



Department of Environmental Protection

Lawton Chiles
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Virginia B. Wetherell
Secretary

May 19, 1997

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Thomas D. Kirk
Plant Manager
Wheelabrator North Broward Inc.
2600 N.W. 48th Street
Pompano Beach, FL 33073

Re: Modification of Final Determination - PSD-FL-112
North Broward Resource Recovery Facility

Dear Mr. Kirk:

The Department is in receipt of your letter dated February 24, 1997 requesting to use EPA Method 29 in lieu of Method 101A for Mercury, Method 12 for lead, Method 104 for beryllium and Method 108 for arsenic for annual compliance stack testing. The Department hereby amends the Specific Conditions related to methods of compliance in the subject Final Determination (dated July 28, 1987) pursuant to 40 CFR 52.21 - Prevention of Significant Deterioration (PSD Permit). The PSD permit is modified as follows:

Specific Condition: 1.d.(2)

FROM:

- j. Method 12 for determination of lead concentration and associated moisture content. One sample constitutes one test run.
- l. Method 101A for determination of mercury emission rate and associated moisture content. One sample shall constitute one test run.
- m. Method 104 for determination of beryllium emission rate and associated moisture content. One sample shall constitute one test run.

TO:

- j. EPA Method 29, Determination of Metals Emissions from Stationary Sources, shall be used for determining compliance with the beryllium, mercury, lead and arsenic emission rates and their respective moisture contents. For each pollutant one sample shall constitute one test run.
- l. Deleted.
- m. Deleted.

A copy of this letter shall be filed with the referenced permit and shall become part of Permit PSD-FL-112.

Sincerely,



Howard L. Rhodes, Director
Division of Air Resources
Management

HLR/th

PS Form 3811, December 1994

is your RETURN ADDRESS completed on the reverse?

Send to you:
 • Attach this form to the front of the mailpiece, or on the back if space does not permit.
 • Write "Return Receipt Requested" on the mailpiece below the article number.
 • The Return Receipt will show to whom the article was delivered and the date delivered.

extra fee:
 1. Addressee's Address
 2. Restricted Delivery
 Consult postmaster for fee.

3. Article Addressed to:
 Mr. Thomas Kirk, Plant Mgr
 Wheelabrator N + S Boulevard
 4400 S. State Rd 7
 Ft. Lauderdale, FL
 33314

4a. Article Number
 P 265 659 467

4b. Service Type
 Registered Certified
 Express Mail Insured
 Return Receipt for Merchandise COD

7. Date of Delivery
 10/15

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)
 X C. Hopson

8. Addressee's Address (Only if requested and fee is paid)

Domestic Return Receipt

Thank you for using Return Receipt Service.

P 265 659 467

US Postal Service
Receipt for Certified Mail
 No Insurance Coverage Provided.
 Do not use for International Mail (See reverse)

Sent to: Thomas Kirk
 Street & Number: Wheelabrator N + S
 Post Office, State, & ZIP Code: Ft. Lauderdale, FL

Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	10-10-97

PS Form 3800, Apr. 1995

Florida Department of
Environmental Protection

Memorandum

TO: Howard L. Rhodes
E.H. Fancy

THRU Al Linero *Al Linero 5/15*

FROM: Teresa Heron

DATE: May 15, 1997

SUBJECT: Wheelabrator North & South Broward RRF Modifications
EPA PSD-FL-112 and PSD-FL-105 *A*

Attached are letters modifying PSD permits for the above facilities. Wheelabrator North Broward Inc. and Wheelabrator South Broward Inc. requested to use EPA Method 29 in lieu of Method 101A for mercury, Method 12 for lead, Method 104 for beryllium, and Method 108 for arsenic during annual compliance stack testing. EPA Method 29 is incorporated in 40 CFR 60 Subpart Eb, Standards of Performance for Municipal Waste Combustors. It is a more accurate and less expensive procedure than presently used.

They published noticed for the changes and received no comments. We consulted with Mike Harley and Terri Hillard (SED) who agree that the requested change makes sense. We recommend your approval and signature.



Wheelabrator South Broward Inc.

A Wheelabrator Technologies Company
4400 South State Road 7
Ft. Lauderdale, FL 33314

Phone 954.581.6606
Fax 954.581.6705

Thomas D. Kirk
Plant Manager

April 2, 1997

Certified #P 399 931 023
Return Receipt Requested

Mr. C. H. Fancy, P.O., Chief
Florida Department of Environmental Protection
Bureau of Air Regulation
2600 Twin Towers Office Building
Tallahassee, FL 32399-2400

Re: Draft Permit Modification Nos. PSD-FL-112 & 105
North and South Broward Resource Recovery Facilities

Dear Mr. Fancy:

As per the above referenced draft permit modifications, the Department requires that Wheelabrator provide proof of publication within 7 (seven) days of publication. Please find enclosed the required affidavit from the Sun Sentinel.

Very truly yours,

Thomas D. Kirk
Plant Manager

970402.TDK.ch

cc: Chuck Faller (with)
Tom Henderson (without)
Don Markley (without)
Tim Porter (without)

RECEIVED

APR 08 1997

BUREAU OF
AIR REGULATION



Wheelabrator South Broward Inc.

A Wheelabrator Technologies Company
4400 South State Road 7
Ft. Lauderdale, FL 33314

Phone: 954.581.6606
Fax: 954.581.6705

Thomas D. Kirk
Plant Manager

March 31, 1997

Certified #P 399 931 015
Return Receipt Requested

Mr. C. H. Fancy, P.O., Chief
Florida Department of Environmental Protection
Bureau of Air Regulation
2600 Twin Towers Office Building
Tallahassee, FL 32399-2400

Re: Draft Permit Modification Nos. PSD-FL-112 & 105
North and South Broward Resource Recovery Facilities

Dear Mr. Fancy:

As per the above referenced draft permit modifications, the Department requires that Wheelabrator provide proof of publication within 7 (seven) days of publication. However, this facility has not received an affidavit from the Sun Sentinel as of March 31, 1997. Enclosed is a copy of the publication as it appeared in the March 24, 1997 edition of the Sun Sentinel. Hopefully, this will serve as proper proof until the Sun Sentinel can be contacted for the proper affidavit.

Very truly yours,

Thomas D. Kirk
Plant Manager

970331.TDK.ch

cc: Chuck Faller (with)
~~Tom Henderson (without)~~
Don Markley (without)
Tim Porter (without)

cc: T. Heron, BAR

SUN - SENTINEL
PUBLISHED DAILY
FORT LAUDERDALE, BROWARD COUNTY, FLORIDA
BOCA RATON, PALM BEACH COUNTY, FLORIDA
MIAMI, DADE COUNTY, FLORIDA

**PUBLIC NOTICE OF INTENT
TO ISSUE PERMIT MODIFICATIONS**
STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DRAFT Permit Modifications PSD-FL-112 & 105
North Broward Resource Recovery Facility
South Broward Resource Recovery Facility
Broward County

The Department of Environmental Protection (Department) gives notice of its intent to issue modifications of Permits PSD-FL-112 & 105 to Wheelabrator for the North Broward Resource Recovery Facility located at 2700 Hilton Road, Pompano Beach, Broward County, and the South Broward Resource Recovery Facility located at the intersection of State Road 84 and US Route 441, Broward County. The business addresses for the two facilities are Wheelabrator North Broward Inc, 2600 NW 48 Street, Pompano Beach, FL 33073 and Wheelabrator South Broward Inc, 4400 South State Road 7, Ft. Lauderdale, FL 33314.

Based on a recommendation by the Department, the applicant requests to use EPA Method 29 in lieu of Method 101A for Mercury, Method 12 for lead, Method 104 for beryllium and Method 108 for arsenic during annual compliance stack testing. EPA Method 29 is the Determination of Metals Emissions from Stationary Sources which simultaneously tests for all of the mentioned pollutants. This change will allow for the use of an updated, more accurate, and less expensive compliance method. Wheelabrator will conduct all other tests required by the Department in the same manner as performed in previous years.

The Department will issue the FINAL Permit Modifications, in accordance with the conditions of the DRAFT Permit Modifications 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 DRAFT Permit Modifications issuance action for a period of 30 (thirty) days from the date of publications 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 these DRAFT Permit Modifications, the Department shall issue Revised DRAFT Permit Modifications and require, if applicable, another Public Notice.

The Department will issue FINAL Permit Modifications with the conditions of the DRAFT Permit Modifications unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57 F.S. or a party requests mediation as an alternative remedy under Section 120.573 before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for petitioning for a hearing are set forth below, followed by the procedures for requesting mediation.

A person whose substantial interests are affected by the Department's 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 (received) in the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, telephone 904/488-9370, fax: 904/487-4938. Petitions 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. A petitioner must 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 (or a request for mediation, as well as discussed below) within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Section 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 28-5.207 of the Florida Administrative Code.

A petition must contain the following information: (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Permit File Number and the county in which the project is proposed; (b) A statement of how and when each petitioner received notice of the Department's action or proposed action; (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action; (d) A statement of the material facts disputed by petitioner, if any; (e) A statement of facts that the petitioner contends warrant reversal or modification of the Department's action or proposed action; (f) A statement identifying the rules or statutes that the petitioner contends require reversal or modification of the Department's action or proposed action; and (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action addressed in this notice of intent.

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 of intent. 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 person whose substantial interests are affected by the Department's proposed permitting decision, may elect to pursue mediation by asking all parties to the proceeding to agree to such mediation and by filing with the Department a request for mediation and the written agreement of all such parties to mediate the dispute. The request and agreement must be filed in (received by) the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, by the same deadline as set forth above for the filing of a petition.

A request for mediation must contain the following information: (a) The name, address, and telephone number of the person requesting mediation and that person's representative, if any; (b) A statement of the preliminary agency action; (c) A statement of the relief sought; and (d) Either an explanation of how the requester's substantial interests

STATE OF FLORIDA
COUNTY OF BROWARD/PALM BEACH/DADE
BEFORE THE UNDERSIGNED AUTHORITY PERSONALLY APPEARED
[Signature] 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, E

NOTICE OF INTENT
IN THE MATTER OF
PERMIT PSD-FL 112&105

IN THE CIRCUIT COURT, WAS PUBLISHED IN SAID NEWSPAPER
THE ISSUES OF
C , 03/24, 2 X

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 BEEN
CONTINUOUSLY PUBLISHED IN SAID BROWARD/PALM BEACH/DADE
COUNTY, FLORIDA, EACH DAY, AND HAS BEEN ENTERED AS
CLASS MATTER AT THE POST OFFICE IN FORT LAUDERDALE
BROWARD COUNTY, FLORIDA, FOR A PERIOD OF ONE YEAR
PRECEDING THE FIRST PUBLICATION OF THE ATTACHED COPY OF
ADVERTISEMENT; AND AFFIANT FURTHER SAYS THAT HE/SHE
NEITHER PAID NOR PROMISED ANY PERSON, FIRM OR CORPORATION
ANY DISCOUNT, REBATE, COMMISSION OR REFUND FOR THE
COST OF SECURING THIS ADVERTISEMENT FOR PUBLICATION IN
NEWSPAPER.

[Signature]
(SIGNATURE OF AFFIANT)

SWORN TO AND SUBSCRIBED BEFORE ME
THIS 31 DAY OF MARCH
A.D. 1997

[Signature]
(SIGNATURE OF NOTARY PUBLIC)



TARA L. BEZAK
MY COMMISSION # 00266690 EXPIRES
July 29, 1997
BONDED THROUGH TROY FARM INSURANCE, INC.

(NAME OF NOTARY TYPED, PRINTED OR STAMPED)

PERSONALLY KNOWN OR
PRODUCED IDENTIFICATION

**PUBLIC NOTICE OF INTENT
TO ISSUE PERMIT MODIFICATIONS**

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DRAFT Permit Modifications PSD-FL-112 & 105
North Broward Resource Recovery Facility
South Broward Resource Recovery Facility
Broward County

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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 of intent. 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 person whose substantial interests are affected by the Department's proposed permitting decision, may elect to pursue mediation by asking all parties to the proceeding to agree to such mediation and by filing with the Department a request for mediation and the written agreement of all such parties to mediate the dispute. The request and agreement must be filed in (received by) the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, by the same deadline as set forth above for the filing of a petition.

A request for mediation must contain the following information: (a) The name, address, and telephone number of the person requesting mediation and that person's representative, if any; (b) A statement of the preliminary agency action; (c) A statement of the relief sought; and (d) Either an explanation of how the requester's substantial interests will be affected by the action or proposed action addressed in this notice of intent or a statement clearly identifying the petition for hearing that the requester has already filed, and incorporating it by reference.

The agreement to mediate must include the following: (a) The names, addresses, and telephone numbers of any persons who may attend the mediation; (b) The name, address, and telephone number of the mediator selected by the parties, or a provision for selecting a mediator within a specified time; (c) The agreed allocation of the costs and fees associated with the mediation; (d) The agreement of the parties on the confidentiality of discussions and documents introduced during mediation; (e) The date, time and place of the first mediation session, or a deadline for holding the first session, if no mediator has yet been chosen; (f) The name of each party's representative who shall have authority to settle or recommend settlement, and (g) The signature of all parties or their authorized representatives.

As provided in Section 120.573 F.S., the timely agreement of all parties to mediate will toll the time limitations imposed by Sections 120.569 and 120.57 F.S. for requesting and holding an administrative hearing. Unless otherwise agreed by the parties, the mediation must be concluded within sixty days of the execution of the agreement. If mediation results in settlement of the administrative dis-

pute, the Department must enter a final order incorporating the agreement of the parties. Persons whose substantial interests will be affected by such modified final decision of the Department have a right to petition for a hearing only in accordance with the requirements for such petitions set forth above. If mediation terminates without settlement of the dispute, the Department shall notify all parties in writing that the administrative hearing processes under Sections 120.569 and 120.57 F.S. remain available for the disposition of the dispute, and the challenging the agency and electing remedies under those two statutes.

A complete project file is available for public inspection during normal business hours, 8:00 AM to 5:00 PM, Monday through Friday, except holidays at:

Department of Environmental Protection, Bureau of Air Regulations, 111 S. Magnolia Drive, Suite 4, Tallahassee, FL 32301, telephone: 904/488-1334, Fax: 904/922-6979.

Department of Environmental Protection Southeast District, 400 North Congress Avenue, West Palm Beach, Florida 33401, telephone: 407/681-6600, Fax: 407/681-6755.

Broward County Dept. National Resource Protection, 218 Southwest First Avenue, Ft. Lauderdale, FL 33301, telephone: 954/519-1220, fax: 954/519-1495.

The complete project file includes the Draft Permit Modifications, the applications, 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 Resource Review Section at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301 or call 904/488-1344, for additional information.

March 24, 31, 1997