



Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

June 16, 1997

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Mark Bruner
Director of Planning
Solid Waste Authority of Palm Beach County
7501 North Jog Road
West Palm Beach, Florida 33412

Re DRAFT Permit Modification No. PSD-FL-108C
North County Regional Resource Facility

Dear Mr. Bruner:

Enclosed is one copy of the Draft Permit Modification for the North County Regional Resource Facility located at 7501 North Jog Road, West Palm Beach, Palm Beach County. The Department's Intent to Issue Permit Modification and the "PUBLIC NOTICE OF INTENT TO ISSUE PERMIT MODIFICATION" are also included.

The "PUBLIC NOTICE OF INTENT TO ISSUE PERMIT MODIFICATION" must be published within 30 (thirty) days of receipt of this letter. Proof of publication, i.e., newspaper affidavit, must be provided to the Department's Bureau of Air Regulation office within 7 (seven) days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit modification.

Please submit any written comments you wish to have considered concerning the Department's proposed action to A. A. Linero, P.E., Administrator, New Source Review Section at the above letterhead address. If you have any other questions, please contact Teresa Heron or Mr. Linero at 904/488-1344.

Sincerely,

C. H. Fancy, P.E., Chief,
Bureau of Air Regulation

CHF/th

Enclosures

P 265 659 225

US Postal Service
Receipt for Certified Mail

No Insurance Coverage Provided.
Do not use for International Mail (See reverse)

Sent to <i>Mark Bruner</i>	
Street & Number <i>Solid Waste Authority</i>	
Post Office, State & ZIP Code <i>of PBC</i>	
Postage <i>W. Palm Bch, FL</i>	
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date <i>6-3-97</i>	
<i>PSD-FI-108C</i>	

PS Form 3800 April 1995

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:
Mark Bruner, Dir. of Plan.
Solid Waste Authority of PBC
7501 N. 99th Road
West Palm Bch, FL
33412

4a. Article Number
P 265 659 225

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

7. Date of Delivery
6-16

5. Received By: (Print Name)

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

6. Signature: (Addressee or Agent)
X M Jones

Thank you for using Return Receipt Service.

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 CFR 52.21, 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 years 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 of these two pollutants will be minimized. Control of and annual or 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, 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 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 120.57 F.S. or a party requests mediation as an alternative remedy under Section 120.573 before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for petitioning for a hearing are set forth below, followed by the procedures for requesting mediation.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57 F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, telephone: 904/488-9370, fax: 904/487-4938. Petitions must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. A petitioner must mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition (or a request for mediation, as discussed below) 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 28-5.207 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 designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice of intent. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

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

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

The agreement to mediate must include the following: (a) The names of all parties who may attend the mediation; (b) The name, address, and telephone number of the mediator; (c) A provision for selecting a mediator within a specified time period; (d) The agreement of the parties on the date, time, and place of the first mediation session; (e) The date, time, and place of the first mediation session chosen; (f) The name of each party's representative with the signatures of all parties or their authorized representatives.

Insert TP
Mediation is not available for this action.

of any persons parties, or a stated with the ing mediation; (e) r has yet been and (g) The ions imposed by l by the parties, lement of the ns whose a hearing only of the dispute, and 120.57 or challenging

As provided in Section 120.573 F.S., the timely a Sections 120.569 and 120.57 F.S. for requesting and h the mediation must be concluded within sixty days of t administrative dispute, the Department must enter a fu substantial interests will be affected by such modified i in accordance with the requirements for such petitions : the Department shall notify all parties in writing that th F.S. remain available for disposition of the dispute, and the agency action and electing remedies under those two

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: 904/922-6979

Division of Env. Science & Engineering
Palm Beach County Health Unit
901 Evernia
West Palm Beach, Florida 33402-0029
Telephone: 407/355-3070
Fax: 407/355-2442

Department of Environmental Protection
Southeast District
400 South Congress Avenue, Suite A
West Palm Beach, Florida 33401
Telephone: (407) 681-6600
Fax: (407) 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.

In the Matter of an
Application for Permit Modification by:

Mr. Marc Bruner
Solid Waste Authority of Palm Beach County
7501 North Jog Road
West Palm Beach, Florida 33412

DRAFT Permit Modification No. PSD-FL-108C
North County Regional Resource Facility
RDF Boilers 1 and 2
Palm Beach County

INTENT TO ISSUE PERMIT MODIFICATION

The Department of Environmental Protection (Department) gives notice of its intent to issue a permit modification (copy of DRAFT Permit modification attached) for the proposed project, as detailed in the application specified above, for the reasons stated below.

The applicant, Solid Waste Authority of Palm Beach County, applied on May 29, 1997, to the Department for a permit modification to allow stack sampling of the emissions of Beryllium and Fluoride every five years instead of an annual basis for its North County Regional Resource Facility located at 7501 North Jog Road, West Palm Beach, Palm Beach County, Florida.

The Department has permitting jurisdiction under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, and 62-212. The above actions are not exempt from permitting procedures. The Department has determined that a permit modification is required to change the testing requirements as requested.

The Department intends to issue this Permit modification based on the belief that reasonable assurances have been provided to indicate that operation of these emission units will not adversely impact air quality, and the emission units will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C.

Pursuant to Section 403.815, F.S., and Rule 62-103.150, F.A.C., you (the applicant) are required to publish at your own expense the enclosed "PUBLIC NOTICE OF INTENT TO ISSUE PERMIT MODIFICATION". The notice shall be published one time only within 30 (thirty) days in the legal advertisement section of a newspaper of general circulation in the area affected. For the purpose of these rules, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. Where there is more than one newspaper of general circulation in the county, the newspaper used must be one with significant circulation in the area that may be affected by the permit. If you are uncertain that a newspaper meets these requirements, please contact the Department at the address or telephone number listed below. The applicant shall provide proof of publication to the Department's Bureau of Air Regulation, at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400 (Telephone: 904/488-1344; Fax 904/ 922-6979) within 7 (seven) days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit modification pursuant to Rule 62-103.150 (6), F.A.C.

The Department will issue the FINAL Permit Modification, in accordance with the conditions of the enclosed 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 "PUBLIC NOTICE OF INTENT TO ISSUE PERMIT MODIFICATION." 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 Permit Modification, the Department shall issue a Revised DRAFT Permit Modification and require, if applicable, another Public Notice.

The Department will issue the permit modification with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57 F.S., or a party requests mediation as an alternative remedy under Section 120.573 F.S. 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: 904/488-9730, 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 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 28-5.207 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 action or proposed action addressed in this notice of intent.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice of intent. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

A person whose substantial interests are affected by the Department's proposed permitting decision, may elect to pursue mediation by asking all parties to the proceeding to agree to such mediation and by filing with the Department a request for mediation and the written agreement of all such parties to mediate the dispute. The request and agreement must be filed in (received by) the Office of General Counsel of the Department at 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.

In addition to the above, a person subject to regulation has a right to apply for a variance from or waiver of the requirements of particular rules, on certain conditions, under Section 120.542 F.S. The relief provided by this state statute applies only to state rules, not statutes, and not to any federal regulatory requirements. Applying for a variance or waiver does not substitute or extend the time for filing a petition for an administrative hearing or exercising any other right that a person may have in relation to the action proposed in this notice of intent.

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. The petition must specify the following information: (a) The name, address, and telephone number of the petitioner; (b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any; (c) Each rule or portion of a rule from which a variance or waiver is requested; (d) The citation to the statute underlying (implemented by) the rule identified in (c) above; (e) The type of action requested; (f) The specific facts that would justify a variance or waiver for the petitioner; (g) The reason why the variance or waiver would serve the purposes of the underlying statute (implemented by the rule); and (h) A statement whether the variance or waiver is permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

DRAFT

July XX, 1997

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Donald Lockhart, Executive Director
Solid Waste Authority of Palm Beach
7501 North Jog Road
West Palm Beach, Florida 33412

Re: DRAFT Permit Modification No. PSD-FL-108C
Solid Waste Authority of Palm Beach County
North County Resource Recovery Facility

Dear Mr. Lockhart:

The Department has reviewed your amendment request on behalf of the Solid Waste Authority of Palm Beach County for the approval of stack tests for Beryllium and Fluoride every five years instead of the permitted requirement of an annual basis for the two refuse-derived fuel boilers at the North County Resource Recovery facility. Based on the information provided, the test results showed emissions were either an order of magnitude below the permitted emission limits or were below detectable limits (annual emission test reports for the period of 1989-1996). Therefore, the above mentioned permit is hereby modified as follows:

SPECIFIC CONDITION NO. 4

FROM:

Each unit shall be tested within 180 days of issuance of this permit, and annually thereafter, to demonstrate compliance with emission standards mentioned in specific condition No. 3, using the following EPA test methods contained in 40 CFR 60, Appendix A, and in accordance with F.A.C. Section 17-2.700.

TO:

Each unit shall be tested within 180 days of issuance of this permit, and annually thereafter, **except for Beryllium and Fluoride (every five years)**, to demonstrate compliance with emission standards mentioned in specific condition No. 3, using the following EPA test methods contained in 40 CFR 60, Appendix A, and in accordance with Chapter 62-297, F.A.C.

Mr. Donald Lockhart
July XX, 1997
Page 2 of 2

DRAFT

A copy of this letter shall be filed with the referenced permit and shall become part of the permit.

Sincerely,

Howard L. Rhodes, Director
Division of Air Resources
Management

Mr. Marc Bruner, SWA
Mr. Brian Beals, EPA
Mr. John Bunyak, NPS[
Mr. David S. Dee, Esq., L&P
Mr. H. Oven, DEP
Mr. I. Goldman, SED
Mr. J. Koerner, PBCPHU

HLR/th

Enclosures

Memorandum

Florida Department of Environmental Protection

TO: Clair Fancy

THROUGH: Al Linero *aa Linero 6/13*

FROM: Teresa Heron

DATE: June 13, 1997

SUBJECT: Solid Waste Authority of Palm Beach County
Amendment to PSD Permit (PSD-FL-108C)
Beryllium and Fluoride Testing for MWC

Attached is a PSD permit modification for the above mentioned facility to allow the stack sampling of the emissions of beryllium and fluoride on a five years basis instead of an annual basis. 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 limit for the DEP approved methods.

The units have acid gas control by a spray dryer absorber which is followed by an ESP. This along with historical test results, provides reasonable assurance that emissions of fluorides and beryllium will continue to be minimal. Note also that the units burn refuse derived fuel instead of straight municipal solid waste. This is a less difficult stream to process and control.

I recommend your approval.