

# Florida Department of Environmental Protection

## Memorandum

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TO: Trina Vielhauer, Bureau of Air Regulation  
FROM: Cleve Holladay <sup>COH #</sup> and Jeff Kosmer <sup>JK</sup>, New Source Review Section  
DATE: April 27, 2009  
SUBJECT: Extension of Air Construction Permit Expiration Date  
Solid Waste Authority of Palm Beach County  
Biosolids Pelletization Facility  
Project No. 0990234-014-AC  
Extension of Air Permit No. 0990234-006-AC/PSD-FL-108F

Attached for your approval and signature is a permit modification to extend the expiration date for the above referenced air permit. The extension until March 31, 2010 will allow sufficient time to complete the installation of a Biosolids Pelletization Facility. Most of the construction has been completed. The reason for the request is contractor delays in meeting the construction completion date in the previous construction permit extension.

Based on the circumstances and information provided, I recommend your approval and signature.

Attachment



# Florida Department of Environmental Protection

Bob Martinez Center  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Charlie Crist  
Governor

Jeff Kottkamp  
Lt. Governor

Michael W. Sole  
Secretary

April 27, 2009

*Sent by Electronic Mail – Received Receipt Requested*

Mr. Mark Hammond  
Executive Director  
Solid Waste Authority of Palm Beach County  
7501 North Jog Road  
West Palm Beach, Florida 33412

Re: Extension of Air Construction Permit Expiration Date  
Solid Waste Authority of Palm Beach County  
Biosolids Pelletization Facility  
Project No. 0990234-014-AC  
Extension of Original Air Permit No. 0990234-006-AC/PSD-FL-108F

Dear Mr. Hammond:

On February 2, 2009, the Solid Waste Authority of Palm Beach County (SWA) requested an extension of the expiration date for the above referenced air construction permit for the North County Resource Recovery Facility site located in Palm Beach County at 7501 North Jog Road in West Palm Beach, Florida. Briefly, this project authorizes the construction of a biosolids pelletization facility. So far, most of the construction activities have been completed. However, SWA requests the additional time to complete remaining construction activities not met by the completion date established in the previous air construction permit extension. The request to extend the air construction permit was timely. Construction of this project commenced within 18 months of the approval to construct, and no break in construction greater than 18 months has occurred. The project is not a phased project requiring a re-evaluation of best available control technology (BACT). Based on the circumstances and information provided, the Department approves this request.

**Determination:** The expiration date is hereby extended from **March 31, 2009** to **March 31, 2010** to provide the necessary time to complete remaining authorized construction activities. This permitting action does not authorize any new construction. A copy of this letter shall be filed with the referenced permit and shall become part of the permit. This permitting decision is issued pursuant to Chapter 403, Florida Statutes.

**Permitting Authority:** Applications for air construction permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, and 62-212 of the Florida Administrative Code (F.A.C.). The Permitting Authority responsible for making a permit determination for this project is the Bureau of Air Regulation in the Department of Environmental Protection's Division of Air Resource Management. 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.

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## EXTENSION OF AIR CONSTRUCTION PERMIT EXPIRATION DATE

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**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, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/245-2241). Petitions must be filed within 14 days of receipt of this permit extension. 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 interests will be affected by the agency determination; (c) A statement of when and how each petitioner received notice of the agency action or proposed decision; (d) A statement of all disputed issues of material fact; (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 written notice. 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.

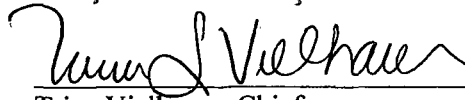
**Mediation:** Mediation is not available in this proceeding.

**Effective Date:** This permitting decision is final and effective on the date filed with the clerk of the Department unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition pursuant to Rule 62-110.106, F.A.C., and the petition conforms to the content requirements of Rules 28-106.201 and 28-106.301, F.A.C. Upon timely filing of a petition or a request for extension of time, this action will not be effective until further order of the Department.

**EXTENSION OF AIR CONSTRUCTION PERMIT EXPIRATION DATE**

**Judicial Review:** Any party to this permitting decision (order) has the right to seek judicial review of it under Section 120.68, F.S., by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department of Environmental Protection in the Office of General Counsel, Mail Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The notice must be filed within 30 days after this order is filed with the clerk of the Department.

Executed in Tallahassee, Florida.



Trina Vielhauer, Chief  
Bureau of Air Regulation

TLV/jfk/cgh

**CERTIFICATE OF SERVICE**

The undersigned duly designated deputy agency clerk hereby certifies that this Notice of Extension of Air Construction Permit Date was sent by electronic mail (or a link to these documents made available electronically on a publicly accessible server) with received receipt requested before the close of business on 4/27/09 to the persons listed below.

- Mr. Mark Hammond, Executive Director, Solid Waste Authority of Palm Beach County: [mhammond@swa.org](mailto:mhammond@swa.org)
- Ms. Amber M. Barritt, P.E., Camp Dresser & McKee: [barrittam@cdm.com](mailto:barrittam@cdm.com)
- Mr. Lee Hoefert, P.E., DEP Southeast District Office: [Lee.Hoefert@dep.state.fl.us](mailto:Lee.Hoefert@dep.state.fl.us)
- Mr. James Stormer, Palm Beach County Health Department: [James.Stormer@doh.state.fl.us](mailto:James.Stormer@doh.state.fl.us)
- Mr. Mike Halpin, P.E., DEP Siting Coordination Office: [Mike.Halpin@dep.state.fl.us](mailto:Mike.Halpin@dep.state.fl.us)
- Ms. Kathleen Forney, Environmental Protection Agency Region 4: [forney.kathleen@epa.gov](mailto:forney.kathleen@epa.gov)
- Ms. Vickie Gibson, DEP BAR Reading File: [victoria.gibson@dep.state.fl.us](mailto:victoria.gibson@dep.state.fl.us)

Clerk Stamp

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to Section 120.52(7), Florida Statutes, with the designated agency clerk, receipt of which is hereby acknowledged.



(Clerk)

4/27/09  
(Date)

## Livingston, Sylvania

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**From:** Livingston, Sylvania  
**Sent:** Monday, April 27, 2009 4:42 PM  
**To:** 'mhammond@swa.org'  
**Cc:** 'barritam@cdm.com'; Hoefert, Lee; 'james\_stormer@doh.state.fl.us'; Halpin, Mike; 'forney.kathleen@epa.gov'; Gibson, Victoria; Anderson, Lennon; 'Laxmana\_Tallam@doh.state.fl.us'  
**Subject:** SOLID WASTE AUTHORITY OF PBC/NCRRF; 0990234-014-AC - Extension

Dear Sir/ Madam:

Attached is the official **Notice of Final Permit** for the project referenced below. Click on the link displayed below to access the permit project documents and send a "reply" message verifying receipt of the document(s) provided in the link; this may be done by selecting "Reply" on the menu bar of your e-mail software, noting that you can view the documents, and then selecting "Send".

*Note: We must receive verification that you are able to access the documents. Your immediate reply will preclude subsequent e-mail transmissions to verify accessibility of the document(s).*

**Click on the following link to access the permit project documents:**

[http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf\\_permit\\_zip\\_files/0990234.014.AC.F\\_pdf.zip](http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf_permit_zip_files/0990234.014.AC.F_pdf.zip)

**Owner/Company Name:** SOLID WASTE AUTHORITY OF PBC  
**Facility Name:** SOLID WASTE AUTHORITY OF PBC/NCRRF  
**Project Number:** 0990234-014-AC  
**Permit Status:** FINAL - Extension  
**Permit Activity:** CONSTRUCTION  
**Facility County:** PALM BEACH  
**Processor:** Bruce Mitchell

The Bureau of Air Regulation is issuing electronic documents for permits, notices and other correspondence in lieu of hard copies through the United States Postal System, to provide greater service to the applicant and the engineering community. Access these documents by clicking on the link provided above, or search for other project documents using the "*Air Permit Documents Search*" website at <http://www.dep.state.fl.us/air/eproducts/apds/default.asp>.

Permit project documents addressed in this email may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible, and verify that they are accessible. Please advise this office of any changes to your e-mail address or that of the Engineer-of-Record. If you have any problems opening the documents or would like further information, please contact the Florida Department of Environmental Protection, Bureau of Air Regulation at (850)488-0114.

Sylvia Livingston  
Bureau of Air Regulation  
Division of Air Resource Management (DARM)  
850/921-9506  
[sylvia.livingston@dep.state.fl.us](mailto:sylvia.livingston@dep.state.fl.us)

Note: The attached document is in Adobe Portable Document Format (pdf). Adobe Acrobat Reader can be downloaded for free at the following internet site: <http://www.adobe.com/products/acrobat/readstep.html>.

## Livingston, Sylvia

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**From:** Mark Hammond [mhammond@swa.org]  
**Sent:** Tuesday, April 28, 2009 8:09 AM  
**To:** Livingston, Sylvia  
**Subject:** RE: SOLID WASTE AUTHORITY OF PBC/NCRRF; 0990234-014-AC - Extension

I have received the document.

Mark Hammond

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**From:** Livingston, Sylvia [mailto:Sylvia.Livingston@dep.state.fl.us]  
**Sent:** Monday, April 27, 2009 4:42 PM  
**To:** Mark Hammond  
**Cc:** Amber Barritt of CDM; Hoefert, Lee; james\_stormer@doh.state.fl.us; Halpin, Mike; forney.kathleen@epa.gov; Gibson, Victoria; Anderson, Lennon; Laxmana\_Tallam@doh.state.fl.us  
**Subject:** SOLID WASTE AUTHORITY OF PBC/NCRRF; 0990234-014-AC - Extension

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**Owner/Company Name:** SOLID WASTE AUTHORITY OF PBC  
**Facility Name:** SOLID WASTE AUTHORITY OF PBC/NCRRF  
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Sylvia Livingston

## Livingston, Sylvia

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**From:** Barritt, Amber [BarrittAM@cdm.com]  
**Sent:** Monday, April 27, 2009 4:44 PM  
**To:** Livingston, Sylvia  
**Subject:** RE: SOLID WASTE AUTHORITY OF PBC/NCRRF; 0990234-014-AC - Extension

Received and able to access the document. Thank you.

Best regards,

Amber M. Barritt, P.E.  
Project Manager  
CDM  
1601 Belvedere Road, Suite 211 South  
West Palm Beach, FL 33406  
Phone: 561-689-3336  
Fax: 561-689-9713  
Email: [barrittam@cdm.com](mailto:barrittam@cdm.com)

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**To:** mhammond@swa.org  
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