



Florida Department of Environmental Protection

Northeast District
7825 Baymeadows Way, Suite B200
Jacksonville, Florida 32256-7590
Phone: 904/807-3300 ♦ Fax: 904/448-4366

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

February 3, 2010

Mr. Alan Mosley, Chief Administrative Officer
City of Jacksonville
Office of the Mayor
1031 Superior Street
Jacksonville, FL 32254

Re: **2nd REVISED DRAFT Title V Air Operation Permit Renewal No.: 0310358-010-AV**
2nd Revised Draft Construction Permit No.: 0310358-007-AC

Dear Mr. Mosley:

One copy of the 2nd REVISED DRAFT Permit for the renewal of a Title V Air Operation Permit, and the 2nd Revised Draft Construction permit for the Trail Ridge Landfill located at 5110 US Highway 301 South, Baldwin, Duval County, FL 32234, is enclosed. The permitting authority's "INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT AND A TITLE V AIR OPERATION PERMIT RENEWAL" and the "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT AND A TITLE V AIR OPERATION PERMIT RENEWAL" are also included.

The permitting authority is withdrawing the previously issued REVISED DRAFT Title V Permit Renewal and Revised Draft Construction permit issued on October 9, 2009 and replacing them with the attached package.

An electronic version of the 2nd REVISED DRAFT Permit will be posted on the Division of Air Resource Management's World Wide Web site for the United States Environmental Protection Agency (USEPA) Region 4 office's review. The web site address is:

["http://www.dep.state.fl.us/air/eproducts/apds/default.asp"](http://www.dep.state.fl.us/air/eproducts/apds/default.asp)

The "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT AND A TITLE V AIR OPERATION PERMIT RENEWAL" must be published as soon as possible. Proof of publication, i.e., newspaper affidavit, must be provided to the permitting authority's office within 7 (seven) days of publication pursuant to Rule 62-110.106(5), F.A.C. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit pursuant to Rule 62-110.106(11), F.A.C.

"More Protection, Less Process"
www.dep.state.fl.us

Mr. Alan Mosley, Chief Administrative Officer
City of Jacksonville
2nd REVISED DRAFT Title V Permit No. 0310358-010-AV
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Please submit any written comments you wish to have considered concerning the permitting authority's proposed action to Christopher L. Kirts P.E., at the above letterhead address. If you have any other questions, please contact Rita Felton-Smith at (904) 807-3237.

Sincerely,

A handwritten signature in black ink, appearing to read "Christopher L. Kirts". The signature is fluid and cursive, with the first name being the most prominent.

Christopher L. Kirts, P.E.
District Air Program Administrator

CLK:rfs



Florida Department of Environmental Protection

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In the Matter of an
Application for Permit Renewal by:

City of Jacksonville
Solid Waste Division
1031 Superior Street
Jacksonville, FL 32254

2nd REVISED DRAFT Permit Project No.: 0310358-010-AV
2nd Revised Draft Air Construction Permit No.: 0310358-007-AC
Duval County

_____/

INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT AND A TITLE V AIR OPERATION PERMIT RENEWAL

The Department of Environmental Protection (permitting authority) gives notice of its intent to issue an Air Construction Permit and a Title V Air Operation Permit Renewal (copies of the 2nd Revised Draft Air Construction Permit and 2nd REVISED DRAFT Title V Air Operation Permit Renewal attached) for the Title V source detailed in the applications specified above, for the reasons stated below.

The applicant Mr. Chris Pearson applied on January 28, 2008, to the permitting authority for an Air Construction Permit for the Trail Ridge Landfill located at 5110 US Highway 301 South, Baldwin, Duval County, FL 32234. On February 29, 2008, the applicant applied for a Title V Air Operation Permit Renewal for both the Trail Ridge Landfill and the Trail Ridge Energy Plant.

Draft permits and the Intent to Issue were issued on December 29, 2008. The applicant published the Public Notice in the Florida Times-Union on January 20, 2009. Subsequent to the publication of the Public Notice, the applicant substantially modified the construction permit application on February 27, 2009.

The Air Construction Permit is now being issued in order to authorize the de-rating and the re-installation of an open flare to control the landfill gas generated at the Trail Ridge Landfill, Inc.

The Title V Permit Renewal is being issued in order to 1) incorporate the terms and conditions of the pending air construction permit, and 2) renew the Title V Operation permit for this facility.

City of Jacksonville

2nd REVISED DRAFT Title V Permit No. 0310358-010-AV

2nd Revised Draft Construction Permit No. 0310358-007-AC

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The permitting authority is withdrawing the previously issued REVISED DRAFT Title V Permit Renewal and Revised Draft Construction permit issued on October 9, 2009 and replacing them with the attached package.

The permitting authority has permitting jurisdiction under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210 and 62-213. This source is not exempt from Title V permitting procedures. The permitting authority has determined that an Air Construction Permit and a Title V Air Operation Permit Renewal are required to construct and to commence or continue operations at the described facility.

The permitting authority intends to issue the Air Construction Permit and the Title V Air Operation Permit Renewal based on the belief that reasonable assurances have been provided to indicate that the construction activity and operation of the source will not adversely impact air quality, and the source will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-256, 62-257, 62-281, 62-296, and 62-297, F.A.C.

Pursuant to Sections 403.815 and 403.087, F.S., and Rules 62-110.106 and 62-210.350(3), F.A.C., you (the applicant) are required to publish at your own expense the enclosed "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT AND A TITLE V AIR OPERATION PERMIT RENEWAL." The 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. 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 permitting authority at the address or telephone number listed below. The applicant shall provide proof of publication to the Florida Department of Environmental Protection, Northeast District Office, 7825 Baymeadows Way, Suite B-200, Jacksonville, Florida 32256 (Telephone: 904/807-3300; Fax: 904/448-4363)], within 7 (seven) days of publication pursuant to Rule 62-110.106(5), F.A.C. Failure to publish the notice and provide proof of publication may result in the denial of the permits pursuant to Rule 62-110.106(11), F.A.C.

The permitting authority will issue the Air Construction Permit and the PROPOSED Title V Air Operation Permit Renewal and subsequent FINAL Title V Air Operation Permit Renewal, in accordance with the conditions of the attached 2nd Revised Draft Air Construction Permit and the 2nd REVISED DRAFT Title V Air Operation Permit Renewal unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The permitting authority will accept written comments concerning the proposed Air Construction Permit issuance action for a period of 14 (fourteen) days from the date of publication of the "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION

City of Jacksonville

2nd REVISED DRAFT Title V Permit No. 0310358-010-AV

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PERMIT AND A TITLE V AIR OPERATION PERMIT RENEWAL.” Written comments should be provided to the permitting authority office. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this Revised Draft Air Construction Permit, the permitting authority shall issue a 3rd Revised Draft Air Construction Permit and require, if applicable, another Public Notice.

The permitting authority will accept written comments concerning the proposed Title V Air Operation Permit Renewal issuance action for a period of 30 (thirty) days from the date of publication of the “PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT AND A TITLE V AIR OPERATION PERMIT RENEWAL.” Written comments should be provided to the permitting authority office. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this 2nd REVISED DRAFT Title V Air Operation Permit Renewal, the permitting authority shall issue a 3rd REVISED DRAFT Title V Air Operation Permit Renewal and require, if applicable, another Public Notice.

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 (received) in the Office of General Counsel of the Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/245-2242; Fax: 850/245-2303). Petitions filed by the permits’ (construction and renewal) applicant or any of the parties listed below must be filed within 14 (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 (fourteen) days of publication of the public notice or within 14 (fourteen) days of receipt of this notice of intent, 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 (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 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;

City of Jacksonville

2nd REVISED DRAFT Title V Permit No. 0310358-010-AV

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(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 each petitioner received notice of the agency action or proposed action;

(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, as well as the rules and statutes which entitle the petitioner to relief;

(f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; 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 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 will not be available in this proceeding.

Finally, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 days of the expiration of the Administrator's 45-day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to the issuance of any Title V air operation permit. Any petition shall be based only on objections to the Permit that were raised with reasonable specificity during the 30-day public comment period provided in the Public Notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period.

Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460. For more information regarding EPA review and objections, visit

City of Jacksonville
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EPA's Region 4 web site at <http://www.epa.gov/region4/air/permits/Florida.htm>.

Executed in Jacksonville, Florida.

Department of Environmental Protection



Christopher L. Kirts, P.E.
District Air Program Administrator

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Intent to Issue an Air Construction Permit and a Title V Air Operation Permit Renewal (including the Public Notice, the Statement of Basis, and the 2nd Revised Draft Permits), or a link to these documents available electronically on a publicly accessible server, was sent by electronic mail with received receipt requested before the close of business on 2/3/2010 to the persons listed below.

Alan Mosley, City of Jacksonville Chief Operating Officer [Email: amosley@coj.net]
Mr. Chris L. Pearson, Division Chief, City of Jacksonville [Email: chrisp@coj.net]
Suzanne Thomas-Cole, P.E., AECOM Technical Services, Inc: suzanne.t.thomas@aecom.com
William Cannon, AECOM Technical Services, Inc: bill.cannon@aecom.com
David R. Derenzo, Derenzo and Associates, Inc.: dderenzo@derenzo.com
James Getting, P.E., Waste Management [Email: JGetting@wm.com]
Barbara Friday, DEP BAR: Barbara.Friday@dep.state.fl.us (for posting with U.S. EPA, Region 4)
Kathleen Forney, EPA Region 4 [Email: forney.kathleen@epamail.epa.gov]
Ana Oquendo, EPA Region 4: [Email: oquendo.ana@epamail.epa.gov]
Ronda L. Moore, Assistant General Counsel [Email: Ronni.Moore@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.



2/3/2010

(Clerk)

(Date)

PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT RENEWAL

Florida Department of Environmental Protection

2nd Revised Draft Construction Permit Project No.: 0310358-007-AC

2nd REVISED DRAFT Title V Permit Project No.: 0310358-010-AV

City of Jacksonville - Trail Ridge Landfill & Trail Ridge Energy Plant
Duval County

The Florida Department of Environmental Protection (permitting authority) gives notice of its intent to issue an Air Construction Permit and a Title V Air Operation Permit Renewal to the City of Jacksonville for the Trail Ridge Landfill and Trail Ridge Energy Plant located at 5110 US Highway 301 South, Baldwin, Duval County, FL 32234. The applicant's name and address are: Mr. Alan Mosley, Chief Administrative Officer, City of Jacksonville, Office of the Mayor, 1031 Superior Street, Jacksonville, FL 32254.

The Air Construction Permit is being issued in order to authorize the de-rating and the re-installation of an open flare to control the landfill gas generated at the Trail Ridge Landfill, Inc.

The Title V Permit Renewal is being issued in order to 1) incorporate the terms and conditions of the pending air construction permit, and 2) renew the Title V Operation permit for this facility.

The permitting authority will issue the Air Construction Permit and the PROPOSED Title V Air Operation Permit Renewal and subsequent FINAL Title V Air Operation Permit Renewal, in accordance with the conditions of the 2nd Revised Draft Air Construction Permit and the 2nd REVISED DRAFT Title V Air Operation Permit Renewal unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The permitting authority will accept written comments concerning the proposed Revised Draft Air Construction Permit issuance actions for a period of 14 (fourteen) days from the date of publication of this Public Notice. Written comments should be provided to the Florida Department of Environmental Protection, Northeast District Office, 7825 Baymeadows Way, Suite B-200, Jacksonville, Florida 32256. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this Revised Draft Air Construction Permit, the permitting authority shall issue a 3rd Revised Draft Air Construction Permit and require, if applicable, another Public Notice.

The Permitting Authority will accept written comments concerning the 2nd REVISED Draft Title V Permit for a period of 30 days from the date of publication of the Public Notice. Written comments must be received by the close of business (5:00 p.m.), on or before the end of this 30-day period by the Permitting Authority at Florida Department of Environmental Protection, Northeast District Office, 7825 Baymeadows Way, Suite B-200, Jacksonville, Florida 32256. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location on the official web site for notices at Florida Administrative Weekly (FAW) at <http://faw.dos.state.fl.us/> and in a newspaper of general circulation in the area affected by the

permitting action. For additional information, contact the Permitting Authority at the above address or phone number. If written comments or comments received at a public meeting result in a significant change to the 2nd Revised Draft Permit, the Permitting Authority shall issue a 3rd Revised Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

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 at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. 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 receipt of a written notice, 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 rights will be affected by the agency determination;
- (c) A statement of when and how the 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 Public 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 is not available for this proceeding.

Finally, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 days of the expiration of the Administrator's 45-day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to the issuance of any Title V air operation permit. Any petition shall be based only on objections to the Permit that were raised with reasonable specificity during the 30-day public comment period provided in the Public Notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460. For more information regarding EPA review and objections, visit EPA's Region 4 web site at <http://www.epa.gov/region4/air/permits/Florida.htm>.

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:

Permitting Authority:

Florida Department of Environmental Protection
Northeast District Office
7825 Baymeadows Way
Suite B-200
Jacksonville, FL 32256
Telephone: (904) 807-3300
Fax: (904) 448-4363

The complete project file includes the Draft Permits, the Statement of Basis, the applications, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact Christopher L. Kirts, P.E. at the above address, or call 904-807-3300 for additional information.