



Wheelabrator South Broward Inc.

A Waste Management Company

4400 South State Road 7
Ft. Lauderdale, FL 33314
(954) 581-6606
(954) 581-6705 Fax

August 20, 2004

Certified #7003 1680 0000 0555 6819
Return Receipt Requested

Mr. Al Linero
Program Administrator
South Permitting Section
Florida Department of Environmental Protection
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, FL 32399-2400

RECEIVED
AUG 23 2004
BUREAU OF AIR REGULATION

Re: Wheelabrator South Broward
Title V permit – 0112119-006-AV and Air Construction Permit – AC 06-187000
(Lime Silo Fill Rate Increase)

Dear Mr. Linero:

Please find enclosed the Fort Lauderdale Sun Sentinel's Proof for Publication for Wheelabrator South Broward's recently revised Title V permit – 0112119-006-AV and Air Construction Permit – AC 06-187000 that incorporates the revision to increase the lime silo filling rate.

If there are any questions, or if further information is required, please contact Jairaj Gosine or myself at (954) 581-6606.

Sincerely,

Christopher M. Carey
General Manager

Enclosure

040820.CMC.ch

cc: EPA Region IV, Air, Pesticide & Toxics Management Division, Air and EPCRA
Enforcement Branch. (with)
Certified #7003 1680 0000 0555 6826 Return Receipt Requested
Jairaj Gosine (with)
Matt Killeen (without)
Tim Porter (with)
Laxmana Tallam –FDEP – West Palm Beach (with)
File: 5.1.3.2 (with)



Miscellaneous

STATE OF FLORIDA
 DEPARTMENT OF ENVIRONMENTAL PROTECTION
 Draft Air Construction Permit No. 0112119-007-AC
 DRAFT Title V Air Operation Permit Revision
 Project No. 0112119-008-AV
 Revision to Air Construction
 Permit AC 06-187000 and to
 Title V Air Operation Permit No. 0112119-006-AV
 Lime Silo - Emission Unit 004
 South Broward Waste-to-Energy Facility
 Broward County

The Department of Environmental Protection (Permitting Authority) gives notice of its intent to issue an Air Construction Permit Modification and a Title V Air Operation Permit Revision to Wheelabrator South Broward, Inc. for the Waste-to-Energy Facility located at 4400 South State Road 7, Ft. Lauderdale, Broward County. The owner's name and address are: Wheelabrator South Broward, Inc., 4400 South State Road 7, Ft. Lauderdale, Broward County, FL 33314.

The air construction permit modification and corresponding Title V permit revision, are to increase the lime silo firing rate from 40,000 to 50,000 pounds per hour. Lime is used in a spray dryer to control acid gases from the three municipal waste combustors located at the site. The material is delivered to the site by truck and pneumatically conveyed to the silo. Emissions are controlled by a baghouse. The Department has determined that the present 5 percent opacity limitation is sufficient to control the particulate emissions from this operation.

The permitting authority will issue the Air Construction Permit and the PROPOSED Title V Air Operation Permit Revision and subsequent FINAL Title V Air Operation Permit Revision, in accordance with the conditions of the Draft Air Construction Permit and the DRAFT Title V Air Operation Permit Revision unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The permitting authority will accept written comments concerning the proposed Draft Air Construction Permit issuance action for a period of 14 (fourteen) days from the date of publication 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 this Draft Air Construction Permit, the permitting authority shall issue a Revised Draft Air Construction Permit and require, if applicable, another Public Notice.

The permitting authority will accept written comments concerning the proposed DRAFT Title V Air Operation Permit Revision 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, 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 this DRAFT Title V Air Operation Permit Revision, the permitting authority shall issue a Revised DRAFT Title V Air Operation Permit Revision and require, if applicable, another Public Notice.

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 of the Florida Statutes (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 of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850-488-9730, Fax: 850-487-4938). Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 (fourteen) days of publication of the public notice or within 14 (fourteen) days of receipt of the notice of intent, 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 14 (fourteen) days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the applicable 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 of the Florida Administrative Code (F.A.C.)

A petition that disputes the material facts on which the permitting authority's action is based must contain the following information:

- The name and address of each agency affected and each agency's file(s) or identification number(s) if known
- The name, address and telephone number of the petitioner, 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 petitioner's substantial rights will be affected by the agency determination;

c. A statement of how and when the 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, as well as the rules and statutes which entitle 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 site 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 of intent. 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 is not available for this proceeding.

In addition to the above, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 (sixty) days of the expiration of the Administrator's 45 (forty-five) day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to issuance of any permit. Any petition shall be based only on objections to the permit that were raised with reasonable specificity during the 30 (thirty) day public comment period provided in this notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit revision properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street S.W., Washington, D.C. 20460.

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:

Permitting Authority:
 Department of Environmental Protection
 Bureau of Air Regulation
 111 South Magnolia Drive, Suite 4
 Tallahassee, Florida 32301
 Telephone: 850-488-0114
 Fax: 850-922-6979

Affected District Authority:
 Department of Environmental Protection
 Southeast District
 400 North Congress Avenue
 West Palm Beach, Florida 33416-5425
 Telephone: 561-681-6600
 Fax: 561-681-6790

The complete project file includes the DRAFT Title V Operation Permit Revision, 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, South Permitting Section, at the above address or call 850-921-9529, for additional information.

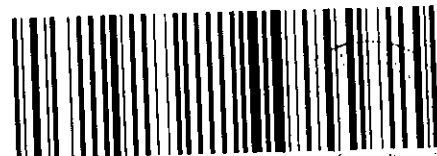
August 19, 2004



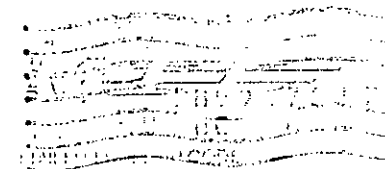
Wheelabrator North Broward Inc.

A Waste Management Company

2600 N.W. 48th Street
Pompano Beach, FL 33073



7002 2410 0002 9086 2047



FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
TWIN TOWERS OFFICE BUILDING
2600 BLAIR STONE ROAD
TALLAHASSEE, FL 32399-2400
PROGRAM ADMINISTRATOR
SOUTH PERMITTING SECTION
ATTN: AL LINERO



32399-2400 01

