



RECEIVED

MAR 24 2000

BUREAU OF AIR REGULATION

WHEELABRATOR SOUTH BROWARD INC.
A WASTE MANAGEMENT COMPANY

4400 South State Road 7
Ft. Lauderdale, FL 33314
(954) 581-6606
(954) 581-6705 Fax

March 22, 2000

Certified #Z 126 728 254
Return Receipt Requested

Mr. C. H. Fancy, P.E.
Chief
Bureau of Air Regulation
Florida Department of Environmental Protection
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Re: Wheelabrator South Broward
Ash Handling System Air Construction Permits

Dear Mr. Fancy:

As per your letter dated February 8, 2000, please find enclosed Wheelabrator South Broward's request to delete the ash handling system requirements from the air construction permit, permit No. AC06-187001. Also enclosed is the professional engineer and responsible official certifications, as well as the Air Construction Permit processing fee of \$250.00.

If there are any questions, or if additional information is required, please contact me at (954) 581-6606.

Sincerely,

Mark Santella
Plant Manager

Enclosures

000322.MS.ch

cc: Wendy Alexander – FDEP – Tallahassee (without)
Jairaj Gosine (with)
Matt Killeen (without)
Tim Porter (without)
Scott Shannon (without)
Jeff Turpin (without)
File: 3.7.3
5.1.3.2

Wheelabrator Technologies Inc.
 4 Liberty Lane West
 Hampton, NH 03842
 603-929-3000

CHECK NO. - 34594
 CHECK DATE - 03/21/00

DETACH STATEMENT BEFORE DEPOSITING

STUB 1 OF 1

INVOICE NUMBER	DATE	DESCRIPTION	GROSS AMOUNT	DEDUCTIONS	AMOUNT PAID
030900	030900	MOO. ASH SYS CONST. PERMIT	250.00		250.00
			250.00		250.00

THE FACE OF THIS DOCUMENT CONTAINS SECURITY PRINTING. THE BACK OF THIS DOCUMENT FEATURES SECURITY PRINTING. HOLD AT AN ANGLE TO VIEW.

Wheelabrator Technologies Inc.
 4 Liberty Lane West
 Hampton, NH 03842
 603-929-3000

BANK OF AMERICA
 COMMERCIAL DISBURSEMENT ACCOUNT
 NORTHBROOK, IL

70-2328
 0719

CHECK NUMBER 34594
 00034594

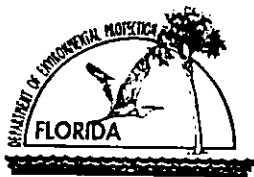
400012 DATE 03/21/00 AMOUNT \$*****250.00

PAY TWO HUNDRED FIFTY AND 00/100 *****

TO THE ORDER OF
 FLORIDA DEPT. OF ENVIRONMENTAL PROTECTIO
 2600 BLAIR STONE ROAD
 DIRECTOR OF DIVISION OF WASTE MANAGEMENT
 TALLAHASSEE FL 32393 2400
 US

BY _____ MP
Richard T. Felton
 BY _____ MP
 RESCO HOLDINGS, INC.

⑈034594⑈ ⑆071923284⑆ 87652⑈02349⑈



Department of Environmental Protection

Division of Air Resources Management

APPLICATION FOR AIR PERMIT - TITLE V SOURCE

See Instructions for Form No. 62-210.900(1)

I. APPLICATION INFORMATION

Identification of Facility

1. Facility Owner/Company Name: Wheelabrator South Broward, Inc.	
2. Site Name: Wheelabrator South Broward, Inc.	
3. Facility Identification Number: <input checked="" type="checkbox"/> Unknown	
4. Facility Location: Street Address or Other Locator: 4400 South State Road 7 City: Ft. Lauderdale County: FL Zip Code: 33314	
5. Relocatable Facility? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	6. Existing Permitted Facility? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Application Contact

1. Name and Title of Application Contact: Mr. Jairaj Gosine	
2. Application Contact Mailing Address: Organization/Firm: Wheelabrator South Broward, Inc. Street Address: 4400 State Road 7 City: Ft. Lauderdale State: FL Zip Code: 33314	
3. Application Contact Telephone Numbers: Telephone: (954) 581 - 6606 Fax: (954) 581 - 6705	

Application Processing Information (DEP Use)

1. Date of Receipt of Application:	
2. Permit Number:	
3. PSD Number (if applicable):	
4. Siting Number (if applicable):	

Purpose of Application

Air Operation Permit Application

This Application for Air Permit is submitted to obtain: (Check one)

- Initial Title V air operation permit for an existing facility which is classified as a Title V source.
- Initial Title V air operation permit for a facility which, upon start up of one or more newly constructed or modified emissions units addressed in this application, would become classified as a Title V source.

Current construction permit number: _____

- Title V air operation permit revision to address one or more newly constructed or modified emissions units addressed in this application.

Current construction permit number: _____

Operation permit number to be revised: _____

- Title V air operation permit revision or administrative correction to address one or more proposed new or modified emissions units and to be processed concurrently with the air construction permit application. (Also check Air Construction Permit Application below.)

Operation permit number to be revised/corrected: _____

- Title V air operation permit revision for reasons other than construction or modification of an emissions unit. Give reason for the revision; e.g., to comply with a new applicable requirement or to request approval of an "Early Reductions" proposal.

Operation permit number to be revised: AC187001

Reason for revision: Removal of MAC Filter Model 120 LST 100 baghouse

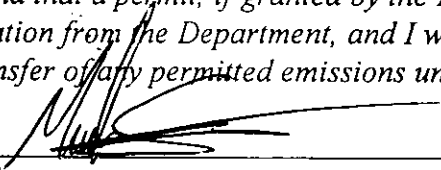
See attached Engineer's Certification & Supplement

Air Construction Permit Application

This Application for Air Permit is submitted to obtain: (Check one)

- Air construction permit to construct or modify one or more emissions units.
- Air construction permit to make federally enforceable an assumed restriction on the potential emissions of one or more existing, permitted emissions units.
- Air construction permit for one or more existing, but unpermitted, emissions units.

Owner/Authorized Representative or Responsible Official

1. Name and Title of Owner/Authorized Representative or Responsible Official: Mark Santella
2. Owner/Authorized Representative or Responsible Official Mailing Address: Organization/Firm: Wheelabrator South Broward, Inc. Street Address: 4400 South State Road 7 City: Ft. Lauderdale State: FL Zip Code: 33314
3. Owner/Authorized Representative or Responsible Official Telephone Numbers: Telephone: (954) 581 - 6606 Fax: (954) 581 - 6705
4. Owner/Authorized Representative or Responsible Official Statement: <i>I, the undersigned, am the owner or authorized representative*(check here [✓], if so) or the responsible official (check here [], if so) of the Title V source addressed in this application, whichever is applicable. I hereby certify, based on information and belief formed after reasonable inquiry, that the statements made in this application are true, accurate and complete and that, to the best of my knowledge, any estimates of emissions reported in this application are based upon reasonable techniques for calculating emissions. The air pollutant emissions units and air pollution control equipment described in this application will be operated and maintained so as to comply with all applicable standards for control of air pollutant emissions found in the statutes of the State of Florida and rules of the Department of Environmental Protection and revisions thereof. I understand that a permit, if granted by the Department, cannot be transferred without authorization from the Department, and I will promptly notify the Department upon sale or legal transfer of any permitted emissions unit.</i> Signature  Date 3/21/00

* Attach letter of authorization if not currently on file.

Professional Engineer Certification

1. Professional Engineer Name: Richard G. Smith, PE Registration Number: 39089
2. Professional Engineer Mailing Address: Organization/Firm: ARCADIS Geraghty & Miller, Inc. Street Address: 14497 No. Dale Mabry Hwy., Suite 115 City: Tampa State: FL Zip Code: 33618
3. Professional Engineer Telephone Numbers: Telephone: (813) 961 - 1921 Fax: (813) 963 - 1447

4. Professional Engineer Statement:

I, the undersigned, hereby certify, except as particularly noted herein, that:*

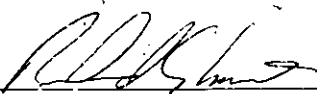
(1) To the best of my knowledge, there is reasonable assurance that the air pollutant emissions unit(s) and the air pollution control equipment described in this Application for Air Permit, when properly operated and maintained, will comply with all applicable standards for control of air pollutant emissions found in the Florida Statutes and rules of the Department of Environmental Protection; and

(2) To the best of my knowledge, any emission estimates reported or relied on in this application are true, accurate, and complete and are either based upon reasonable techniques available for calculating emissions or, for emission estimates of hazardous air pollutants not regulated for an emissions unit addressed in this application, based solely upon the materials, information and calculations submitted with this application.

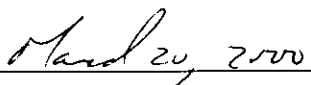
If the purpose of this application is to obtain a Title V source air operation permit (check here [], if so), I further certify that each emissions unit described in this Application for Air Permit, when properly operated and maintained, will comply with the applicable requirements identified in this application to which the unit is subject, except those emissions units for which a compliance schedule is submitted with this application.

If the purpose of this application is to obtain an air construction permit for one or more proposed new or modified emissions units (check here [], if so), I further certify that the engineering features of each such emissions unit described in this application have been designed or examined by me or individuals under my direct supervision and found to be in conformity with sound engineering principles applicable to the control of emissions of the air pollutants characterized in this application.

If the purpose of this application is to obtain an initial air operation permit or operation permit revision for one or more newly constructed or modified emissions units (check here [], if so), I further certify that, with the exception of any changes detailed as part of this application, each such emissions unit has been constructed or modified in substantial accordance with the information given in the corresponding application for air construction permit and with all provisions contained in such permit.



Signature 3/20/00



Date

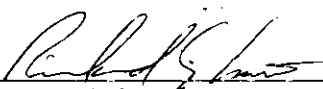
(seal) See Attached

* Attach any exception to certification statement.

**Attachment to Professional Engineer Statement
[DEP Form No. 62-210.900(1)]**

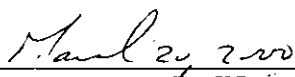
I, the undersigned, hereby certify that:

1. An inspection of the Ash Handling System as described in Permit No. AC187001 has been conducted to determine if the process is a particulate matter emission source.
2. The ash handling system combines the ash from several locations including the scrubber, furnace bottom ash (wet), and baghouse flyash resulting in a final mixture containing approximately 20% moisture. The mixture is fed into a conditioning system and the pellitized ash is loaded into trucks for disposal.
3. That none of the ash handling activities including the transfer equipment, pellitizer and truck loading station generate a visible particulate emission.
4. The wet processing of the flyash material suppresses the release of particulate emissions and no visible particulate emissions are apparent, and therefore, a baghouse or similar device is not necessary for the Ash Handling System.



SIGNATURE
3/20/00
390.89-

REGISTRATION NO.



DATE

(seal)

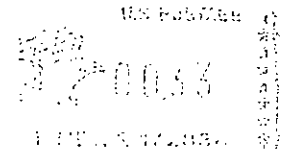


WHEELABRATOR SOUTH BROWARD INC.
A WASTE MANAGEMENT COMPANY

4400 South State Road 7
Ft. Lauderdale, FL 33314



A



Wendy Alexander
Florida Department of Environmental Protection
Twin Towers office Building
2600 Blair Stone Road
Tallahassee, FL 32399-2400

32399-6842 01





WHEELABRATOR SOUTH BROWARD INC.
A WASTE MANAGEMENT COMPANY

4400 South State Road 7
Ft. Lauderdale, FL 33314
(954) 581-6606
(954) 581-6705 Fax

December 16 1999

Certified #Z 126 728 520
Return Receipt Requested

Mr. Scott M. Sheplak, P.E.
Florida Department of Environmental Protection
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, FL 32399-2400

RECEIVED

DEC 20 1999

BUREAU OF AIR REGULATION

Re: Draft Title V Permit No. 0112119-002-AV
Wheelabrator South Broward

Dear Mr. Sheplak:

Below are Wheelabrator South Broward's comments to draft Title V, Permit No. 0112119-002-AV:

- 1) Timing of Permit Issuance- We believe it would be more effective to delay issuance of the final Title V permit until after the effective date of the Subpart Cb requirements and after the Power Plant Siting Certification is modified to incorporate the latest PSD permit revisions (PSD-FL-105(B)). This would greatly simplify the permit by eliminating the current 2 tier structure of the proposed Title V permit for pre and post Subpart Cb retrofit requirements (Subsections "A" and "B" General Conditions) and avoid a near future amendment to reflect the PPSC modifications that are currently in progress.
- 2) Page 5 Permitting Note- Subsection A conditions should remain in effect until the retrofit is complete and *initial performance tests* are completed. Also Beryllium NESHAPS should not be referenced. See next comment.
- 3) A.1, A.9, A.21 and A.22 - Beryllium NESHAPS- 40 CFR 61 Subpart C is not applicable to the facility because the facility does not accept Beryllium containing wastes generated by any of the Subpart C regulated sources (extraction plants, ceramic plants, foundries, and propellant plants which process beryllium or beryllium compounds). It was not EPA's intent to regulate MWCs under this NESHAPS as stated in the preamble to Subpart C.
- 4) A.30 - 40 CFR 60.11(d) is a general NSPS requirement that applies only to the Subpart E and Subpart Db particulate limits.

- 5) A.36- A.42; The 40 CFR 60.13 general NSPS CEM requirements do not apply until Subpart Cb requirements become effective. There are no NSPS CEM requirements under subparts E and Db.
- 6) A.43- Footnote 2 should specify also that a 1 hour continuous average constitutes 1 test run. Footnote 3 should apply to Method 7 not 7E.
- 7) A.44- The test method for VOC should be EPA Method 25A which has been used in all annual performance tests to date. Method 25A provides a continuous total hydrocarbon measurement and is best suited for MWCs using a heterogeneous fuel. Method 18 is for specific hydrocarbons using GC/FID, requires multiple calibration standards and is not a continuous measurement.
- 8) A.48- The fugitive ash requirements are for Subpart Cb which do not become effective until after initial Subpart Cb performance tests are completed.
- 9) A.49- A .59 : These conditions reference the general NSPS requirements and therefore apply only to the applicable Subpart E and Db limits.
- 10) A. 62 is not applicable. See comment 3 above.
- 11) A.63 is not applicable since there are no limits based at 50 % excess air.
- 12) A.69 correct reference is PSD-FL-105 (B).
- 13) Subsection B emission unit description- 2nd full paragraph exit temperature limit of < 300 deg F should be eliminated. It will be replaced by the Subpart Cb temperature limit tied to annual dioxin performance tests.
- 14) Permitting Notes and B.1 and B.2 : 40 CFR 61, Subpart C Beryllium is not applicable. See comment 3 above.
- 15) B.10- Paragraphs (b) (1) and (2) do not apply. These conditions describe the method for determining whether a MWC unit is large or small (greater than 250 tpd) for regulations under Subparts Eb and Cb. Since the South Broward facility is already subject to Subpart Cb these conditions are not applicable.
- 16) B.19- Paragraph (3): Currently CO and O2 are monitored downstream of the combustor outlet at the fabric filter exit. This alternative location has been approved by EPA as technically equivalent to meet Subpart Eb/Cb requirements provided that O2 is measured at the same location.

Mr. Scott M. Sheplak, P.E.

Page 3 of 5

- 17) B.36- The reference to Condition A.53 is an error and can be deleted. Reference to specific condition A.50 should be changed to B.67 since B.67 is the correct reference for performance testing.
- 18) B.38- Beryllium lb/mmBtu emission limit was changed to 0.001 mg/dscm @ 7% O₂ equivalent limit in latest PSD revision PSD-FL-105(B).
- 19) B.39 and B.40- NESHAPS Beryllium limit should not be applicable per comment 3 above.
- 20) B.41 and B.42- Fluoride limit should be expressed as 4.454 mg/dscm @7% O₂ consistent with other concentration based limits. Applicable requirement reference should be PSD-FL-105(B). PA 85-21 VOC and sulfuric acid mist lb/MMBtu limits should be converted to 22 ppm @ 7% O₂ and 13 ppm @ 7% O₂ equivalent limits respectively for compliance purposes. Equivalent limits are calculated using the EPA Method 19 F-Factor of 9570.
- 21) B.45- Paragraph (1), first sentence should read:" ...the standards under 40 CFR 60 **Subpart Cb** apply at all times except during periods..."
- 22) B.48 - 40 CFR 60 subparts Eb/Cb have modified Rule 62-210-700(1) in that startup/shutdown or malfunction events shall not exceed 3 hours in duration. More importantly, Rule 62-210-700(1) cannot apply to excess emissions of CO, SO₂ and NO_x since excess emissions under Subpart Cb and PSD-FL-105(B) are defined by averaging times longer than 2 hours.
- 23) B.64- In Paragraph (5) (iii) the 7 ng/dscm limit for the reduced dioxin testing schedule is changed to 15 ng/dscm per condition B.63 and 40 CFR 60.38b(b).
- 24) B.69- This condition can be eliminated since the Subpart C Beryllium NESHAPS is not applicable to the facility. Otherwise Method 29 is already approved in lieu of Methods 103 or 104 for Beryllium testing per Condition B.68.
- 25) B.71- The appropriate test method for VOC is Method 25A which provides continuous total hydrocarbon data. See comment 7. This condition should not be federally enforceable as with all other PA 85-21 requirements.
- 26) B.72- This condition should not be federally enforceable as with all other PPSC conditions under PA 85-21.

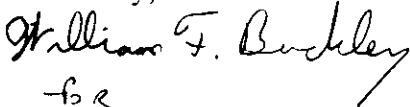
- 27) B. 82- This condition can be eliminated since it is no longer required by the recently approved PSD modifications under PSD-FL-105(B). For the same reason appendix EFF can also be eliminated.
- 28) B. 83- Subpart Cb only requires that SO₂ monitors be located upstream of the acid gas control device (inlet to scrubbers) if compliance with the SO₂ limit will be demonstrated using the alternative SO₂ % reduction criterion. If compliance is to be demonstrated on the outlet concentration only, then only SO₂ monitors located downstream of the fabric filter are required. Condition B. 83 should be modified to only require inlet SO₂ monitors if the % reduction option will be used. Last sentence suggested language would be as follows: " SO₂ monitors shall be located downstream of the baghouse if compliance will be determined on a concentration basis or upstream of the scrubbers and downstream of the baghouse if compliance will be determined using % reduction. "
- 29) Reporting and Record Keeping Requirements-There are conflicts in the reporting requirements. Conditions B.96, B.97 and B.111 specify the submittal of excess emission reports on a calendar quarter basis within 30 days after the last month in the quarter and in the format specified in 40 CFR 60.7. Subpart Cb requires submittal of annual and semiannual reports by February 1 and August 1 with specific contents specified under Conditions B.103 and B. 104. Given that the PSD permit has been revised to incorporate the Subpart Cb limits and operating requirements, the two different reporting requirements should be streamlined into a single reporting requirement based on Subpart Cb. Also condition B.111 references Rule 62-204-800(8) as a basis for submittal of quarterly reports. Since this rule has a direct reference to Subpart Cb, there is no quarterly excess emission submittal requirement but an annual and semiannual requirement.
- 30) B.112- Paragraph (b) specifies submittal of test reports no later than 45 days after test completion. This 45 day requirement cannot be met given the dioxin test requirements under Subpart Cb. Dioxin analyses take approximately 30 days to complete after receipt of samples given the inherent complexity of the analysis, detailed QA/QC review of the lab data packages and short supply of qualified labs that can perform high resolution GC/MS analysis. A 60 day test report submittal date would minimize enforcement exposure to late test reports.
- 31) Subsection C- Emissions Unit 005, the MAC Filter baghouse (Model 120 LST100) is no longer in operation and has been dismantled following DEP notification. The baghouse proved unnecessary in controlling fugitive fly ash since building enclosures and ash conditioning proved to be effective by themselves. Fugitive emissions from the ash handling system will be regulated by the Subpart Cb fugitive ash emission standard under condition B.36 (40 CFR 60.36b and 40 CFR 60.55b).
- 32) Condition C.1(2)- Based on Comment 28, the PTE parameters for ash handling system are no longer required since there is no discrete emission point.

Mr. Scott M. Sheplak, P.E.

Page 5 of 5

- 33) Conditions C.4, C.5 and C.6- Language relating to the ash handling system can be deleted based on comment 28 above.
- 34) Table 1-1 Summary of Air Pollutant Standards and Terms- Standards for Be and Fl for all units should be expressed in mg/dscm at 7% O2 per PSD-FL-105(B) and comment 19 above.
- 35) Table 2-1 Summary of Compliance Requirements- Test method corrections are as follows: VE = Method 9, PM, PM10 = Method 5, Hg and Pb = Method 29 only (Cannot use M-12 or 101A under Subpart Cb), Be = Method 29 only per comment 24 above. Lime silo Method 5 is only conducted at request of DEP should opacity exceed 5%. There is no defacto annual Method 5 test requirement. Ash handling system should be Method 22 under the Subpart Cb fugitive ash standard. Note 2 correct reference to reduced dioxin test schedule is 40 CFR 60.38b(b).
- 36) Appendix H-1 Permit History- PSD-FL-105(B) should be incorporated in table.

Sincerely,



for

Mark Santella
Plant Manager

991216.MS.ch

cc: Jairaj Gosine
Matt Killeen
Tim Porter
Jeff Turpin
Scott Shannon
File: 3.7.3
5.1.3.2

12/



WHEELABRATOR SOUTH BROWARD INC.

A WASTE MANAGEMENT COMPANY

4400 South State Road 7

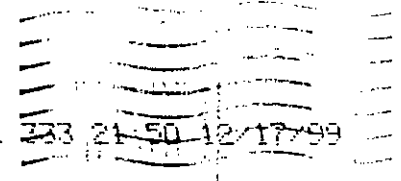
Ft. Lauderdale, FL 33314



CERTIFIED

Z 126 728 530

ISS#1606 FT. LAUDERDALE FL 333 21 50 12/17/99



MAIL

A

Mr. Scott M. Sheplak, P.E.
Florida Department of Environmental Protection
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, FL 32399-2400

32399-6542 01





RECEIVED

NOV 29 1999

BUREAU OF AIR REGULATION

WHEELABRATOR SOUTH BROWARD INC.
A WASTE MANAGEMENT COMPANY

4400 South State Road 7
Ft. Lauderdale, FL 33314
(954) 581-6606
(954) 581-6705 Fax

Mr. C.H. Fancy, P.E. Chief
Bureau of Air Regulations
Florida Department of Environmental Protection
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Re: Wheelabrator South Broward
Draft Title V Permit
Proof of Publication

Dear Mr. Fancy:

Please find enclosed Wheelabrator South Broward's proof of publication of the "Public Notice of Intent to Issue Title V Air Operation Permit."

If there are any questions, please contact this office at (954) 581-6606.

Sincerely,

Mark Santella
Plant Manager

Cc: Jairaj Gosine
Jeff Turpin
Matt Killeen
Tim Porter
File: 3.7.3
5.1.3.2

S U N - S E N T I N E L
P U B L I S H E D D A I L Y
F O R T L A U D E R D A L E , B R O W A R D C O U N T Y , F L O R I D A
B O C C A R A T O N , P A L M B E A C H C O U N T Y , F L O R I D A
M I A M I , D A D E C O U N T Y , F L O R I D A

PUBLIC NOTICE OF INTENT
TO ISSUE TITLE V AIR OPERATION PERMIT
STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Title V DRAFT Permit No.: 0112119-002-AV
South Broward Waste-to-Energy Facility
Broward County

The Department of Environmental Protection (permitting authority) gives notice of its intent to issue a Title V air operation permit to Wheelabrator South Broward, Inc. for the South Broward Waste-to-Energy Facility located at 4400 South State Road 7, Ft. Lauderdale, Broward County. The applicant's name and address are: Wheelabrator South Broward, Inc. 4400 South State Road 7, Ft. Lauderdale, Florida, 33314.

The permitting authority will issue the Title V PROPOSED Permit, and subsequent Title V FINAL Permit, in accordance with the conditions of the Title V DRAFT Permit 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 Title V DRAFT Permit issuance action for a period of 30 (thirty) days from the date of publication of this Notice. Written comments should be provided to the Department's Bureau of Air Regulation, 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 this DRAFT Permit, the permitting authority shall issue a Revised DRAFT Permit 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 of the Florida Statutes (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 of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/488-9730; Fax: 850/487-4938). 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 the 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 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 applicable 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 of the Florida Administrative Code (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; 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 petitioner's substantial rights will be affected by the agency determination;
- (c) A statement of how and when the 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 state;
- (e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle 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 notice of Intent. 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. In addition to the above, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 (sixty) days of the expiration of the Administrator's 45 (forty-five) day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to issuance of any permit. Any petition shall be based only on objections to the permit that were raised with reasonable specificity during the 30 (thirty) day public comment period provided in this 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, 40 M Street, S.W., Washington, D.C. 20460.

STATE OF FLORIDA
COUNTY OF BROWARD/PALM BEACH/DADE
BEFORE THE UNDERSIGNED AUTHORITY PERSONALLY APPEARED

[Signature] WHO ON OATH SAYS THAT HE/SHE IS A DULY AUTHORIZED REPRESENTATIVE OF THE CLASSIFIED DEPARTMENT OF THE SUN-SENTINEL, DAILY NEWSPAPER PUBLISHED IN BROWARD/PALM BEACH/DADE COUNTY, FLORIDA THAT THE ATTACHED COPY OF ADVERTISEMENT, BEING A

PUBLIC NOTICE OF

IN THE MATTER OF

V DRAFT

IN THE CIRCUIT COURT, WAS PUBLISHED IN SAID NEWSPAPER IN THE ISSUES OF

C , 11/16, 1 X

AFFIANT FURTHER SAYS THAT THE SAID SUN-SENTINEL IS A NEWSPAPER PUBLISHED IN SAID BROWARD/PALM BEACH/DADE COUNTY, FLORIDA, AND THAT THE SAID NEWSPAPER HAS HERETOFORE BEEN CONTINUOUSLY PUBLISHED IN SAID BROWARD/PALM BEACH/DADE COUNTY, FLORIDA, EACH DAY, AND HAS BEEN ENTERED AS SECOND CLASS MATTER AT THE POST OFFICE IN FORT LAUDERDALE, IN SA BROWARD COUNTY, FLORIDA, FOR A PERIOD OF ONE YEAR NEXT PRECEDING THE FIRST PUBLICATION OF THE ATTACHED COPY OF ADVERTISEMENT; AND AFFIANT FURTHER SAYS THAT HE/SHE HAS NEITHER PAID NOR PROMISED ANY PERSON, FIRM OR CORPORATION ANY DISCOUNT, REBATE, COMMISSION OR REFUND FOR THE PURPOSES OF SECURING THIS ADVERTISEMENT FOR PUBLICATION IN SAID NEWSPAPER.

[Signature]
(SIGNATURE OF AFFIANT)

SWORN TO AND SUBSCRIBED BEFORE ME
THIS 16 DAY OF NOVEMBER
A.D. 1999

[Signature]
(SIGNATURE OF NOTARY PUBLIC)

BARBARA STRICKLAND
Notary Public - State of Florida
My Commission Expires Jul 24, 2000
Commission # CC 571307

(NAME OF NOTARY TYPED, PRINTED OR STAMPED)

PERSONALLY KNOWN OR

PRODUCED IDENTIFICATION

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:

Department of Environmental Protection
Bureau of Air Regulation
111 South Magnolia Drive, Suite 4
Tallahassee, Florida 32301
Telephone: 850/488-0114
Fax: 850/922-6979

Affected District/Local Programs:

Department of Environmental Protection
Southeast District Office
400 North Congress Avenue
West Palm Beach, Florida 33416-5425
Telephone: 561/681-6600
Fax: 561/681-675

Broward County
Department of Natural Resource Protection
Air Quality Division
218 Southeast First Avenue
Ft. Lauderdale, Florida 33301
Telephone: 954/519-1220
Fax: 954/519-1495

The complete project file includes the DRAFT Permit, the application, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact Scott M. Sheplak, P.E., at the above address, or call 850/921-9532, for additional information.

November 16, 1999