Protection Southeast District Office 400 North Congress Avenue West Palm Beach, Florida 33401 Telephone: 561/681-6600 Fax: 561/681-6755	Miami-Dade Department of Environmental Resources Mgt. Air Quality Division 701 Northwest 1 st Ct., Suite 400 Miami Florida 33136 Telephone: 305/372-6925 Fax: 305/372-6954
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The complete project file includes the permit application, draft air construction permit, technical evaluation, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Department's reviewing engineer for this project, Tom Cascio at MS 5505, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, or Tom.Cascio@dep.state.fl.us, or call 850/921-9526 for additional information.