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NOV 29 1999

BUREAU OF AIR REGULATION

**WHEELABRATOR NORTH BROWARD, INC.**  
A WASTE MANAGEMENT COMPANY

2600 N.W. 48th Street  
Pompano Beach, FL 33073  
(954) 971-8701  
(954) 971-8703 Fax

November 22, 1999

Certified Mail #Z 252 821 711

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 North Broward  
Draft Title V Permit  
Proof of Publication

Dear Mr. Fancy,

Please find enclosed Wheelabrator North 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) 971-8701.

Sincerely,

*William Roberts*

William Roberts  
General Manager

s:991122

cc: Chuck Faller  
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  
PUBLISHED DAILY  
FORT LAUDERDALE, BROWARD COUNTY, FLORIDA  
BOCA RATON, PALM BEACH COUNTY, FLORIDA  
MIAMI, DADE COUNTY, FLORIDA

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

*J. Johnson* 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

NOTICE OF INTENT

IN THE MATTER OF

2600 NW 48TH ST

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

C , 11/16, 1 X

EB340130

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 SAID  
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 PURPOSE  
OF SECURING THIS ADVERTISEMENT FOR PUBLICATION IN SAID  
NEWSPAPER.

*J. Johnson*  
.....  
(SIGNATURE OF AFFIANT)

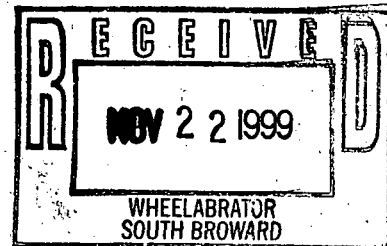
SWORN TO AND SUBSCRIBED BEFORE ME  
THIS 16 DAY OF NOVEMBER  
A.D. 1999

*Barbara Stueckland*  
.....  
(SIGNATURE OF NOTARY PUBLIC)

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

PERSONALLY KNOWN  OR

PRODUCED IDENTIFICATION .....



**PUBLIC NOTICE OF INTENT  
TO ISSUE TITLE V AIR OPERATION PERMIT  
STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
Title V DRAFT Permit No.: 0112100-001-AV  
North 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 North Broward, Inc. for the North Broward Waste-to-Energy Facility located at 2600 N.W. 48th Street, Pompano Beach, Broward County. The applicant's name and address are: Wheelabrator North Broward, Inc., 2600 N.W. 48th Street, Pompano Beach, Florida 33073.

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 32-213, 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.

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  
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



**WHEELABRATOR NORTH BROWARD, INC.**  
A WASTE MANAGEMENT COMPANY

2600 N.W. 48th Street  
Pompano Beach, FL 33073

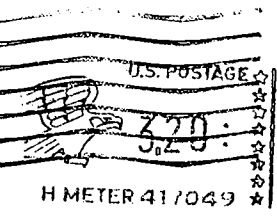
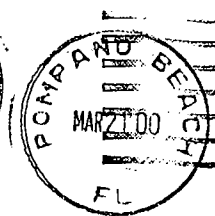


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**CERTIFIED**

Z 239 398 009

**MAIL**



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

32399 2400 2400

