

14
THE PALM BEACH POST

Published Daily and Sunday
West Palm Beach, Palm Beach County, Florida

RECEIVED

JUL 28 1997

DEPT OF ENV PROTECTION
WEST PALM BEACH

PROOF OF PUBLICATION

STATE OF FLORIDA
COUNTY OF PALM BEACH

Before the undersigned authority personally appeared Chris Bull who on oath says that she is Classified Advertising Manager of The Palm Beach Post, a daily and Sunday newspaper published at West Palm Beach in Palm Beach County, Florida; that the attached copy of advertising, being a Notice in the matter of Permit Modification in the - - - Court, was published in said newspaper in the issues of June 27, 1997.

Affiant further says that the said The Post is a newspaper published at West Palm Beach, in said Palm Beach County, Florida, and that the said newspaper has heretofore been continuously published in said Palm Beach County, Florida, daily and Sunday and has been entered as second class mail matter at the post office in West Palm Beach, in said Palm Beach 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/he 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.

Chris Bull

Sworn to and subscribed before me this 30 day of June A.D. 1997

Notary

Personally known XX or Produced Identification _____
Type of Identification Produced _____

NOTARY PUBLIC
STATE OF FLORIDA
Karen McLinton
Notary Public, State of Florida
Commission No: CC 591337
My Commission Exp. 11/15/2000
1-800-3-NOTARY Fla. Notary Service & Bonding Co.

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AUG 08 1997

BUREAU OF
AIR REGULATION

NO. 31050
PUBLIC NOTICE OF INTENT TO ISSUE PERMIT MODIFICATION STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION DRAFT Permit Modification No.: PSD-FL-108C Solid Waste Authority of Palm Beach County North County Regional Resource Facility Palm Beach, Florida
The Department of Environmental Protection (Department) gives notice of its intent to issue a permit modification to the Solid Waste Authority of Palm Beach County (SWA), for the North County Regional Resource Facility located at 7501 North Jog Road, West Palm Beach, Palm Beach County, Florida. A Best Available Control Technology (BACT) determination was not required pursuant to Rule 62-212.400, F.A.C., and 40 C.F.R. 61.21, Prevention of Significant Deterioration (PSD). The applicant's name and address are: Marc Bruner, Director of Planning, Solid Waste Authority of Palm Beach County, West Palm Beach, Palm Beach County, Florida 33412. The applicant, SWA, applied on May 29, 1997, to the Department for a permit modification to allow stack sampling of the emissions of Beryllium and Fluoride on a five-year basis instead of the permitted annual basis for the refuse-derived fuel boilers at its North County Regional Resource Facility. Stack tests conducted over the last 10 years have consistently indicated that emissions of these pollutants are at least an order of magnitude below the permit limits or below the detection limits for the Department approved test methods. The present emissions control equipment consisting of a spray dryer absorber with an electrostatic precipitator provides reasonable assurance that these emissions will be minimized. Control of and annual on-continuous monitoring of other key pollutants such as mercury, particulate matter, sulfur dioxide, dioxins, etc. provide good surrogates indicative of the control of beryllium and fluorides. The change in the testing frequency will result in savings to the SWA and no impacts on air emissions or air quality. The Department will issue the FINAL Permit Modification, in accordance with the conditions of the DRAFT Permit Modification 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 Modification 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, 2800 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 Modification, the Department shall issue a Revised DRAFT Permit Modification and require, if applicable, another Public Notice. The Department will issue FINAL Permit Modification with the conditions of The DRAFT Permit Modification unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.573 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 discussed below) within the appropriate time period shall constitute 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 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 the 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 the petitioner, stating precisely the action that the 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 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 signatures 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 dispute, 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 disposition of the dispute, and the notice will specify the deadlines that then will apply for challenging the agency action and electing remedies under those two statutes. 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: Department of Environmental Protection
Bureau of Air Regulation
111 S. Magnolia Drive, Suite 4
Tallahassee, Florida 32301
Telephone: 904/488-1344
Fax: 904/922-4979
Division of Env. Science & Engineering
Palm Beach County Health Unit
901 Evernia
West Palm Beach, Florida 33402-0029
Telephone: 561/355-3070
Fax: 561/355-2442
Department of Environmental Protection
Southeast District
400 South Congress Avenue, Suite A
West Palm Beach, Florida 33401
Telephone: (561) 681-6600
Fax: (561) 681-6755
The complete project file includes the draft Permit Modification, the application, 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.
/s/ Sandra J. Bourhan
Clerk to the Authority
PUBLISHED: June 27, 1997
Palm Beach Post

From -
Andrew Heita
Env / SED

Arlene Suwold
~~As forwarded to whomsoever~~
You asked
for it.
Thank
you
I G
Solid Waste
Authority
640-4000
+ 4600