



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

RECEIVED

NOV 05 2008

BUREAU OF AIR REGULATION

November 4, 2008

Ms. Trina Vielhauer  
Bureau Chief  
Bureau of Air Regulation  
Florida Department of Environmental Protection  
Mail Station #5505  
2600 Blair Stone Road  
Tallahassee, Florida 32200

Subject: North County Resource Recovery Facility  
Class I & III Landfills  
FDEP Facility No. 0990234  
120 Day Timeframe - Additional Time Request

Dear Ms. Vielhauer:

The North County Resource Recovery Facility (NCCRF) Class I & III Landfills currently operate under the Title V Air Operating Permit No. 0990234-010-AV. As part of this permit, the landfill gas collection and control systems are subject to the requirements of the New Source Performance Standards (NSPS) for Municipal Solid Waste Landfills, 40 CFR 60 Subpart WWW.

The Solid Waste Authority of Palm Beach County (SWA) and CDM have identified six (6) landfill gas wells that are under positive pressure. NSPS requires that the owner or operator initiate corrective actions within 5 days of the occurrence and that the system be expanded within 120 days if negative pressure cannot be achieved within 15 days of the first occurrence. Positive pressure was first measured in well number 140 on August 4<sup>th</sup>, 2008. Based on the 120 day timeframe to correct this exceedance, the system would need to be expanded by December 2<sup>nd</sup>, 2008.

SWA and CDM are currently finalizing the design for the required repairs to all six wells and envision that construction of the repairs will carry over into the month of December 2008. Therefore, in accordance with 40 CFR 60.755(a)(5), CDM, on behalf of the SWA, is requesting that the Florida Department of Environmental Protection (FDEP) grant an additional 60 days from the 120 day timeframe, for a total of 180 days, to complete the required repairs to correct the positive pressure exceedances identified.

We appreciate FDEP's assistance in this matter. If you have any questions or require additional information, please contact Manuel Hernandez at (561) 689-3336.



Ms. Trina Vielhauer  
November 4, 2008  
Page 2

Very truly yours,

A handwritten signature in black ink, appearing to read 'Manuel J. Hernandez'.

Manuel J. Hernandez, P.E.  
Camp Dresser & McKee Inc.

c: Mark Hammond, SWA  
Mary Beth Morrison, SWA  
Pat Byers, SWA

File: 2678-68057-172 [9]



# Florida Department of Environmental Protection

Bob Martinez Center  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Charlie Crist  
Governor

Jeff Kottkamp  
Lt. Governor

Michael W. Sole  
Secretary

December 3, 2008

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

Re: Municipal Solid Waste Class I & III Landfills - Alternative Timeline  
Title V Air Operation Permit Number 0990234-010-AV

Dear Mr. Hammond:

The Department of Environmental Protection (Department) acknowledges receipt of the request from CDM dated November 4, 2008 (copy enclosed). The Class I & III Landfills are regulated under 40 Code of Federal Regulations (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 Air Operation Permit Number 0990234-010-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)(3), allows a facility to request in writing an alternative timeline for correcting an exceedance of an operating parameter, e.g., pressure as specified in 40 CFR 60.753(b). The US EPA did not retain the authority to act upon this request under 40 CFR 60.750.

The submitted letter indicated the Solid Waste Authority and CDM have identified six (6) wells that are under positive pressure. A positive pressure (exceedance) was first measured in well number 140 on August 4, 2008. The letter indicated the Solid Waste Authority and CDM are finalizing the design for the required repairs to all six wells and envision that construction of the repairs will carry over into the month of December 2008, which is beyond the 120 day timeframe specifically pre-authorized by 40 CFR 60.755(a)(3). The repairs are to correct exceedances (positive pressures). Approval of this request by the Department provides the facility the additional time to perform the necessary corrective measures.

**Specifically, your request for an additional 60 (sixty) days beyond the 120 days allowed under 40 CFR 60.755(a)(3), 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, Florida Statutes (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:

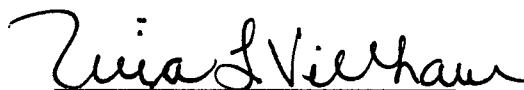
- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, and telephone number of the petitioner; the name, address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes 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 of the Florida Statutes by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department of Environmental Protection in the Office of General Counsel (Mail Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000) and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The notice must be filed within 30 days after this order is filed with the clerk of the Department.

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, or a link to this document available electronically on a publicly accessible server was sent by electronic mail with received receipt requested before the close of business on 12/3/08 to the persons listed below.

Mr. Mark Hammond, SWA: [mhammond@swa.org](mailto:mhammond@swa.org)  
Mr. Manuel J. Hernandez, P.E., CDM: [hernandezmj@cdm.com](mailto:hernandezmj@cdm.com)  
Mr. Joe Lurix, DEP Southeast District Office: [Joe.Lurix@dep.state.fl.us](mailto:Joe.Lurix@dep.state.fl.us)  
Mr. James Stormer, PBCHD: [James\\_Stormer@doh.state.fl.us](mailto:James_Stormer@doh.state.fl.us)  
Ms. Victoria Gibson, DEP BAR: [victoria.gibson@dep.state.fl.us](mailto:victoria.gibson@dep.state.fl.us) (for reading file)

Clerk Stamp

**FILING AND ACKNOWLEDGMENT FILED**, on this date, pursuant to Section 120.52(7), Florida Statutes, with the designated agency clerk, receipt of which is hereby acknowledged.

Barbara J. Sunday 12/3/08  
(Clerk) (Date)

## Friday, Barbara

---

**To:** mhammond@swa.org  
**Cc:** hernandezmj@cdm.com; Lurix, Joe; 'James\_Stormer@doh.state.fl.us'; Gibson, Victoria; Sheplak, Scott; Holtom, Jonathan  
**Subject:** Solid Waste Authority of Palm Beach County - Municipal Solid Waste Class I & III Landfills - Alternative Timeline  
**Attachments:** PalmBeachCountyAlternativeTimeline0990234-010-AV.pdf

Dear Sir/Madam:

Please send a "reply" message verifying receipt of the attached document(s); this may be done by selecting "Reply" on the menu bar of your e-mail software and then selecting "Send". We must receive verification of receipt and your reply will preclude subsequent e-mail transmissions to verify receipt of the document(s).

The document(s) may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible.

The document is in Adobe Portable Document Format (pdf). Adobe Acrobat Reader can be downloaded for free at the following internet site: <<http://www.adobe.com/products/acrobat/readstep.html>> .

The Bureau of Air Regulation is issuing electronic documents for permits, notices and other correspondence in lieu of hard copies through the United States Postal System, to provide greater service to the applicant and the engineering community. Please advise this office of any changes to your e-mail address or that of the Engineer-of-Record.

Thank you,

DEP, Bureau of Air Regulation

**Friday, Barbara**

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**From:** System Administrator  
**To:** Mark Hammond  
**Sent:** Wednesday, December 03, 2008 2:48 PM  
**Subject:** Delivered: Solid Waste Authority of Palm Beach County - Municipal Solid Waste Class I & III Landfills - Alternative Timeline

Your message

**To:** [mhammond@swa.org](mailto:mhammond@swa.org)  
**Cc:** [hernandezmj@cdm.com](mailto:hernandezmj@cdm.com); Lurix, Joe; [James Stormer@doh.state.fl.us](mailto:James.Stormer@doh.state.fl.us); Gibson, Victoria; Sheplak, Scott; Holtom, Jonathan  
**Subject:** Solid Waste Authority of Palm Beach County - Municipal Solid Waste Class I & III Landfills - Alternative Timeline  
**Sent:** 12/3/2008 2:48 PM

was delivered to the following recipient(s):

Mark Hammond on 12/3/2008 2:49 PM

## Friday, Barbara

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**From:** Mark Hammond [mhammond@swa.org]  
**Sent:** Wednesday, December 03, 2008 2:55 PM  
**To:** Friday, Barbara  
**Subject:** RE: Solid Waste Authority of Palm Beach County - Municipal Solid Waste Class I & III Landfills - Alternative Timeline

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**From:** Friday, Barbara [mailto:Barbara.Friday@dep.state.fl.us]  
**Sent:** Wednesday, December 03, 2008 2:48 PM  
**To:** Mark Hammond  
**Cc:** hernandezmj@cdm.com; Lurix, Joe; James\_Stormer@doh.state.fl.us; Gibson, Victoria; Sheplak, Scott; Holtom, Jonathan  
**Subject:** Solid Waste Authority of Palm Beach County - Municipal Solid Waste Class I & III Landfills - Alternative Timeline

Dear Sir/Madam:

Please send a "reply" message verifying receipt of the attached document(s); this may be done by selecting "Reply" on the menu bar of your e-mail software and then selecting "Send". We must receive verification of receipt and your reply will preclude subsequent e-mail transmissions to verify receipt of the document(s).

The document(s) may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible.

The document is in Adobe Portable Document Format (pdf). Adobe Acrobat Reader can be downloaded for free at the following internet site: <<http://www.adobe.com/products/acrobat/readstep.html>> .

The Bureau of Air Regulation is issuing electronic documents for permits, notices and other correspondence in lieu of hard copies through the United States Postal System, to provide greater service to the applicant and the engineering community. Please advise this office of any changes to your e-mail address or that of the Engineer-of-Record.

Thank you,

DEP, Bureau of Air Regulation

*The Department of Environmental Protection values your feedback as a customer. DEP Secretary Michael W. Sole is committed to continuously assessing and improving the level and quality of services provided to you. Please take a few minutes to comment on the quality of service you received. Simply click on [this link to the DEP Customer Survey](#). Thank you in advance for completing the survey.*



**Friday, Barbara**

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**From:** Exchange Administrator  
**Sent:** Wednesday, December 03, 2008 2:48 PM  
**To:** Friday, Barbara  
**Subject:** Delivery Status Notification (Relay)  
**Attachments:** ATT283659.txt; Solid Waste Authority of Palm Beach County - Municipal Solid Waste Class I & III Landfills - Alternative Timeline

This is an automatically generated Delivery Status Notification.

Your message has been successfully relayed to the following recipients, but the requested delivery status notifications may not be generated by the destination.

[hernandezmj@cdm.com](mailto:hernandezmj@cdm.com)

**Friday, Barbara**

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**From:** Hernandez, Manuel [HernandezMJ@cdm.com]  
**To:** undisclosed-recipients  
**Sent:** Wednesday, December 03, 2008 2:59 PM  
**Subject:** Read: Solid Waste Authority of Palm Beach County - Municipal Solid Waste Class I & III Landfills - Alternative Timeline

Your message

To: [HernandezMJ@cdm.com](mailto:HernandezMJ@cdm.com)  
Subject:

was read on 12/3/2008 2:59 PM.

**Friday, Barbara**

---

**From:** System Administrator  
**To:** Lurix, Joe; Holtom, Jonathan  
**Sent:** Wednesday, December 03, 2008 2:48 PM  
**Subject:** Delivered: Solid Waste Authority of Palm Beach County - Municipal Solid Waste Class I & III Landfills - Alternative Timeline

Your message

**To:** [mhammond@swa.org](mailto:mhammond@swa.org)  
**Cc:** [hernandezmj@cdm.com](mailto:hernandezmj@cdm.com); Lurix, Joe; 'James\_Stormer@doh.state.fl.us'; Gibson, Victoria; Sheplak, Scott; Holtom, Jonathan  
**Subject:** Solid Waste Authority of Palm Beach County - Municipal Solid Waste Class I & III Landfills - Alternative Timeline  
**Sent:** 12/3/2008 2:48 PM

was delivered to the following recipient(s):

Lurix, Joe on 12/3/2008 2:48 PM  
Holtom, Jonathan on 12/3/2008 2:48 PM

## Friday, Barbara

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**From:** Lurix, Joe  
**To:** Friday, Barbara  
**Sent:** Thursday, December 04, 2008 6:17 AM  
**Subject:** Read: Solid Waste Authority of Palm Beach County - Municipal Solid Waste Class I & III Landfills - Alternative Timeline

Your message

**To:** [mhammond@swa.org](mailto:mhammond@swa.org)  
**Cc:** [hernandezmj@cdm.com](mailto:hernandezmj@cdm.com); Lurix, Joe; 'James\_Stormer@doh.state.fl.us'; Gibson, Victoria; Sheplak, Scott; Holtom, Jonathan  
**Subject:** Solid Waste Authority of Palm Beach County - Municipal Solid Waste Class I & III Landfills - Alternative Timeline  
**Sent:** 12/3/2008 2:48 PM

was read on 12/4/2008 6:17 AM.

## Friday, Barbara

---

**From:** Exchange Administrator  
**Sent:** Wednesday, December 03, 2008 2:48 PM  
**To:** Friday, Barbara  
**Subject:** Delivery Status Notification (Relay)  
**Attachments:** ATT283650.txt; Solid Waste Authority of Palm Beach County - Municipal Solid Waste Class I & III Landfills - Alternative Timeline

This is an automatically generated Delivery Status Notification.

Your message has been successfully relayed to the following recipients, but the requested delivery status notifications may not be generated by the destination.

[James.Stormer@doh.state.fl.us](mailto:James.Stormer@doh.state.fl.us)

**Friday, Barbara**

---

**From:** James\_Stormer@doh.state.fl.us  
**To:** Friday, Barbara  
**Sent:** Wednesday, December 03, 2008 2:54 PM  
**Subject:** Read: Solid Waste Authority of Palm Beach County - Municipal Solid Waste Class I & III Landfills - Alternative Timeline

Your message

**To:** James Stormer@doh.state.fl.us  
**Subject:**

was read on 12/3/2008 2:54 PM.

**Friday, Barbara**

---

**From:** System Administrator  
**To:** Gibson, Victoria  
**Sent:** Wednesday, December 03, 2008 2:48 PM  
**Subject:** Delivered: Solid Waste Authority of Palm Beach County - Municipal Solid Waste Class I & III Landfills - Alternative Timeline

Your message

**To:** [mhammond@swa.org](mailto:mhammond@swa.org)  
**Cc:** [hernandezmj@cdm.com](mailto:hernandezmj@cdm.com); Lurix, Joe; 'James\_Stormer@doh.state.fl.us'; Gibson, Victoria; Sheplak, Scott; Holtom, Jonathan  
**Subject:** Solid Waste Authority of Palm Beach County - Municipal Solid Waste Class I & III Landfills - Alternative Timeline  
**Sent:** 12/3/2008 2:48 PM

was delivered to the following recipient(s):

Gibson, Victoria on 12/3/2008 2:48 PM

## Friday, Barbara

---

**From:** Gibson, Victoria  
**To:** Friday, Barbara  
**Sent:** Wednesday, December 03, 2008 3:17 PM  
**Subject:** Read: Solid Waste Authority of Palm Beach County - Municipal Solid Waste Class I & III Landfills - Alternative Timeline

Your message

**To:** [mhammond@swa.org](mailto:mhammond@swa.org)  
**Cc:** [hernandezmj@cdm.com](mailto:hernandezmj@cdm.com); Lurix, Joe; 'James\_Stormer@doh.state.fl.us'; Gibson, Victoria; Sheplak, Scott; Holtom, Jonathan  
**Subject:** Solid Waste Authority of Palm Beach County - Municipal Solid Waste Class I & III Landfills - Alternative Timeline  
**Sent:** 12/3/2008 2:48 PM

was read on 12/3/2008 3:17 PM.



## Friday, Barbara

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**From:** System Administrator  
**To:** Sheplak, Scott  
**Sent:** Wednesday, December 03, 2008 2:48 PM  
**Subject:** Delivered: Solid Waste Authority of Palm Beach County - Municipal Solid Waste Class I & III Landfills - Alternative Timeline

Your message

**To:** [mhammond@swa.org](mailto:mhammond@swa.org)  
**Cc:** [hernandezmj@cdm.com](mailto:hernandezmj@cdm.com); Lurix, Joe; 'James\_Stormer@doh.state.fl.us'; Gibson, Victoria; Sheplak, Scott; Holtom, Jonathan  
**Subject:** Solid Waste Authority of Palm Beach County - Municipal Solid Waste Class I & III Landfills - Alternative Timeline  
**Sent:** 12/3/2008 2:48 PM

was delivered to the following recipient(s):

Sheplak, Scott on 12/3/2008 2:48 PM

## Friday, Barbara

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**From:** Sheplak, Scott  
**To:** Friday, Barbara  
**Sent:** Wednesday, December 03, 2008 4:31 PM  
**Subject:** Read: Solid Waste Authority of Palm Beach County - Municipal Solid Waste Class I & III Landfills - Alternative Timeline

### Your message

**To:** [mhammond@swa.org](mailto:mhammond@swa.org)  
**Cc:** [hernandezmj@cdm.com](mailto:hernandezmj@cdm.com); Lurix, Joe; 'James\_Stormer@doh.state.fl.us'; Gibson, Victoria; Sheplak, Scott; Holtom, Jonathan  
**Subject:** Solid Waste Authority of Palm Beach County - Municipal Solid Waste Class I & III Landfills - Alternative Timeline  
**Sent:** 12/3/2008 2:48 PM

was read on 12/3/2008 4:31 PM.

## Friday, Barbara

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**From:** Holtom, Jonathan  
**To:** Friday, Barbara  
**Sent:** Thursday, December 04, 2008 4:48 PM  
**Subject:** Read: Solid Waste Authority of Palm Beach County - Municipal Solid Waste Class I & III Landfills - Alternative Timeline

### Your message

**To:** [mhammond@swa.org](mailto:mhammond@swa.org)  
**Cc:** [hernandezmj@cdm.com](mailto:hernandezmj@cdm.com); Lurix, Joe; 'James\_Stormer@doh.state.fl.us'; Gibson, Victoria; Sheplak, Scott; Holtom, Jonathan  
**Subject:** Solid Waste Authority of Palm Beach County - Municipal Solid Waste Class I & III Landfills - Alternative Timeline  
**Sent:** 12/3/2008 2:48 PM

was read on 12/4/2008 4:48 PM.