

Jeb Bush
Governor

Department of Environmental Protection

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

Colleen M. Castille
Secretary

December 13, 2005

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

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

Re: Landfill Gas Collection and Control System Design Plan
Amendment to Include Landfill Gas Well Inactivation Plan
Facility ID Number 0990234

Dear Mr. Booth:

The Department of Environmental Protection (Department) acknowledges receipt of your request dated September 14, 2005, to amend the Landfill Gas Collection and Control System Design Plan. The amendment addresses procedures for the temporary inactivation of any collection well that is not producing landfill gas.

The Class I and Class III Landfills are regulated under 40 CFR 60 Subpart WWW, Standards for Air Emissions from Municipal Solid Waste Landfills, adopted and incorporated by reference, subject to provisions, in Rule 62-204.800(8)(b), Florida Administrative Code (F.A.C.). The mentioned Department rule adoption is part of Florida's approved state implementation plan (SIP). The landfills are operated under Title V Permit Number 0990234-001-AV. Pursuant to Rule 62-204.800(8), F.A.C., the "Administrator" means the "Department's Secretary" or the "Secretary's designee" with respect to provisions delegated by United States Environmental Protection Agency to the Department, except that the Secretary is not the Administrator for the purposes of 40 CFR 60.754(a)(5). The federal regulations, 40 CFR 60.752(b)(2)(i)(B)&(C), allow a facility to establish alternatives under the gas collection and control system design plan. 40 CFR 60.752(b)(2)(i)(D) requires review and approval by the Department for alternatives. The Department has reviewed the request as an alternative under 40 CFR 60.752(b)(2)(i)(B) and 40 CFR 60.759(a).

Under the amendment, a well will be inactivated based on well pressures, methane, oxygen and nitrogen concentrations and temperatures that indicate a nonproductive well. Once the well is inactivated it will no longer be subject to the criteria and time requirements of 40 CFR 60.755. During this inactive period the wells will continue to be monitored monthly and the results of the monitoring recorded and reviewed. The frequency of surface monitoring of methane gas emissions shall continue to be *annual* for the Class III Landfill, provided that the methane concentration level remains below 250 parts per million (ppm). *Quarterly* surface monitoring shall be continued to confirm methane emissions of less than 500 parts per million at the Class I Landfill.

A Professional Engineer is required to review the monitoring records prior to inactivating any well and certify to the truth, accuracy and completeness of these records. The same Professional Engineer must certify that inactivating the well will not affect the integrity of the landfill gas collection and capture system. A Professional Engineer must complete an annual review of the amended plan and based upon that review the engineer shall certify that reactivation, inactivation of the permanent closure of the well(s) will not affect the integrity of the landfill gas collection system.

A Gas Well Inactivation Record, referenced as Figure 2-2 in the amendment, or one similar shall be used to document the inactive wells and associated certifications. It is important that the landfill be able to provide a record of each well that is inactive during inspections so that the agency can determine compliance with the monitoring requirements of the Title V permit. Any well that is not properly documented as inactive will be assumed to be active for compliance purposes.

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The Department will consider the above-noted action final unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, F.S. Mediation under Section 120.573, F.S., will not be available for this proposed action.

A person whose substantial interests are affected by the proposed 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) by the Agency Clerk in the Department's Office of General Counsel, MS #35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000 (Telephone: 850/488-9314, Fax: 850/487-4938). Petitions filed by the applicant or any of the parties listed below must be filed within 14 (fourteen) days of receipt of this notice. Petitions filed by any other person must be filed within 14 (fourteen) days of receipt of this proposed action. 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 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 must contain the following information:

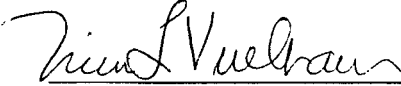
- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, and telephone number of the petitioner; the name, address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes 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 indicate;
- (e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief;
- (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 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 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.

Any party to this order has the right to seek judicial review of it under Section 120.68, F.S., by the filing of a Notice of Appeal, under Rule 9.110 of the Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station #35, 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 of Appeal must be filed within thirty days from the date this notice is filed with the Clerk of the permitting authority.

Executed in Tallahassee, Florida.


Trina L. 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 or electronically (with Received Receipt) (*) and copies were sent by U.S. Mail or electronically (with Received Receipt) before the close of business on 12/14/05 to the person(s) listed or as otherwise noted:

John D. Booth, SWA*

Mary Beth Morrison, SWA, via e-mail (mmorrison@swa.org)

Joseph P. Curro, P.E., CDM

Darrel J. Graziani, P.E., SED, via e-mail (Darrel.Graziani@dep.state.fl.us)

Clerk Stamp

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

Barbara J. Sunday (Clerk) 12/14/05 (Date)

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> 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. 	<p>A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p><i>Helen Wilson</i></p> <p>B. Received by (Printed Name) <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p><i>Helen Wilson</i></p> <p>C. Date of Delivery</p> <p><i>2/16/05</i></p>
<p>1. Article Addressed to:</p> <p>Mr. John D. Booth Executive Director Solid Waste Authority of Palm Beach County 7501 North Jog Road West Palm Beach, Florida 33412</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If YES, enter delivery address below:</p> <p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)</p>	<p>7005 1160 0004 3034 3694</p>

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

7005 1160 0004 3034 3694

U.S. Postal Service™ CERTIFIED MAIL™ RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)											
For delivery information visit our website at www.usps.com											
Mr. John D. Booth, Executive Director											
<table border="1"> <tr> <td>Postage</td> <td>\$</td> </tr> <tr> <td>Certified Fee</td> <td></td> </tr> <tr> <td>Return Receipt Fee (Endorsement Required)</td> <td></td> </tr> <tr> <td>Restricted Delivery Fee (Endorsement Required)</td> <td></td> </tr> <tr> <td>Total Postage & Fees</td> <td>\$</td> </tr> </table>	Postage	\$	Certified Fee		Return Receipt Fee (Endorsement Required)		Restricted Delivery Fee (Endorsement Required)		Total Postage & Fees	\$	<p>Postmark Here</p>
Postage	\$										
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<table border="1"> <tr> <td colspan="2">Sent To</td> </tr> <tr> <td colspan="2">Mr. John D. Booth, Executive Director</td> </tr> <tr> <td colspan="2">Street, Apt. No., or PO Box No. 7501 North Jog Road</td> </tr> <tr> <td colspan="2">City, State, ZIP+4 West Palm Beach, Florida 33412</td> </tr> </table>		Sent To		Mr. John D. Booth, Executive Director		Street, Apt. No., or PO Box No. 7501 North Jog Road		City, State, ZIP+4 West Palm Beach, Florida 33412			
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Mr. John D. Booth, Executive Director											
Street, Apt. No., or PO Box No. 7501 North Jog Road											
City, State, ZIP+4 West Palm Beach, Florida 33412											
PS Form 3800, June 2002 See Reverse for Instructions											



Jeb Bush
Governor

Department of Environmental Protection

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

Colleen M. Castille
Secretary

October 25, 2005

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

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

Re: Municipal Solid Waste Class I and Class III Landfill Gas Collection System
Request for Higher Wellhead Operating Temperature
Title V Permit Number 0990234-001-AV

Dear Mr. Booth:

The Department of Environmental Protection (Department) acknowledges receipt of your requests dated September 1st and October 20th (copies attached). The Class I and Class III Landfills are regulated under 40 CFR 60 Subpart WWW, Standards for Air Emissions from Municipal Solid Waste Landfills, adopted and incorporated by reference, subject to provisions, in Rule 62-204.800(8)(b), Florida Administrative Code (F.A.C.). The mentioned Department rule adoption is part of Florida's approved state implementation plan (SIP). The landfill is operated under Title V Permit Number 0990234-001-AV.

Pursuant to Rule 62-204.800(8), F.A.C., the "Administrator" means the "Department's Secretary" or the "Secretary's designee" with respect to provisions delegated by United States Environmental Protection Agency to the Department, except that the Secretary is not the Administrator for the purposes of 40 CFR 60.754(a)(5).

The federal regulation, 40 CFR 60.753(c), allows a facility to establish a higher landfill gas temperature for interior wellheads in the gas collection system provided a demonstration shows that the higher temperature does not cause fires or significantly inhibit anaerobic decomposition by killing methanogens. In your letter you stated that a demonstration had been performed. The most recent monthly monitoring data for certain wells showed temperatures routinely up to 82.2°C. Your evaluation of data also indicated active anaerobic decomposition was taking place with no indication of fires. **Based on this demonstration you are hereby allowed to operate wellheads at the demonstrated higher value of 82.2°C.**

The Department will consider the above-noted action final unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, F.S. Mediation under Section 120.573, F.S., will not be available for this proposed action.

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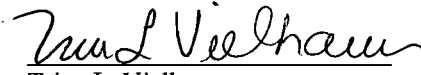
- (b) The name, address, and telephone number of the petitioner; the name, address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
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Executed in Tallahassee, Florida.

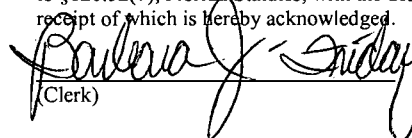

Trina L. Vielhauer
Chief
Bureau of Air Regulation

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this order was sent by certified mail or electronically (with Received Receipt) (*) and copies were sent by U.S. Mail or electronically (with Received Receipt) before the close of business on 10/26/05 to the person(s) listed or as otherwise noted:

John Booth, SWA*
Mary Beth Morrison, SWA, via e-mail (mmorrison@swa.org)
Kevin C. Leo, P.E., CDM, via e-mail (leokc@cdm.com)
Darrel J. Graziani, P.E., SED, via e-mail (Darrel.Graziani@dep.state.fl.us)

Clerk Stamp
FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to §120.52(7), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.


(Clerk) Sunday 10/26/05 (Date)

Sheplak, Scott

From: Leo, Kevin [LeoKC@CDM.com]
Sent: Thursday, October 20, 2005 10:25 AM
To: Sheplak, Scott
Subject: FW: LFG Well # 107 Operating Data

Hi Scott,

I received your voicemail. Per your request, attached is the data from well #107, which has had temperature readings up to 180oF. CDM has reviewed the data and believes that it shows no signs of air intrusion, inhibition of anerobic decomposition, or fire.

Let me know if you have any other questions. We look forward to receiving your approval letter.

Thanks,

Kevin

Kevin C. Leo, P.E.

Project Manager

CDM

1601 Belvedere Road, Suite 211 South

West Palm Beach, Florida 33406

Tel: 561-689-3336; Fax: 561-689-9713

E-mail: leokc@cdm.com

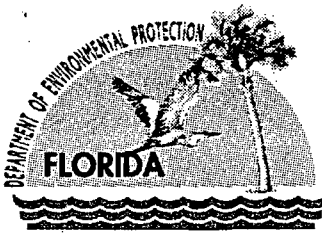
From: Bob Worobel [mailto:bworobel@swa.org]
Sent: Friday, October 14, 2005 9:26 AM
To: Marybeth Morrison; Leo, Kevin
Cc: John Ryberg
Subject: LFG Well # 107 Operating Data

The attached pdf. file has a summary of the operating data for LFG well # 107. As you can see this relatively new well (installed during the closure project for cells 1-4) has been performing very well but operates at a high temperature. The highest reading recorded has been 180 degrees F which equals 82.2 degrees C. The methane concentration is high, the CO2 is low, and the O2 is low. Let me know if you require any additional information.

Thanks, Bob

10/20/2005

2005 DATA LOG CLASS-1 WELLS													SKID CFM		
DATE	WELL#	TIME	PH	PW	D.P.	T ^o f	CFM	CH4	CO2	O2	BAL.	ADJ.	VAC.	LOAD	COMMENTS
1-Jul-05	107	13:10	-40.0	0.4 *		130 *		62.4	32.6	0.2	4.8		-44.3	800	
1-Jul-05	107	13:16	-40.0	0.1 *		154 *		67.0	27.7	0.0	5.3		-44.3	800	
1-Jul-05	107	13:34	-38.8	0.3 *		160 *		82.6	6.3	0.3	10.8		-44.3	800	
1-Jul-05	107	13:40	-38.0	0.0 *		160 *		83.7	8.5	0.0	7.8		-44.3	800	
6-Jul-05	107	9:40	-35.5	0.2	0.46	161	7.3	88.5	2.0	0.1	9.4		-44.5	945	Flex hose replaced. 2-38" ID. Water Systems Marine Wet Exhaust SAE J2006
6-Jul-05	107	9:45	-35.5	0.0	2.99	163	18.7	88.6	4.2	0.0	7.2		-44.5	945	
6-Jul-05	107	12:45	-37.0	0.0	2.40	163	16.7	91.1	1.9	0.3	6.7		-44.5	945	
6-Jul-05	107	12:55	-36.0	0.0	0.40	163	18.5	90.6	2.0	0.2	7.2		-44.5	945	
6-Jul-05	107	13:05	-36.0	-0.1	0.66	164	23.7	89.1	2.6	0.0	8.3		-44.5	945	
8-Jul-05	107	11:13	-38.6	-0.4	0.87	163	27.2	89.4	1.4	0.0	9.2		-43.5	923	
11-Jul-05	107	10:19	-38.5	-0.5	0.51	161	21.0	90.3	1.3	0.0	8.4		-46.0	875	
28-Jul-05	107	12:51	-25.0	-0.3	0.36	167	17.7	94.6	1.6	0.0	3.8		-18.0	960	
22-Aug-05	107	14:28	-8.1	-0.1	0.33	162	17.4	90.7	7.3	0.1	1.9		-26.0	1,009	
24-Aug-05	107	7:31	-5.8	-0.2	0.30	170	16.5	96.1	2.9	0.1	0.9		-17.0	986	
28-Sep-05	107	13:00	-12.6	-0.5	0.29	170	16.1	97.8	2.2	0.0	0.0		-28.0	1,106	
28-Sep-05	107	13:06	-12.6	-0.3	0.40	170	18.9	98.0	2.0	0.0	0.0		-28.0	1,106	
10-Oct-05	107	9:00	-16.5	-0.1	0.21	180	1.2	95.8	3.0	0.0	1.2		-37.0	1,105	
10-Oct-05	107	9:10	-16.5	0.0	0.15	180	1.0	96.2	2.4	0.0	1.4		-37.0	1,105	
10-Oct-05	107	11:00	-28.0	-0.5	0.24	180	1.3	98.0	2.0	0.0	0.0		-37.0	1,105	
10-Oct-05	107	11:06	-28.0	-2.3	2.70	180	4.2	97.9	2.0	0.0	0.1		-37.0	1,105	
10-Oct-05	107	11:12	-28.0	-0.1	0.36	176	1.6	98.7	1.3	0.0	0.0		-37.0	1,105	



Jeb Bush
Governor

Department of Environmental Protection

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

Colleen M. Castille
Secretary

October 5, 2005

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

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

Re: Request for Additional Information
Project Numbers
0990234-010-AV, Title V Air Operation Permit Renewal
0990234-009-AC, Air Construction Permit

Dear Mr. Booth:

On September 16 & 19, the department received your response. As part of your response you provided the requested updated applicable requirements. In order to further define applicability of the NSPS Subpart WWW and the NESHAP Subpart AAAAA to the landfills we need the following additional information:

1. Does either landfill have a bioreactor?
2. What is the design capacity in megagrams of each landfill?
3. When did each landfill commence construction? Has each landfill been modified? Please provide the dates in years for major modifications.
4. When did each landfill start to receive waste, the year?
5. What is the yearly waste acceptance, in megagrams?
6. Are the NMOC emissions less than, equal to, or greater than 50 megagrams/year?
7. Is each landfill a major source of HAP's?
8. Has either landfill ever been an active asbestos waste disposal site?
9. When did the collection and control of landfill gases begin?
10. When is each landfill expected to close?

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Request for Additional Information

Project Numbers

0990234-010-AV, Title V Air Operation Permit Renewal

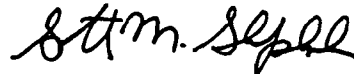
0990234-009-AC, Air Construction Permit

Page 2

The department will resume processing your application after receipt of the requested information. Rule 62-4.050(3), F.A.C. requires that all applications for a department construction permit must be certified by a professional engineer registered in the State of Florida. This requirement also applies to responses to department requests for additional information of an engineering nature. For any material changes to the application, please include a new certification statement by the authorized representative or responsible official. You are reminded that Rule 62-4.055(1), F.A.C. now requires applicants to respond to requests for information within 90 days or provide a written request for an additional period of time to submit the information.

If you should have any questions, please contact me at 850/921-9532.

Sincerely,



Scott M. Sheplak, P.E.
Air Permitting South Section
Bureau of Air Regulation
Mail Station #5505
2600 Blair Stone Road
Tallahassee, FL 32399
Scott.Sheplak@dep.state.fl.us

copy to: Mary Beth Morrison, SWA, via e-mail (mmorrison@swa.org)
Kevin C. Leo, P.E., CDM, via e-mail (leokc@cdm.com)
Darrel J. Graziani, P.E., SED, via e-mail (Darrel.Graziani@dep.state.fl.us)

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> 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. 	A. Signature <input checked="" type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee	
1. Article Addressed to: Mr. John Booth Executive Director Solid Waste Authority of Palm Beach County 7501 North Jog Road West Palm Beach, Florida 33412	B. Received by (Printed Name) Aurora Ortiz	C. Date of Delivery 10/11/05
2. Article Number (Transfer from service label)	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No 3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
7005 1160 0004 3034 3397		

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Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$
Sent To Mr. John Booth, Executive Director Street, Apt. No., or PO Box 7501 North Jog Road City, State, ZIP+4 West Palm beach, Florida 33412	
PS Form 3800, June 2002 See Reverse for Instructions	



1601 Belvedere Road, Suite 211 South
West Palm Beach, Florida 33406
tel: 561 689-3336
fax: 561 689-9713

RECEIVED

SEP 02 2005

BUREAU OF AIR REGULATION

September 1, 2005

Mr. Scott Sheplak
Professional Engineer Administrator
Bureau of Air Regulation, Title V Program
Division of Air Resource Management
Florida Department of Environmental Protection
2600 Blair Stone Road MS 5500
Tallahassee, Florida 32399-2400

Subject: North County Resource Recovery Facility
Solid Waste Authority of Palm Beach County
Class I and Class III Landfill Gas Collection System
Request for Higher Wellhead Operating Temperature

Dear Mr. Sheplak:

CDM, on behalf of the Solid Waste Authority of Palm Beach County (SWA), is submitting this letter to the Florida Department of Environmental Protection (FDEP) to request an increase the wellhead temperature operating limit for the North County Resource Recovery Facility (NCRRF) Class I and Class III landfill gas (LFG) collection systems, in accordance with 40 CFR 60.753(c).

Background

The NCRRF Class I and III Landfills are subject to Section 60.753(c) of the New Source Performance Standards for Municipal Solid Waste Landfills, 40 CFR Subpart WWW, which requires that each interior LFG wellhead operate at a temperature of less than 55°C. These regulations also allow an owner/operator to establish a higher operating temperature provided that the new limit does not cause fires or significantly inhibit anaerobic decomposition by killing methanogens. On October 13, 2000, FDEP approved SWA's request to operate each interior LFG wellhead at the Class I Landfill at a temperature of 75°C, which allowed more operating flexibility within realistic conditions at their landfill.

Temperature Effect on Bacterial Activity and Gas Production

Temperatures affect bacterial activity and gas production rates at a landfill. Methane production has been documented under a wide range of temperatures between 0°C and



Mr. Scott Sheplak
September 1, 2005
Page 2

97°C¹. Landfill bacteria can be classified according to the temperature range inside the landfill.

There are three types of methane-producing bacteria: psychrophiles, mesophiles, and thermophiles. Psychrophiles are cold-loving bacteria; their optimum temperature range is 12 to 18°C. Mesophiles grow in moderate temperature range; their optimum temperature range is 25 to 40°C. Thermophiles are heat-loving bacteria, with optimum temperature ranges of 55 to 65°C and maximum temperatures of 70°C or more².

Literature indicates that most landfills operate in the mesophilic range; though it has also been indicated that optimal gas production is achieved by thermophilic, rather than mesophilic temperatures³.

At the NCRRF Class I Landfill, monthly monitoring data for the period of January 2004 through August 2004 shows LFG temperatures above 75°C on certain gas wells. Methane readings for these gas wells average about 72% (and up to 86%), carbon dioxide readings average 23.2%, and oxygen readings average at about 0.6%. These values indicate that there is active anaerobic decomposition, although the temperature is outside of the optimum range for thermophilic bacteria as stated by Deacon.

Higher Operating Temperature

Recent monthly monitoring data for certain LFG wells demonstrates routine high-end temperatures up to about 80 °C (176 °F). An evaluation of a combination of parameters such as temperature, oxygen, methane, carbon dioxide, and balance gas (assumed to be Nitrogen) suggest active anaerobic decomposition and high rate of methane production with no indication of fires within these areas. Based on the information evaluated, we hereby request a site-specific higher operating temperature of 85° C for the NCRRF Class I and Class III LFG collection system. The actions described below will be implemented to monitor for subsurface fires.

Monitoring for Fires

At the NCRRF Class I Landfill there has been no indication of subsurface fires within high-temperature LFG collection wells. LFG collection wells operating at temperatures higher than 75° C will be monitored for fires as part of the monthly monitoring event.

¹ Bitton, Gabriel; Wastewater Microbiology, Second Edition; Wiley-Liss, Inc.; 1999.

² Deacon, Jim.; The Microbial World: Thermophilic Microorganisms; Institute of Cell and Molecular Biology, The University of Edinburgh.

³ Walsh, James J.; How Landfill Owners and Operators Can Maximize Methane Output; Waste Age; March 1985.



Mr. Scott Sheplak
September 1, 2005
Page 3

A handheld instrument will be used to monitor carbon monoxide levels at the wellheads. A carbon monoxide reading of 1,000 ppm or higher will be a clear indication of fire inside the landfill. SWA LFG operators will also evaluate a combination of parameters such as methane, carbon dioxide, oxygen and balance gas (assumed to be nitrogen) that would indicate a fire is taking place inside the landfill. **Table 1** presents LFG operating parameters indicative of fires.

Table 1 - LFG Operating Parameters Indicative of Fires

Parameter	Operating Values Indicative of Fires
Methane	<<20%
Carbon Dioxide	>50%
Oxygen	<2.5%
Balance (Assumed Nitrogen)	>>20%

CDM is available to discuss this request should FDEP have any questions or comments. We appreciate your time and consideration for approval of this request.

Very truly yours,

Kevin C. Leo, P.E.
Project Manager
Camp Dresser & McKee Inc.

c: Marc C. Bruner, Ph.D., SWA
Mary Beth Morrison, SWA
Robert Worobel, SWA
Darrel Graziani, P.E., FDEP SE District
Greg DeAngelo, FDEP Tallahassee

File: 2678-37912-101 [1]



Department of Environmental Protection

Jeb Bush
Governor

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

August 11, 2005

Colleen M. Castille
Secretary

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

Re: Municipal Solid Waste Class I Landfill Alternative Timeline
Title V Permit Number 0990234-001-AV

Dear Mr. Booth:

The Department of Environmental Protection (Department) acknowledges receipt of your request dated June 21, 2005 (copy attached). This Class I Landfill is regulated under 40 CFR 60 Subpart WWW, Standards for Air Emissions from Municipal Solid Waste Landfills, adopted and incorporated by reference, subject to provisions, in Rule 62-204.800(8)(b), Florida Administrative Code (F.A.C.). The mentioned Department rule adoption is part of Florida's approved state implementation plan (SIP). The landfill is operated under Title V Permit Number 0990234-001-AV.

Pursuant to Rule 62-204.800(8), F.A.C., the "Administrator" means the "Department's Secretary" or the "Secretary's designee" with respect to provisions delegated by United States Environmental Protection Agency to the Department, except that the Secretary is not the Administrator for the purposes of 40 CFR 60.754(a)(5). The federal regulation, 40 CFR 60.755(a)(5), allows a facility to request in writing an alternative timeline for correcting an exceedance of an operating parameter, e.g., nitrogen or oxygen as specified in 40 CFR 60.753(c). The EPA did not retain the authority to act upon this request under 40 CFR 60.750.

In your letter you indicated that additional time may be needed to correct exceedances that may occur when bringing components of the new landfill gas (LFG) well system online. The federal regulation, 40 CFR 60.755(a)(5), requires an exceedance to be corrected within 120 days. The Department understands the facility is transitioning from the existing LFG system to the new replacement system. The Department also understands that operational parameters have been exceeded and more than 120 days is needed to make necessary corrections. Specifically, your request for an additional 60 (sixty) days, for a total of 180 days to make the necessary corrections, is approved for this project. Corrective measures shall not cause exceedances of other operational or performance standards.

The Department will consider the above-noted action final unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, F.S. Mediation under Section 120.573, F.S., will not be available for this proposed action.

A person whose substantial interests are affected by the proposed 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) by the Agency Clerk in the Department's Office of General Counsel, MS #35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000 (Telephone: 850/488-9314, Fax: 850/487-4938). Petitions filed by the applicant or any of the parties listed below must be filed within 14 (fourteen) days of receipt of this notice. Petitions filed by any other person must be filed within 14 (fourteen) days of receipt of this proposed action. 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 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 must contain the following information:

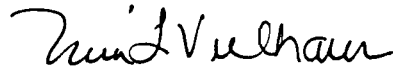
- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, and telephone number of the petitioner; the name, address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes 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 indicate;
- (e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief;
- (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 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 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.

Any party to this order has the right to seek judicial review of it under Section 120.68, F.S., by the filing of a Notice of Appeal, under Rule 9.110 of the Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station #35, 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 of Appeal must be filed within thirty days from the date this notice is filed with the Clerk of the permitting authority.

Executed in Tallahassee, Florida.



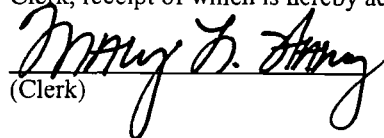
Trina L. Vielhauer
Chief
Bureau of Air Regulation

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this order was sent by certified mail or electronically (with Received Receipt) (*) and copies were sent by U.S. Mail or electronically (with Received Receipt) before the close of business on 8/12/05 to the person(s) listed or as otherwise noted:

- John Booth, SWA*
- Mark McLean, SWA, via e-mail (mmclean@swa.org)
- Darrel J. Graziani, P.E., SED, via e-mail (Darrel.Graziani@dep.state.fl.us)

Clerk Stamp
FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to §120.52(7), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

 8/12/05
(Clerk) (Date)



YOUR PARTNER FOR
SOLID WASTE SOLUTIONS

June 21, 2005

Mr. Errin Pichard, P.E., Administrator
Emissions Monitoring Section
Bureau of Air Monitoring and Mobile Sources
Florida Department of Environmental Protection
2600 Blair Stone Road,
Mail Station 5510
Tallahassee, FL 32399-2400

RECEIVED

JUN 2 / 2005

Bureau of Air Monitoring
& Mobile Sources

RE: Request for Alternative Timeline
Title V Operating Permit No. 0990234-001-AV
North County Resource Recovery Facility
Solid Waste Authority of Palm Beach County

Dear Mr. Pichard:

In accordance with 40 CFR 60.755(a)(5), the Solid Waste Authority of Palm Beach County (Authority) is respectfully requesting the Department's approval of an alternative timeline for correcting potential exceedances that may occur when bringing components of a new landfill gas (LFG) well system online.

The Authority's North County Resource Recovery Facility's (NCRRF) Class-I Landfill currently operates under Title V Air Operating Permit No. 0990234-004-AV. As indicated within this permit, the LFG collection and control system is subject to the requirements of the New Source Performance Standards (NSPS) for Municipal Solid Waste Landfills, 40 CFR 60 Subpart WWW.

40 CFR 60.755 presents the criteria and time requirements for the demonstration of compliance with operational requirements. In accordance with this Section, monitoring of the LFG collection and control system is required on a monthly basis. If the monitoring indicates that the system is not meeting the operational requirement of NSPS, then corrective actions for that exceedance must be initiated within 5 calendar days. If the exceedances cannot be corrected within 15 days, the LFG collection system must be expanded within 120 days of the initial exceedance.

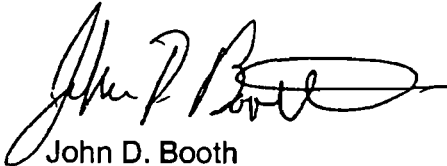
Mr. Errin Pichard, P.E.
June 21, 2005
Page 2 of 2

The Authority is currently in the process of closing four cells within the Class-I Landfill. During this closure process, existing LFG wells that cannot be operated within NSPS parameters will be inactivated, and 31 new and/or replacement LFG wells will become operational. The Authority's LFG consultants, Waste Energy Technology, Inc., has advised that it is reasonable to assume that it may take up to an additional 60 days to perform the initial balancing of the 31 new LFG wells, completing the transition from existing systems, and having them ready to be recorded on the monthly sampling events.

The Authority requests that this 60 day period would begin when the control valve is first opened up and LFG is extracted. Readings would be taken by the LFG technician during this 60 day period for initial balancing and on day 61 the readings would be officially recorded. The only exception for this proposed methodology would be if the new well was flooded and gas could not be extracted from the well. If this were to occur, the 60 day initial balancing period would then begin after the well was dewatered. Installation of the permanent dewatering pumps may take several months, because the installation of the compressed air lines and pumps will take place after the liner has been installed and the cover material is in place, as part of the landfill closure construction.

Based upon information and belief formed after reasonable inquiry, the statements and information in the documents are true, accurate, and complete. If you have any questions or require additional information, please contact Mark McLean at (561) 640-4000 ext. 4605.

Sincerely,



John D. Booth
Executive Director

JDB/mlm

cc:	Darrel J. Graziani, P.E.	DEP-SED
	Ray Schauer	SWA
	Marc Bruner	SWA
	Bob Worobel	SWA
	Mark McLean	SWA

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> 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. 	<p>A. Signature <input checked="" type="checkbox"/> <i>R Murphy</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery <i>R Murphy</i> <i>8-15-05</i></p>	
<p>1. Article Addressed to:</p> <div style="border: 1px dashed black; padding: 10px; margin: 10px 0;"> <p>Mr. John D. Booth, Executive Director Solid Waste Authority of Palm Beach County 7501 North Jog Road West Palm Beach, Florida 33412-2414</p> </div>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>2. Article Number (Transfer from service label)</p>	<p><i>7001 0320 0001 3692 2374</i></p>	
PS Form 3811, August 2001	Domestic Return Receipt	102595-02-M-1540

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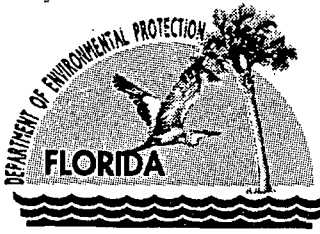
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Mr. John D. Booth, Executive Director
Solid Waste Authority of Palm Beach
County
7501 North Jog Road
West Palm Beach, Florida 33412-2414

PS Form 3800, January 2001
See Reverse for Instructions

7001 0320 0001 3692 2374



Jeb Bush
Governor

Department of Environmental Protection

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400
July 12, 2005

Colleen M. Castille
Secretary

Gregg Worley
Chief, Air Permits Section
Air, Pesticides and Toxics
Management Division
United States Environmental
Protection Agency
Region 4
61 Forsyth Street
Atlanta, Georgia 30303-8960

Re: Alternative Testing under General Flare Provisions of 40 CFR 60.18
Solid Waste Authority of Palm Beach County, Facility ID Number 0990234

Dear Mr. Worley:

As part of the Solid Waste Authority of Palm Beach County's Title V permit renewal the facility requested the use of alternate testing methods for their landfill flares. A copy of their specific request is enclosed. We understand a similar request was made by the St. Lucie County landfill earlier this year and was approved by EPA RTP.

We plan to issue the draft permit by September 30th. Your review of this request by this date is appreciated.

If you should have any questions, please contact me at 850/921-9532.

Sincerely,

Scott M. Sheplak, P.E.
Air Permitting South Section
Bureau of Air Regulation
Mail Station #5505
2600 Blair Stone Road
Tallahassee, FL 32399

SMS/h

Enclosure

copy to: Errin Pichard, P.E., DEP, via e-mail (Errin.Pichard@dep.state.fl.us)
Kevin Leo, P.E., CDM, via e-mail (leokc@adm.com)
Darrel J. Graziani, P.E., SED, via e-mail (Darrel.Graziani@dep.state.fl.us)

"More Protection, Less Process"

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Appendix I

Requested Changes to Title V Air Operation Permit

The North County Resource Recovery Facility is subject to the requirements of 40 CFR 60, Subpart Cb, Emissions Guidelines and Compliance Times for Large Municipal Waste Combustors that are constructed on or before September 20, 1994. These rules were adopted by and incorporated by reference by the Florida Department of Environmental Protection, subject to specific provisions summarized in **Attachment I-1**.

SWA would like to request to the Florida Department of Environmental Protection, that the compliance and performance testing requirements of 40 CFR 60.58b (a) (1) (iii) be included in their Title V Permit.

40 CFR 60.58b (a) (1) (iii) For the purpose of compliance with the carbon monoxide emission limits in Sec. 60.53b (a), if a loss of a boiler water level control (e.g. boiler waterwall tube failure) or a loss of combustion air control (e.g. loss of combustion air fan, induced draft fan, combustion grate bar failure) is determined to be a malfunction, the duration of the malfunction period is limited to 15 hours per occurrence.

In addition, SWA would like to request approval for alternative methods to determine the compliance of the flares combusting landfill gas at the Class I and Class III Landfills. These flares are required to comply with the general flare provisions under 40 CFR 60.18 which sets limits on flare gas heat content and exit velocity.

SWA would like to use an alternate method of determining the Net Heating Value of the landfill gas. SWA would collect, at a minimum, three 30-minute samples that will be analyzed per ASTM D1945-03 "Standard Test Method for Analysis of Natural Gas by Gas Chromatography," (**Attachment I-2**). This method provides the necessary data for determining the physical properties of the sample such as the net heating value, and consequently, eliminating the need to conduct Methods 18, and ASTM D1946-77.

Also, as an alternative to Methods 2, 2A, 2C or 2D, SWA proposes to the use of an in-place calibrated flow meter to obtain the volumetric flow rate to the flare and determine the actual exit velocity.



Jeb Bush
Governor

Department of Environmental Protection

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

June 29, 2005

Colleen M. Castille
Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

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

Re: Request for Additional Information
Project Numbers
0990234-010-AV, Title V Air Operation Permit Renewal
0990234-009-AC, Air Construction Permit

Dear Mr. Booth:

The department has received your application for a Title V air operation permit renewal/ air construction permit by electronic submission on May 2, 2005. After review, it has been determined that the application is incomplete. In order to continue processing your application, the department will need the additional information requested below. Should your response to any of the below items require new calculations, please submit the new calculations, assumptions, reference material and appropriate revised pages of the application form.

1. Compliance Report and Plan. As an attachment you submitted the calendar year 2004 annual statement of compliance. The department requires a report on the compliance status of each emissions unit addressed in the application. This compliance report is required at the time of application and must cover the time period up to the submission of the application in this case the renewal. {For more information on this requirement please see the hard copy of the instructions for the long application form, specifically page 26.}
2. Applicable Requirements. You provided an Appendix G which includes reporting requirements only. Applicable requirements must be identified for all emissions units in a Title V renewal application. {For more information on this requirement please see the hard copy of the instructions for the long application form, specifically pages 24-26. Additionally, you may want to look at the initial Title V permit renewal submission.}
3. Is the woody waste facility diesel engine subject to regulation, e.g., the RICE MACT? In the application, you checked that this emissions unit is a "regulated emissions unit." I found the potential emissions calculation sheet in Appendix E however, no regulations were identified.
4. Non-Productive Wells at the Landfill. The department's SED office sent you a letter on June 9, 2005, on procedures related to non-productive wells. As indicated in that letter, we need a revised Gas Collection and Control System Design Plan to be submitted as part of the Title V permit renewal application.

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Request for Additional Information

Project Numbers

0990234-010-AV, Title V Air Operation Permit Renewal

0990234-009-AC, Air Construction Permit

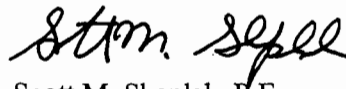
Page 2

Note: Compliance Assurance Monitoring (CAM) Plan. As you mentioned in the proposed CAM Plan, these units are regulated by a PSD permit and the federal emission guidelines which were promulgated post-1990. Presumably, all post-1990 federal standards contain CAM. Several of the PSD limits are less stringent than the federal emissions guidelines. It is not easy to reconcile this situation. Therefore, in the interim your proposed CAM plan appears to be adequate.

The department will resume processing your application after receipt of the requested information. Rule 62-4.050(3), F.A.C. requires that all applications for a department construction permit must be certified by a professional engineer registered in the State of Florida. This requirement also applies to responses to department requests for additional information of an engineering nature. For any material changes to the application, please include a new certification statement by the authorized representative or responsible official. You are reminded that Rule 62-4.055(1), F.A.C. now requires applicants to respond to requests for information within 90 days or provide a written request for an additional period of time to submit the information.

If you should have any questions, please contact me at 850/921-9532.

Sincerely,



Scott M. Sheplak, P.E.
Air Permitting South Section
Bureau of Air Regulation
Mail Station #5505
2600 Blair Stone Road
Tallahassee, FL 32399
Scott.Sheplak@dep.state.fl.us

copy to: Mary Beth Morrison, SWA, via e-mail (mmorrison@swa.org)
Kevin Leo, P.E., CDM, via e-mail (leokc@adm.com)
Darrel J. Graziani, P.E., SED, via e-mail (Darrel.Graziani@dep.state.fl.us)

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 Booth
 Executive Director
 Solid Waste Authority of Palm Beach County
 7501 North Jog Road
 West Palm Beach, Florida 33412

2. Article Number

(Transfer from service label)

7000 2870 0000 7028 0634

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *R Murphy* Agent Addressee

B. Received by (Printed Name)

R Murphy

C. Date of Delivery

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

3. Service Type

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

4. Restricted Delivery? (Extra Fee)

 Yes

U.S. Postal Service

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Mr. John Booth, Executive Director

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Return Receipt Fee (Endorsement Required)	
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Mr. John Booth, Executive Director

Street, Apt. No.; or PO Box No.

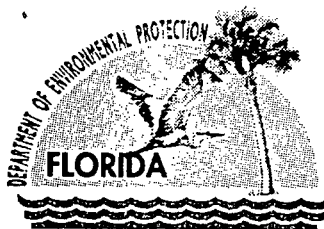
7501 North Jog Road

City, State, ZIP+4

West Palm Beach, Florida 33412

PS Form 3800, May 2000

See Reverse for Instructions



Jeb Bush
Governor

Department of Environmental Protection

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

Colleen M. Castille
Secretary

July 26, 2006

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

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

Re: Municipal Solid Waste Class I Landfill Alternative Timeline
Title V Permit Number 0990234-010-AV

Dear Mr. Booth:

The Department of Environmental Protection (Department) acknowledges receipt of your request dated July 6, 2006 (copy enclosed). The Class I Landfill is regulated under 40 CFR 60 Subpart WWW, Standards for Air Emissions from Municipal Solid Waste Landfills, adopted and incorporated by reference, subject to provisions, in Rule 62-204.800(8)(b), Florida Administrative Code (F.A.C.). The mentioned Department rule adoption is part of Florida's approved state implementation plan (SIP). The landfill is operated under Title V Permit Number 0990234-004-AV.

Pursuant to Rule 62-204.800(8), F.A.C., the "Administrator" means the "Department's Secretary" or the "Secretary's designee" with respect to provisions delegated by United States Environmental Protection Agency to the Department, except that the Secretary is not the Administrator for the purposes of 40 CFR 60.754(a)(5).

The federal regulation, 40 CFR 60.755(a)(5), allows a facility to request in writing an alternative timeline for correcting an exceedance of an operating parameter, e.g., nitrogen or oxygen as specified in 40 CFR 60.753(c). The EPA did not retain the authority to act upon this request under 40 CFR 60.750. In your letter you indicated that the current landfill gas wells in cells 5 & 6 will be abandoned and replaced with new gas wells. Additional time may be needed to correct exceedances that may occur when bringing the new landfill gas (LFG) well system online. Approval of this request by the Department provides the facility additional time to transition from the existing LFG system to the new replacement system.

Specifically, your request for an additional 60 (sixty) days beyond the 120 days allowed under 40 CFR 60.755(a)(5), for a total of 180 days is approved for this project. Corrective measures shall not cause exceedances of other operational or performance standards.

The Department will consider the above-noted action final unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, F.S. Mediation under Section 120.573, F.S., will not be available for this proposed action.

A person whose substantial interests are affected by the proposed 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) by the Agency Clerk in the Department's Office of General Counsel, MS #35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000 (Telephone: 850/488-9314, Fax: 850/487-4938). Petitions filed by the applicant or any of the parties listed below must be filed within 14 (fourteen) days of receipt of this notice. Petitions filed by any other person must be filed within 14 (fourteen) days of receipt of this proposed action. 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 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.

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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 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 indicate;
- (e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief;
- (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 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 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 will not be available in this proceeding.

Any party to this order has the right to seek judicial review of it under Section 120.68, F.S., by the filing of a Notice of Appeal, under Rule 9.110 of the Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station #35, 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 of Appeal must be filed within thirty days from the date this notice is filed with the Clerk of the permitting authority.

Executed in Tallahassee, Florida.

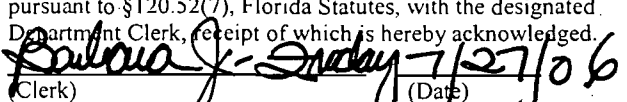


Trina L. Vielhauer, Chief
Bureau of Air Regulation

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this order was sent by certified mail or electronically (with Received Receipt) (*) and copies were sent by U.S. Mail or electronically (with Received Receipt) before the close of business on 7/27/06 to the person(s) listed or as otherwise noted:

- John D. Booth, SWA*
- Mary Beth Morrison, SWA, via e-mail (mmorrison@swa.org)
- Mark McLean, SWA, via e-mail (munclean@swa.org)
- Darrel J. Graziani, P.E., SED, via e-mail (Darrel.Graziani@dep.state.fl.us)

Clerk Stamp
FILING AND ACKNOWLEDGMENT FILED, on this date,
pursuant to § 120.52(7), Florida Statutes, with the designated
Department Clerk, receipt of which is hereby acknowledged.

Clerk) (Date)



YOUR PARTNER FOR
SOLID WASTE SOLUTIONS

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JUL 11 2006

BUREAU OF AIR REGULATION

July 6, 2006

Mr. Errin Pichard, P.E.,
Bureau of Air Monitoring & Mobile Sources
Florida Department of Environmental Protection
2600 Blair Stone Road,
Mail Station 5510
Tallahassee, FL 32399-2400

RE: Request for Alternative Timeline – New Gas Well Installation
Class I Landfill Closure Project (Cells 5 & 6)
Title V Operating Air Permit 0990234-004-AV
North County Resource Recovery Facility

Dear Errin:

The Authority is in the process of closing two additional cells at the Class I Landfill (cells 5 & 6). During the landfill closure process, the current landfill gas wells in cells 5 & 6 will be abandoned and be replaced with new gas wells. The Authority's LFG consultant, Waste Energy Technology, has advised that it may take up to an additional time to perform the initial balancing on the newly installed wells.

In accordance with 40 CFR 60.755(a)(5), the Authority is requesting that the Department grant an additional 60 days from the 120 day timeframe, for a total of 180 days, to correct any exceedances of the monthly parameters that may occur when bringing the new landfill gas system online. Corrective action measures will not cause exceedances of other operational or performance standards.

Based upon information and belief formed after reasonable inquiry, the statements and information in the documents are true, accurate, and complete. If you have any questions or require additional information, please contact Mary Beth Morrison at (561) 640-4000 ext. 4613.

Sincerely,

John D. Booth
Executive Director

JDB/mbm

cc: Darrel Graziani, SE District FDEP
Scott Sheplak, FDEP
Marc Bruner, SWA
Mark Mclean, SWA
Mary Beth Morrison, SWA

Ray Schauer, SWA
Bob Worobel, SWA
Jack Mesojedec, SWA
Kevin Leo, CDM