

SD



Gulf Coast Landfill
11990 State Road 82 East
Fort Myers, FL 33913

RECEIVED

MAY 14 2002

BUREAU OF AIR REGULATION

May 13, 2002

Ms. Cindy Phillips, P.E.
Bureau of Air Regulation
Florida Department of Environmental Protection
MS 5505
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Mr. Doug Neeley
Air Pesticides, and Toxics Management Division
USEPA, Region IV
61 Forsyth Street, SW
Atlanta, GA 30303-8960

**Re: MACT Hammer Part 1 Application Submittal
Gulf Coast Landfill Landfill - Title V Permit
#0710133-003-AV**

Waste Management Inc. of Florida (WMIF) is pleased to submit the Part 1 Application, National Emission Standards For Hazardous Air Pollutants (NESHAP) - 40 CFR Part 63, Section 112(j) (MACT Hammer), for Gulf Coast Landfill.

Attached is a form that presents all the required information by the Florida Department of Environmental Protection (FLDEP) and the U.S. Environmental Protection Agency (USEPA) for determination of applicability to the MACT Hammer. Based on generally acceptable and available emission estimation techniques and emission factors, Gulf Coast Landfill is not applicable to the MACT Hammer. Supporting documentation and emission calculations for this applicability determination will be made available upon request.

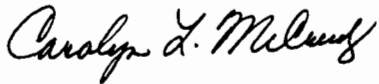
MACT Hammer Part 1 Application
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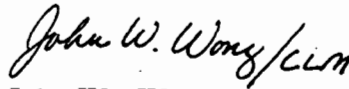
If you have any questions regarding the information contained in this submittal please contact the undersigned at (863)634-7770 or (941)455-8062, respectively.

Sincerely,

WASTE MANAGEMENT INC. OF FLORIDA



Carolyn McCreedy
Compliance and Permitting Engineer



John W. Wong
District Manager

Attachment: Part 1 Application Form

cc: Site Contact, Gulf Coast Landfill
Site File, Gulf Coast Landfill
EMCON Contact

Part 1 Title V Application
Sources Subject to Section 112(j) Provisions
40 CFR 63.50 through 63.56

Source Identification	
1) Source Name Gulf Coast Landfill	
2) Source ID No. Title V Permit Number 0710133-003-AV	
Physical Location	
3) Street Address 11990 State Road 82 East	
4) City Fort Myers	5) Lee County
6) State Florida	7) 33913
Mailing Address (if different than physical location)	
8) Address P.O. Box 7314	
9) City Fort Myers	10) Lee County
11) State Florida	12) 33911

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BUREAU OF AIR REGULATION

Applicability Determination

13) Is your facility a major source of hazardous air pollutants (HAP)? If not, you need not complete the rest of this form.

A major source is any contiguous area under common control that emits or has the potential to emit considering controls, in the aggregate, at least 10 tons per year of any single HAP or 25 tons per year total HAP.

YES

NO X

14) Do you own or operate an affected source in a source category for which EPA has not promulgated standards under 40 CFR 63? If so, which one(s)?
40 CFR 63 Subpart AAAA

If not, you need not complete the rest of this form.

(See Table of Promulgated Regulations, Table of Proposed Regulations, and Table of Upcoming Regulations at www.epa.gov/ttn/atw/eparules.html to determine if your standard has not been promulgated.)

YES X

NO

15) Provide a brief description of the major source and its activities:
This landfill is not a major source.

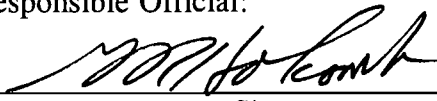
16) Provide a brief description of the affected source(s) in the relevant source category(ies): MSW landfill potentially subject to 40 CFR 63 Subpart AAAA if/when EPA promulgates standards.

17) Identify any sources that have MACT determinations under section 112(g):
None.

Certification and Signature of Responsible Official

18) I certify that the information contained in this application to be accurate and true to the best of my knowledge:

Responsible Official:

 _____ Signature	<i>Vice President</i> _____ Title
<i>Glenn R Holcomb</i> _____ Printed name of Signatory	<i>March 31, 2002</i> _____ Date

A responsible official can be:

- ' *The president, vice president, secretary, or treasurer of a corporation that owns the facility or a duly authorized representative that is responsible for the overall operation of the facility.*
- ' *An owner of the facility.*
- ' *A principal executive officer if the facility is owned by the federal, state, city or county government.*
- ' *A ranking military officer if the facility is located at a military base.*
- ' *A general partner of a partnership that owns the facility.*

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100

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4a Express Package Service

FedEx Priority Overnight Next business morning
 FedEx Standard Overnight Next business afternoon
 FedEx First Overnight Earliest next business morning delivery to select locations
 FedEx 2Day Second business day
 FedEx Express Saver Third business day
 NEW FedEx Extra Hours Later drop-off with next business afternoon delivery for select locations

4b Express Freight Service

FedEx 1Day Freight* Next business day
 FedEx 2Day Freight Second business day
 FedEx 3Day Freight Third business day

* Call for Confirmation. * Declared value limit \$500

5 Packaging

FedEx Envelope*
 FedEx Pak* Includes FedEx Small Pak, FedEx Large Pak, and FedEx Sturdy Pak
 Other Pkg. Includes FedEx Box, FedEx Tube, and customer pkg.

6 Special Handling

SATURDAY Delivery Available only for FedEx Priority Overnight and FedEx 2Day to select ZIP codes
 HOLD Weekday at FedEx Location Not available for FedEx First Overnight
 HOLD Saturday at FedEx Location Available only for FedEx Priority Overnight and FedEx 2Day to select locations

Does this shipment contain dangerous goods?
One box must be checked.
 No
 Yes As per attached Shipper's Declaration
 Yes Shipper's Declaration not required
 Dry Ice Dry Ice, 9, UN 1845 x kg
Dangerous Goods (incl. Dry Ice) cannot be shipped in FedEx packaging or with FedEx Extra Hours service.
 Cargo Aircraft Only

7 Payment Bill to:

Enter FedEx Acct. No. or Credit Card No. below.
 Obtain Recip. Acct. No.
 Sender Acct. No. in Section 1 will be billed.
 Recipient
 Third Party
 Credit Card
 Cash/Check

Total Packages 1 Total Weight 1 Total Charges 447
Credit Card Auth.

8 Release Signature Sign to authorize delivery without obtaining signature.

By signing you authorize us to deliver this shipment without obtaining a signature and agree to indemnify and hold us harmless from any resulting claims.
Questions? Visit our Web site at fedex.com or call 1.800.Go.FedEx® 800.463.3339.
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Jeb Bush
Governor

Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

David B. Struhs
Secretary

June 12, 2002

Ms. Carolyn McCreedy
Compliance and Permitting Engineer
Waste Management
Gulf Coast Landfill
P.O. Box 7314
Fort Myers, FL 33911

Re: "MACT Hammer Part 1 Application Submittal" – Gulf Coast Landfill

Dear Ms. McCreedy:

In response to your letter received May 14, 2002, which implies that you want the Department to make a determination of MACT applicability for the referenced Landfill, I have attached Chapter 28-105, F.A.C., Declaratory Statements, which specifies the procedure that you must follow if you do, in fact, want us to make a determination.

The Department's Agency Clerk is Kathy Carter. Her address is:

Kathy Carter, Agency Clerk
Florida Department of Environmental Protection
MS 35
3900 Commonwealth Boulevard
Tallahassee FL 32399-3000

Thank you for submitting the 112(j) notification information. Your information submittal appears to meet our current 112(j) requirements.

Please be aware that, although your letter refers to this information submittal as a "Part 1 Application Submittal," the Department does not recognize your submittal as a state permit application and has no plans to process it as such.

No further 112(j) information is needed from you at this time. If you have any questions, concerning this matter, please contact me at 850/921-9534.

Sincerely,

Cindy L. Phillips, P.E.
Bureau of Air Regulation

attachment

"More Protection, Less Process"

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CHAPTER 28-105, F.A.C.

DECLARATORY STATEMENTS

28-105.001 Purpose and Use of Declaratory Statement.

A declaratory statement is a means for resolving a controversy or answering questions or doubts concerning the applicability of statutory provisions, rules, or orders over which the agency has authority. A petition for declaratory statement may be used only to resolve questions or doubts as to how the statutes, rules, or orders may apply to the petitioner's particular circumstances. A declaratory statement is not the appropriate means for determining the conduct of another person or for obtaining a policy statement of general applicability from an agency. A petition for declaratory statement must describe the potential impact of statutes, rules, or orders upon the petitioner's interests.

28-105.002 The Petition.

A petition seeking a declaratory statement shall be filed with the clerk of agency that has the authority to interpret the statute, rule, or order at issue and shall provide the following information:

(1) The caption shall read:

Petition for Declaratory Statement

Before (Name of Agency)

(2) The name, address, telephone number, and any facsimile number of the petitioner.

(3) The name, address, telephone number, and any facsimile number of the attorney or qualified representative (if any) of the petitioner.

(4) The statutory provision(s), agency rule(s), or agency order(s) on which the declaratory statement is sought.

(5) A description of how the statutes, rules, or orders may substantially affect the petitioner in the petitioner's particular set of circumstances.

(6) The signature of the petitioner or of the petitioner's attorney or qualified representative.

(7) The date.

28-105.003 Agency Disposition.

The agency may hold a hearing to consider a petition for declaratory statement. If the agency is headed by a collegial body, it shall take action on a petition for declaratory statement only at a duly noticed public meeting. If a hearing is held, it shall be conducted in accordance with Sections 120.569 and 120.57(2), F.S. The agency may rely on the statements of fact set out in the petition without taking any position with regard to the validity of the facts. Within 90 days of the filing of the petition, the agency shall render a final order denying the petition or issuing a declaratory statement.