



# Florida Department of Environmental Protection

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Tallahassee, Florida 32399-2400

Charlie Crist  
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Jeff Kottkamp  
Lt. Governor

Michael W. Sole  
Secretary

June 21, 2007

*Electronically Sent – Received Receipt Requested*

[smccash@wsii.us](mailto:smccash@wsii.us)

Mr. R. Shawn McCash, Authorized Representative  
Omni Waste of Osceola County, LLC  
1501 Omni Way  
St. Cloud, Florida 34773

Re: Oak Hammock Disposal Facility  
DEP File No. 0970079-004-AC  
Modification of Air Construction Permit No. 0970079-001-AC

Dear Mr. McCash:

The Department is in receipt of your modification request submitted by GeoSyntec Consultants. The complete request was received on May 14, 2007, for revisions to the description of the facility's emissions units to include the expected development of Phases II and III, to clarify that the 4,000 tons per day disposal rate is of degradable solid waste, and to extend the expiration date of the permit to December 31, 2011. Any increase in emissions will be minimal and below existing minor source limits. The applicant anticipates that the facility will be close to the carbon monoxide (CO) 250 TPY threshold for the Prevention of Significant Deterioration (PSD) rule applicability and permit review by June 2012. The request is acceptable to the Department and the permit is hereby modified.

The changes are shown ~~strike through~~ and double-underlined as follows:

## ***Placard Page***

### **PROJECT AND LOCATION:**

For the construction and initial development of a Class I landfill consisting of ~~four~~ ten cells, a gas collection and extraction system (GCES), up to two flares, and ancillary equipment at the Oak Hammock Disposal facility (Phase I, Phase II, and Phase III).

The facility is located approximately 6.5 miles south of Holopaw on Highway U.S 441 in Osceola County, Florida.

The UTM coordinates are: Zone 17; 190.4 km E and 4131.5 km N.

## ***Section I – Facility Information***

### **SUBSECTION A. FACILITY DESCRIPTION**

The project is a municipal solid waste landfill on a 2,179 acre site. This permit authorizes Phase I (4 cells), Phase II (3 cells) and Phase III (3 cells) of the project, which is the construction and initial development consisting of ~~four~~ ten landfill cells, a gas extraction and collection system (GCES), up to two flares, and ancillary equipment, ~~on approximately 53 acres.~~ The combined footprint of Phases I, II and III is approximately 123 acres.

Future phases (up to 5 Phases) not covered by this permit consist of ~~47~~ 11 additional landfill cells, a larger GECS, additional flares up to a total of four flares, and ancillary equipment on a total footprint of approximately 264 acres. At ultimate build-out, the site will contain approximately 23.7 million cubic yards of waste and initial cover material and will reach a height of approximately 100 feet above local ground level.

Based on the application received this facility is a major (Title V) source of air pollution, an area source of hazardous air pollutants, and in subsequent phases will be a Major Facility with respect to the Rules for the Prevention of Significant Deterioration (PSD).

### Section III - Emissions Units and Conditions

<b>Emissions Unit Number</b>	<b>Emissions Unit Description</b>
001	Municipal Solid Waste Class I Landfill with gas extraction collection system
002	Phase I, II and III Class I Landfill gas collection system Flare 1
003	Phase I, II and III Class I Landfill gas collection system Flare 2

#### *Specific Condition No. 2*

Solid Waste Disposal Rate (Daily): The degradable solid waste disposal rate for the facility shall not exceed 4,000 tons per day. [Applicant Request, Rule 62-210.200., F.A.C., Definitions, Potential to Emit]

#### *Specific Condition No. 3*

Solid Waste Disposal (Total): The degradable solid waste disposed during Phase I through Phase III shall not exceed 8,000,000 tons. [Rule 62-210.200., F.A.C., Definitions, Potential to Emit]

{Note: According to information provided by the applicant, any greater amount would otherwise cause emissions of carbon monoxide greater than 250 tons per year after installation of the Gas Extraction and Collection System and flares.}

#### *New Condition No. 16*

The Department adds the following condition to monitor the sulfur content in the gas.

#### Gas Sulfur Analysis:

An analysis shall be performed to determine the sulfur content of input gas to the flares, by the American Society for Testing Materials (ASTM) test method D-3246-81, prior to flare startup. Results shall be reported as SO<sub>2</sub> emission factors in terms of lb/MMscf of landfill gas.

The owner/operator of the landfill shall conduct this analysis initially and shall submit the results and the corresponding data of the site specific emission factors within 45 days of gas sampling to the Bureau of Air Regulation (BAR). The results shall also be submitted to the Compliance Authority. Additional gas analyses shall be conducted annually, and at such other times as specified by the Department, and results included as part of the facility's Annual Operating Report.

#### *Expiration Date*

The expiration date is hereby extended from April 30, 2010 to December 31, 2011 to allow sufficient time for the construction and installation of the GCES and the flares.

A copy of this permit modification shall be filed with the referenced permit and shall become part of the permit.

The Department's proposed agency action shall become final unless a timely petition for an administrative determination (hearing) is filed under 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, 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 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 fourteen 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 discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205 of the Florida Administrative Code.

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 permit modification. 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.

This permitting decision is final and effective on the date filed with the clerk of the Department unless a petition is filed in accordance with the above paragraphs or unless a request for extension of

time in which to file a petition is filed within the time specified for filing a petition pursuant to Rule 62-110.106, F.A.C., and the petition conforms to the content requirements of Rules 28-106.201 and 28-106.301, F.A.C. Upon timely filing of a petition or a request for extension of time, this order will not be effective until further order of the Department.

Any party to this permitting modification (order) has the right to seek judicial review of it under section 120.68 of the Florida Statutes, by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department of Environmental Protection in the Office of General Counsel, Mail Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000, 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 must be filed within thirty days after this order is filed with the clerk of the Department.

Executed in Tallahassee, Florida.

  
Trina L. Vielhauer, Chief  
Bureau of Air Regulation

TLV/sms/th

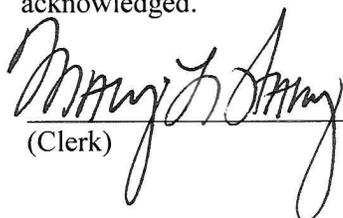
**CERTIFICATE OF SERVICE**

The undersigned duly designated deputy agency clerk hereby certifies that this Permit Modification and all copies were sent electronically (with Received Receipt) before the close of business on 6/21/07 to the persons listed below:

R. Shawn McCash, OMNI: [smccash@wsii.us](mailto:smccash@wsii.us)  
Ayushman Gupta, P.E., GeoSyntec: [agupta@geosyntec.com](mailto:agupta@geosyntec.com)  
Jim Bradner, P.E., DEP Central Office: [jim.bradner@dep.state.fl.us](mailto:jim.bradner@dep.state.fl.us)

Clerk Stamp

**FILING AND ACKNOWLEDGMENT FILED,**  
on this date, pursuant to §120.52, Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

  
(Clerk)

6/21/07  
(Date)