



Wheelabrator South Broward Inc.

A Waste Management Company

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

July 31, 2002

VIA UPS

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

RECEIVED

AUG 01 2002

BUREAU OF AIR REGULATION

Re: Wheelabrator South Broward (0112119-006-AV)
Title V Permit Modification Proof of Publication

Dear Mr. Sheplak:

Please find enclosed the Fort Lauderdale Sun Sentinel Proof of Publication for Wheelabrator South Broward's recently revised Title V permit. The one-day submittal delay was due to the fact that the Proof of Publication was not received by this facility until July 31, 2002.

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

Sincerely,

William Roberts (FOR)
Plant Manager

cc: Jairaj Gosine (with)
Tim Porter (with)
Matt Killeen (without)
File: 5.1.3.2 (with)

8/2/02 cc: Ed SVEC

SUN-SENTINEL

PUBLISHED DAILY

FORT LAUDERDALE, BROWARD COUNTY, FLORIDA

BOCA RATON, PALM BEACH COUNTY, FLORIDA

MIAMI, MIAMI DADE COUNTY, FLORIDA

PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION Department of Environmental Protection Title V Air Operation Permit Revision DRAFT Permit No: 0112119-006-AV Wheelabrator South Broward Broward County

The Department of Environmental Protection (permitting authority) gives notice of its intent to issue a Title V Air Operation Permit Revision to Wheelabrator South Broward, Inc for Wheelabrator South Broward 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 33314.

Wheelabrator South Broward, Inc. requests that a revision to 40 CFR 60 Subpart Cb and Eb allowing 15 hours of excess carbon monoxide emissions for specified malfunctions be incorporated into the Title V permit. In addition, they request that the obsolete specific conditions which address plant operation prior to the implementation of 40 CFR 60 Subpart Cb and Eb be deleted.

The permitting authority will issue the PROPOSED Permit, and subsequent FINAL Permit, in accordance with the conditions of the 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 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, 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, 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 inter-

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

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/MIAMI DADE COUNTY, FLORIDA, AND THAT THE ATTACHED COPY OF ADVERTISEMENT, BEING A:

PERMIT 0112119 006 AV

IN THE MATTER OF:

Permit 0112119 006 AV

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

7/23,1

10998169

AFFIANT FURTHER SAYS THAT THE SAID SUN-SENTINEL IS A NEWSPAPER PUBLISHED IN SAID BROWARD/PALM BEACH/MIAMI DADE COUNTY, FLORIDA, AND THAT THE SAID NEWSPAPER HAS HERETOFORE BEEN CONTINUOUSLY PUBLISHED IN SAID BROWARD/PALM BEACH/MIAMI DADE COUNTY, FLORIDA, EACH DAY, AND HAS BEEN ENTERED AS SECOND CLASS MATTER AT THE POST OFFICE IN FORT LAUDERDALE, IN SAID BROWARD COUNTY, FLORIDA, FOR A PERIOD OF ONE YEAR NEXT PRECEDING THE FIRST PUBLICATION OF 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 PURPOSE OF SECURING THIS ADVERTISEMENT FOR PUBLICATION IN SAID NEWSPAPER.

(SIGNATURE OF AFFIANT)

SWORN TO AND SUBSCRIBED BEFORE ME ON: 23-July-2002, A.D.

(SIGNATURE OF NOTARY PUBLIC)



Tara L. Bezak MY COMMISSION # DD074939 EXPIRES July 20, 2005 BONDED BY FLOYD FARM INSURANCE, INC

(NAME OF NOTARY, TYPED, PRINTED, OR STAMPED)

PERSONALLY KNOWN OR

PRODUCED IDENTIFICATION

RECEIVED

AUG 01 2002

ests 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 revision. Any petition shall be based only on objections to the permit revision 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, 401 M Street, S.W., Washington, D.C. 20460.

A complete project file is available for public inspection during normal business hours, 8:00 AM to 5:00 PM, 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 Local Program:
Broward County Department of Planning & Environmental Protection
218 Southwest First Ave, Ft. Lauderdale, FL 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.

July 23, 2002