

# Dade County

Today's Date 07/18/00

Date application received 4/25/00

30th day for initial review 5/24/00  
Days remaining to request addl. info. -55

	Latest	1st Req.	2nd Req.
Date of request for additional information			
Date of response			
30th day for review			
Days remaining to request addl. info.			

Date application complete 4/25/00  
74th day to issue Intent for PSD 7/7/00

Date Intent was mailed	6/6/00
Date proof of publication was received	6/26/00
Date published	6/19/00

33 <--Number of days clock is tolled (date  
8/25/00 <--Day 90 final permit must be issued

Date of Final Permit Issuance  Enter date of Final Permi

For non-PSD permits, you can't issue before--> 7/2/00  
For PSD permits, you can't issue before --> 7/18/00

Chair/Howard - The format for this permit looks different than usual because we wanted to change as few things as possible compared to the original 1994 permit.

In effect - we have re-issued that 1994 permit, but with Subpart C requirements instead of Ca (which was withdrawn). It recognizes the rebuilding of the borders in the late 1980's.

The Intent + drafts made it very clear what changed. We incorporated those changes into this final version so they have a single AC permit in a single document.

I would like to issue ASAP so the Title V action can incorporate this into their permit before it goes final.

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

MIAMI-DADE COUNTY,

Petitioner,

vs.

OGC CASE NO. 00-1267

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION,

Respondent.

ORDER GRANTING REQUEST FOR EXTENSION  
OF TIME TO FILE PETITION FOR HEARING

This cause has come before the Florida Department of Environmental Protection (Department) on receipt of a request made by Petitioner, MIAMI-DADE COUNTY, to grant an extension of time to file a petition for an administrative hearing on the Department's intent to issue permit modification for the County's Resource Recovery Facility (DEP File No. PSD-FL-006D, Modifications to PSD-FL-006A). See Exhibit 1.

Respondent, State of Florida Department of Environmental Protection, has no objection to an extension. Therefore,

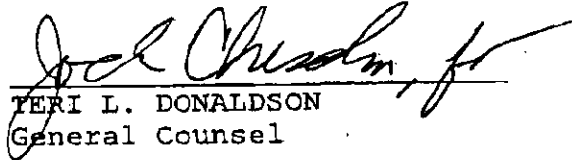
IT IS ORDERED:

The request for an extension of time to file a petition for administrative proceeding is granted. Petitioner shall have until July 6, 2000, to file a petition in this matter. Filing shall be complete on receipt by the Office of General Counsel, Mail Station 35, Department of Environmental Protection,

3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000.

DONE AND ORDERED on this 26th day of June, 2000 in  
Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

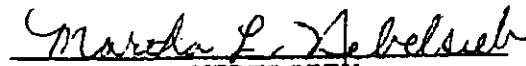
  
TERI L. DONALDSON  
General Counsel

Douglas Building, MS #35  
3900 Commonwealth Boulevard  
Tallahassee, FL 32399-3000  
Telephone: (850) 488-9314

CERTIFICATE OF SERVICE

I CERTIFY that a true copy of the foregoing was mailed to  
David S. Dee and John T. Lavia, III, at 310 West College Avenue,  
Tallahassee, Florida 32301, on this 26th day of June, 2000.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

  
MARTHA L. NEBELSIEK  
Assistant General Counsel  
Florida Bar No. 0831311

Mail Station 35  
3900 Commonwealth Boulevard  
Tallahassee, FL 32399-3000  
Telephone: (850) 488-9314

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

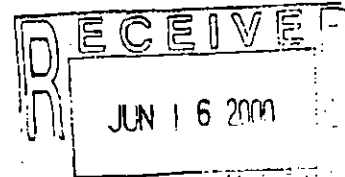
MIAMI-DADE COUNTY,

Petitioner,

v.

DEPARTMENT OF ENVIRONMENTAL  
PROTECTION,

Respondent.

DEP File No. PSD-FL-006D  
Modifications to Permit  
PSD-FL-006AMIAMI-DADE COUNTY'S REQUEST FOR EXTENSION  
OF TIME TO FILE PETITION

Petitioner, Miami-Dade County (the "County"), pursuant to Rule 28-106.111(3), Florida Administrative Code, respectfully requests the Department of Environmental Protection ("Department") to grant the County an extension of time to file a petition for formal administrative hearing concerning the Department's intent to issue permit modification for the County's Resource Recovery Facility (DEP File No. PSD-FL-006D, Modifications to PSD-FL-006A) (the "Intent to Issue Permit Modification"). In support of this request, the County says:

1. On April 25, 2000, the County filed an application with the Department for a modification to a prevention of significant deterioration ("PSD") permit for the County's Resource Recovery Facility located at 6990 N.W. 97th Avenue, Miami, Florida.
2. On June 6, 2000, the Department distributed its "Public Notice of Intent to Issue PSD Permit Modification," Intent to Issue PSD Permit Modification, and Technical Evaluation and

Preliminary Determination for the County's Resource Recovery Facility.

3. As the applicant for the Intent to Issue Permit Modification, the County is affected by the Department's proposed action.

4. The Intent to Issue Permit Modification is lengthy and raises a variety of complex issues. The County needs additional time to carefully review the Intent to Issue Permit Modification with its staff and its consultants. After completing its review, the County wants to discuss the Intent to Issue Permit Modification with the Department.

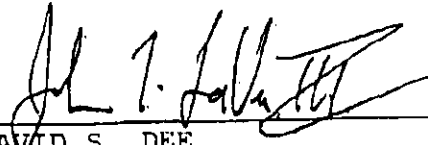
5. The County requests a 30-day extension of time to evaluate the provisions in the Intent to Issue Permit Modification, and, if necessary, meet with the Department, before the County waives its right to a hearing.

6. Petitioner's counsel has discussed this request with Ms. Teresa Heron on the Department's staff and Ms. Heron indicated that she does not object to this request.

WHEREFORE, the County requests the Department to grant a 30-day extension of time to file a petition for a formal administrative hearing concerning the Intent to Issue Permit Modification.

Respectfully submitted this 16th day of June, 2000.

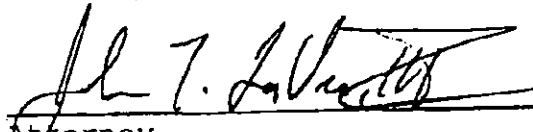
LANDERS & PARSONS

  
DAVID S. DEE  
Fla. Bar No. 281999  
JOHN T. LaVIA, III  
Fla. Bar No. 853666  
310 West College Avenue (32301)  
P.O. Box 271  
Tallahassee, Florida 32302  
850/681-0311  
850/224-5595 (fax)

COUNSEL FOR MIAMI-DADE COUNTY

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that an original and one copy of the foregoing was furnished by hand-delivery to the CLERK'S OFFICE, Department of Environmental Protection, Office of General Counsel, 3900 Commonwealth Boulevard, Room 633B, Tallahassee, Florida 32399; and a copy by U.S. Mail to Martha Nebelsiek, Department of Environmental Protection, Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, on this 16th day of June, 2000.

  
Attorney



RECEIVED

JUN 26 2000

BUREAU OF AIR REGULATION

June 23, 2000

Mr. Al Linero, P.E.  
Administrator  
New Source Review Section  
Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Re: DEP File # PSD-FL-006D

Dear Mr. Linero:

Enclosed are the requested notarized copies of the Public Notice of Intent to Issue a PSD Permit Modification for the referenced permit. This modification was advertised in the Miami Daily Business Review on June 19, 2000.

Please contact me at 305-594-1670 if you need further information.

Sincerely,

A handwritten signature in black ink, appearing to read "German Hernandez".

German Hernandez  
Manager, Environmental Affairs

cc. J. Teller  
B. Owen  
SED  
DERM  
EPA  
NPS

RECEIVED

JUN 26 2000

BUREAU OF AIR REGULATION

**MIAMI DAILY BUSINESS REVIEW**

Published Daily except Saturday, Sunday and  
Legal Holidays  
Miami, Miami-Dade County, Florida.

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE:

Before the undersigned authority personally appeared Sookie Williams, who on oath says that she is the Vice President of Legal Advertising of the Miami Daily Business Review t/k/a Miami Review, a daily (except Saturday, Sunday and Legal Holidays) newspaper, published at Miami in Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

DEPARTMENT OF ENVIRONMENTAL  
PROTECTION DEP FILE NO.  
PSD-FL-006D MIAMI-DADE COUNTY  
DEPARTMENT OF SOLID WASTE

in the .....XXXXX..... Court,  
was published in said newspaper in the issues of  
Jun 19, 2000

Affiant further says that the said Miami Daily Business Review is a newspaper published at Miami in said Miami-Dade County, Florida, and that the said newspaper has heretofore been continuously published in said Miami-Dade County, Florida, each day (except Saturday, Sunday and Legal Holidays) and has been entered as second class mail matter at the post office in Miami in said Miami-Dade County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that 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 the said newspaper.

19 June 2000  
day of ..... A.D.

(SEAL)

Sookie Williams personally appeared before me.

NOTARY PUBLIC STATE OF FLORIDA  
MY COMMISSION EXP. JUNE 23, 2004

**PUBLIC NOTICE OF INTENT TO ISSUE  
PSD PERMIT MODIFICATION  
STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL  
PROTECTION  
DEP FILE NO. PSD-FL-006D  
MIAMI-DADE COUNTY DEPARTMENT OF  
SOLID WASTE  
DADE COUNTY RESOURCE RECOVERY FACILITY  
MIAMI-DADE COUNTY**

The applicant, Miami-Dade County Department of Solid Waste, applied on April 25, 2000, to the Department for a PSD Permit Modification for its Dade County Resource Recovery Facility located at 6990 NW 97th Avenue, Miami, Miami-Dade County. The permit modification is to revise requirements of applicable federal standards, clarify production limitations, expand and clarify the authorized fuels, provide for installation of selective non-catalytic reduction systems to control NOx and CO emissions, and revise the description of the boilers to reflect rebuilding of the original Fives-Cails Babcock units to the specifications of Zum. The applicant's mailing address is: 8675 NW 53rd Street, Miami, Florida 33166.

A Best Available Control Technology (BACT) determination was not required. An air quality impact analysis was not required.

The Department will issue the Final permit with the attached conditions unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed permit issuance action for a period of thirty (30) days from the date of publication of this Public Notice of Intent to Issue PSD Permit Modification. Written comments should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, FL 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the proposed permit and require, if applicable, another Public Notice.

The Department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to 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.

Mediation is not available in this proceeding.

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 of the Florida Statutes. 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) of the Florida Statutes 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 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.



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 how and when 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 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; 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

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 notice. 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.

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:

Dept. of Environmental Protection Bureau of Air Regulation Suite 4, 111 S. Magnolia Drive Tallahassee, Florida 32301 Telephone: 850/488-0114 Fax: 850/922-6979	Dade County Department of Environmental Resources Mgmt. Suite 900, 33 Southwest 2nd Ave. Miami, Florida 33130-1540 Telephone: 305/372-6925	Dept. of Environmental Protection Southeast District 400 North Congress Avenue West Palm Beach, Florida 33401 Telephone: 561/681-6600
---	--	--

The complete project file includes the application, technical evaluations, Draft permit, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Administrator, New Source Review Section, or the Department's reviewing engineer for this project, Teresa Heron, at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/488-0114, for additional information. The Department's technical evaluations and Draft Permit can be viewed at [www.dep.state.fl.us/air/permitting.htm](http://www.dep.state.fl.us/air/permitting.htm) by clicking on Construction Permits.

6/19

00-4-72/64755M



June 20, 2000

Certified Mail P 33 094 975  
Return Receipt Request

Mr. Al Linero, P. E.  
Administrator  
New Source Review Section  
Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, FL 32399-2400

**RECEIVED**

**JUN 23 2000**

**BUREAU OF AIR REGULATION**

Re: DEP File No. PSD-FL-006D  
Modifications to permit PSD-FL-006A

Dear Mr. Linero

We have received the notice of intent to issue permit PSD-FL-006D for the Dade County Resources Recovery Facility in Miami, Florida. We thank you for providing responses to the requests submitted in the permit application and for making the changes that were consistent with FDEP's program. We are proceeding with completion of the retrofit and will notify the Southeast District of the completion of that effort and the other activities specified by the permit.

We would like to take the opportunity, during the comment period, to note a few minor scrivener's errors and recommend clarification to items in the permit. Changes are highlighted and additional wording is underscored.

1. INTENT TO ISSUE PSD PERMIT MODIFICATION, 2<sup>nd</sup> paragraph: A minor modification is suggested to reflect equipment allowed to be installed and operated if necessary to comply with the emissions limitations as follows: "The permit modification is to revise requirements of applicable federal standards, clarify production limitations, expand and clarify the authorized fuels, provide allow for installation of a selective non-catalytic reduction systems and other controls to control NOx and CO emissions, and revise the description of the boilers to reflect rebuilding of the original Fives-Cails Babcock units to the specifications of Zurn".
2. Page 1 of 15, 5<sup>th</sup> paragraph: Permit states the biomass processing rate as "400,00 tons per year". The text has a typographical error and is missing a digit. It should read: "400,000 tons per year".
3. Page 6 of 15, 1<sup>st</sup> paragraph: The paragraph appears to be missing some words. As per a pervious permit amendment, the facility can use the CEMs data for the annual stack test provided that the CEMs have passed the RATA and CGA tests. We suggest the following minor corrections: "...Continuous Emission Monitoring Systems (CEMS) may be used for use Methods 6C, 7E, and 10".

8675 Northwest 53 Street, Suite 201, Miami, Florida 33166 • 305-592-1776

*"Love Your Neighbor"*

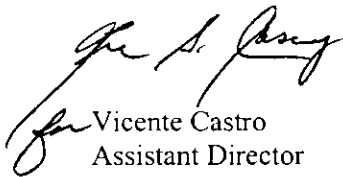


Printed on Recycled Paper

4. Page 9 of 15, Condition 3.A3). A minor modification is suggested to clarify that the facility processes both RDF and biomass – "...The DCRRF is also allowed to process 3,000 tons per day...".
5. Page 9 of 15, last paragraph: The paragraph describes the primary fuel supply as MSW rather than RDF (refuse derived fuel). It is probably more accurate to add the term RDF to this condition as follows: "...The primary fuel for the facility is municipal solid waste (MSW) which is processed into RDF including..."

We believe these comments may be helpful to persons working with this plant and FDEP in the future. Again, we express our appreciation to you and your staff for reviewing and responding to the permit application request. Please do not hesitate to contact me at (305) 594-1670 with questions regarding this information.

Sincerely,



Vicente Castro  
Assistant Director

CC: D. Buff-Golder & Associates  
L. Casey – DSWM

J. Huon  
B. Owen  
SED  
DERM  
EPA  
NPS