



Wheelabrator South Broward Inc.

A Waste Management Company

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

RECEIVED

JAN 14 2011

BUREAU OF
AIR REGULATION

Mr. Tom Cascio, D.B.A., CPM, Sigma Xi
Engineering Specialist IV
Title V Section
2600 Blair Stone Road
MS 5000
Tallahassee, Florida 32399-2400

RE: Wheelabrator North and South Broward Title V Permit Application – Proof of Publication

Dear Mr. Cascio:

In accordance with your request, we have attached the hard copy of the Proof of Publication in the Sun Sentinel on January 7, 2011. This is a follow up to the E mail Mr. Bill Hooper sent you on January 11, 2011.

Please let us know if you need any further information.

Sincerely,

Scott McIlvaine

Plant Manager

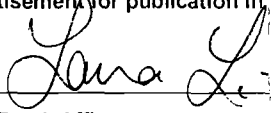
Attachment

cc: Jim Epsilantis
Chuck Faller

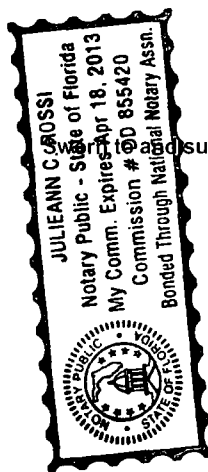
STATE OF FLORIDA

COUNTY OF BROWARD/PALM BEACH/MIAMI-DADE

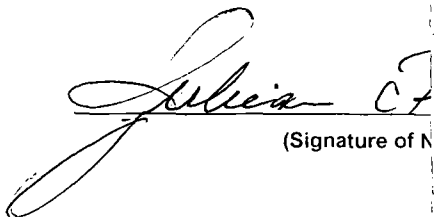
Before the undersigned authority personally appeared Lana L. Reed that he/she is a duly authorized representative of the Class of FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AIR PERMITS appeared in the paper on January 7, 2011 further says that the said Sun-Sentinel is a newspaper published in Broward/Palm Beach/Miami-Dade County, Florida, and that the said newspaper is continuously published in said Broward/Palm Beach/Miami-Dade County, Florida, and has entered as second class matter at the post office at Broward County, Florida, for a period of one year next preceding the date of the attached copy of advertisement; and affiant says that he/she has promised, any person, firm or corporation any discount, rebates or other special treatment for the purpose of securing this advertisement for publication in



Lana L. Reed, Affiant



subscribed before me on 7 January, 2011, A.



(Signature of Notary)

(Name of Notary typed,

Personally Known or Produced Identif

PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMITS

Florida Department of Environmental Protection
Division of Air Resource Management, Bureau of Air Regulation
Revised Draft/Proposed Air Operation Permit No. 0112119-015-AV
Wheelabrator South Broward, Inc., South Broward Waste-to-Energy Facility
Draft/Proposed Air Operation Permit No. 0112120-010-AV
Wheelabrator North Broward, Inc., North Broward Waste-to-Energy Facility
Broward County, Florida

Applicant One: The applicant for this project is Wheelabrator South Broward, Inc. The applicant's responsible official and mailing address are: Mr. Jairaj Gosine, Plant Manager, Wheelabrator South Broward, Inc., South Broward Waste-to-Energy Facility, 4400 South State Road 7, Fort Lauderdale, Florida 33414.

Facility One Location: The applicant operates the existing South Broward Waste-to-Energy Facility, which is located in Broward County at 4400 South State Road 7, Fort Lauderdale, Florida.

Applicant Two: The applicant for this project is Wheelabrator North Broward, Inc. The applicant's responsible official and mailing address are: Mr. Scott McLivaine, Plant Manager, Wheelabrator North Broward, Inc., North Broward Waste-to-Energy Facility, 2600 NW 48th Street, Pompano Beach, Florida 33073.

Facility Two Location: The applicant operates the existing North Broward Waste-to-Energy Facility, which is located in Broward County at 2600 NW-48th Street, Pompano Beach, Florida.

Project One: On June 22, 2010, the applicant submitted an application to renew the facility's current Title V air operation permit (0112119-014-AV). There were no changes requested by the applicant and no significant changes were made to the current permit. A draft/proposed Title V air operation was issued for this project on November 18, 2010, however certain pollutant emission limits were inadvertently omitted. This revised draft/proposed permit corrects this oversight and replaces the draft/proposed permit previously issued on November 18, 2010.

Project Two: On June 29, 2010, the applicant submitted an application to renew the facility's current Title V air operation permit (0112120-009-AV). There were no changes requested by the applicant and no significant changes were made to the current permit.

Description of Facilities: The facilities are similar in configuration. Each individual facility consists of three municipal solid waste combustors (Unit Nos. 001, 002 and 003) with auxiliary burners, lime storage and processing facilities, ash storage and processing facilities, a cooling tower and ancillary support equipment. The nominal (i.e., generator nameplate) electric generating capacity of each facility is approximately 67 megawatts (MW), which is sold to the local utility company. Each of the combustor units at the facilities includes an acid gas, air toxics, and particulate matter emissions control system consisting of a lime spray dryer and baghouse. Nitrogen oxides are controlled by a urea injection system that operates under the principle of selective non-catalytic reduction (SNCR). There is also a metals recovery system which is a potential source of fugitive emissions.

Permitting Authority: Applications for Title V air operation permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210 and 62-213 of the Florida Administrative Code (F.A.C.). The proposed projects are not exempt from air permitting requirements and Title V air operation permits are required to operate the facilities. The Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination for these projects. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, Tallahassee, Florida. The Permitting Authority's mailing address is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/488-0114.

Project File: A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at the address indicated above for the Permitting Authority. The complete project file includes the draft/proposed air operation permits, the Statement of Basis, the applications, and the information submitted by the applicants, exclusive of confidential records under Section 403.111, F.S. Interested persons may view the draft/proposed air operation permits by visiting the following website: <http://www.dep.state.fl.us/air/emission/apds/default.asp> and entering the permit numbers shown above. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address or phone number listed above.

Notice of Intent to Issue Permit: The Permitting Authority gives notice of its intent to issue renewed Title V air operation permits to the applicants for the projects described above. The applicants have provided reasonable assurance that continued operation of the existing equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-296 and 62-297, F.A.C. The Permitting Authority will issue final permits in accordance with the conditions of the draft/proposed permits unless a response received in accordance with the following procedures results in a different decision or a significant change of terms or conditions.

Comments: The Permitting Authority will accept written comments concerning the draft/proposed Title V air operation permits 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 the above address. 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 in the Florida Administrative Weekly (FAW). If a public meeting is requested within the 30-day comment period and conducted by the Permitting Authority, any oral and written comments received during the public meeting will also be considered by the Permitting Authority. If timely received written comments or comments received at a public meeting result in a significant change to the draft/proposed permit, the Permitting Authority shall issue a revised draft/proposed permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection. For additional information, contact the Permitting Authority at the above address or phone number.

Petitions: 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: Mediation is not available for this proceeding.

EPA Review: EPA has agreed to treat the draft/proposed Title V air operation permits as proposed Title V air operation permits and to perform its 45-day review provided by the law and regulations concurrently with the public comment period, provided that the applicant also transmits an electronic copy of the required proof of publication directly to EPA at the following email address: oquendo.ana@epamail.epa.gov. Although EPA's 45-day review period will be performed concurrently with the public comment period, the deadline for submitting a citizen petition to object to the EPA Administrator will be determined as if EPA's 45-day review period is performed after the public comment period has ended. The final Title V air operation permits will be issued after the conclusion of the 45-day EPA review period so long as no adverse comments are received that results in a different decision or significant change of terms or conditions. The status regarding EPA's 45-day review of this project and the deadline for submitting a citizen petition can be found at the following website address: <http://www.epa.gov/region4/air/permits/Florida.htm>.

Objections: 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>.

