



Department of Environmental Protection

Jeb Bush
Governor

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

Colleen M. Castille
Secretary

February 1, 2005

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

John D. Booth, Executive Director
Solid Waste Authority of Palm Beach County
7501 North Jog Road
West Palm Beach, Florida 33412-2414

Re: Extension of Air Construction Permit Expiration Date
Solid Waste Authority (SWA) of Palm Beach County
Air Permit No. 0990234-008-AC

Dear Mr. Booth:

On January 28, 2005, the SWA requested an extension of the expiration date of air construction Permit No. 0990234-008-AC for the new 3500 scfm flare at the North County Resource Recovery Facility's existing Class I Landfill, which is located at 7501 North Jog Road in West Palm Beach, Palm Beach County, Florida. Additional time is requested to submit a complete application for a Title V air operation permit.

Determination: The Department approves this request. The expiration date is hereby extended from January 30, 2005 to November 1, 2005 to provide the necessary time to submit a complete application for a Title V air operation permit. No new or additional construction is authorized by this extension. 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 proposed project is not exempt from air permitting requirements and an air permit is required to perform the proposed work. The Department of Environmental Protection's Bureau of Air Regulation is the Permitting Authority responsible for making a determination for this project. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, Tallahassee, Florida 32301. 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.

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. Petitions filed by the applicant or any of the parties listed below must be filed within fourteen (14) days of receipt of this Written Notice of Intent to Issue Air Permit. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within fourteen (14) days of publication of the attached Public Notice or within fourteen (14) days of receipt of this Written Notice of Intent to Issue Air Permit, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority for notice of agency action may file a petition within fourteen (14) days of receipt of that notice, regardless of the date of publication. A petitioner shall mail

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Printed on recycled paper.

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, 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 how and when each 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 state; (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 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 of Intent to Issue Air Permit. 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.

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 thirty (30) days after this order is filed with the clerk of the Department.

Executed in Tallahassee, Florida.



Trina Vielhauer, Chief
Bureau of Air Regulation

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this order was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on 2/4/05 to the persons listed:

Mr. John D. Booth, SWA*

Mr. Marc Bruner, SWA

Mr. Alex H. Makled, Camp Dresser & McKee Inc.

Ms. Jill Grimaldi, Camp Dresser & McKee Inc.

Mr. James Stormer, PBCHD

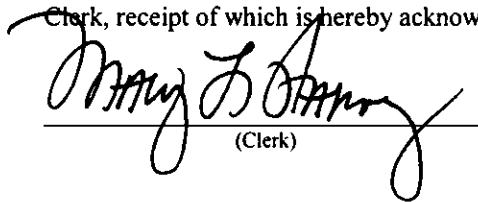
Mr. Laxmana Tallam, SED

Mr. Gregg Worley, EPA Region 4

Mr. John Bunyak, NPS

Clerk Stamp

FILED AND ACKNOWLEDGMENT FILED, on this date, pursuant to §120.52, Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.



(Clerk)

2/4/05

(Date)

Florida Department of Environmental Protection

Memorandum

TO: Trina Vielhauer, Bureau of Air Regulation
THRU: Al Linero, Air Permitting South
FROM: Jeff Koerner, Air Permitting South *JK*
DATE: January 31, 2005
SUBJECT: Extension of Air Construction Permit Expiration Date
Solid Waste Authority (SWA) of Palm Beach County
Air Permit No. 0990234-008-AC

Permit No. 0990234-008-AC was issued on March 22, 2004 to construct a new 3500 scfm flare at the existing Class I Landfill at the North County Resource Recovery Facility in Palm Beach County. The flare was constructed, tested, and showed satisfactory compliance. The air construction permit expires on January 30, 2005.

On January 11, 2005, the SWA's consultant (Camp Dresser and McKee Inc.) contacted the Air Permitting South Section by telephone regarding the upcoming expiration date as well as the Title V renewal application, which must be submitted by May 3, 2005. On January 28, 2005, the Department received a letter requesting an extension of air construction Permit No. 0990234-008-AC to provide sufficient time to submit a complete Title V application. The SWA requests that the flare project be approved in the Title V renewal permit rather than as a separate Title V revision prior to the Title V renewal permit.

Attached for your approval and signature is a permit modification that extends the expiration date for the air construction permit. The expiration date is extended to November 1, 2005 to provide sufficient time to submit a complete Title V renewal application. Day 74 is April 11, 2005. I recommend your approval and signature.

Attachments

PLACE STICKER ON TOP OF ENVELOPE TO THE RIGHT OF RETURN ADDRESS

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. John D. Booth, Executive Director
 Solid Waste Authority of Palm Beach County
 7501 North Jog Road
 West Palm Beach, Florida 33412-2414

2. Article Number
(Transfer from service label)

7000 1670 0013 3110 8400

COMPLETE THIS SECTION ON DELIVERY

A. Signature Ag. Addr.
[Signature]

B. Received by (Printed Name) Date of Delivery
[Signature] *7/10/0*

D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

PS Form 3811 August 2001

Domestic Return Receipt

102595-02-M-1540

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

0042 DTTE ET00 027T 0002
7000 1670 0013 3110 8400

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	

Postmark Here

Mr. John D. Booth, Executive Director
 Solid Waste Authority of Palm Beach County
 7501 North Jog Road
 West Palm Beach, Florida 33412-2414

See for Instructions