



FLORIDA DEPARTMENT OF Environmental Protection

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

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Noah Valenstein
Secretary

February 14, 2019

Sent by Electronic Mail – Document Access Verification Requested

Mr. Joseph H. O'Neill, P.E.
Professional Engineer
Solid Waste Management Division
Hillsborough County
PO Box 1110
Tampa, Florida 33601-1110
ONeillJ@hillsboroughcounty.org

RE: Hillsborough County Resource Recovery Facility
Modification to Conditions of Certification
DEP Case Number PA83-19H
OGC Case Number 19-0215

NOTICE OF INTENT TO MODIFY CONDITIONS OF CERTIFICATION

Dear Mr. O'Neill:

On October 17, 2018, the Department of Environmental Protection (Department), Siting Coordination Office received a petition from Hillsborough County (County), and the associated fee for a modification to the Hillsborough County Resource Recovery Facility (HCRRF) Site Certification in accordance with Section 403.516(1)(c), Florida Statutes (F.S.). The petition is for approval to transport ash residue generated from the combustion of municipal waste at the HCRRF to a permitted facility for screening and storage. The petition submittal was determined complete on November 16, 2018.

The Department is modifying the Conditions of Certification (Conditions) for HCRRF to incorporate changes associated with the County's petition. Herein the Department is also initiating a modification pursuant to Section 403.516(1)(c), F.S., to update various conditions to reflect recent rule and General Condition language changes. The modified Conditions (PA83-19H) replace the existing Conditions (PA83-19G) in their entirety. Several existing conditions have been deleted or updated and incorporated into a more uniform set of general conditions. Many existing conditions may have been moved to different sections of the document. These changes are shown in strikethrough/underline in the proposed modified Conditions, which can be downloaded from the following file transfer protocol (ftp) site:

http://publicfiles.dep.state.fl.us/Siting/Outgoing/Hillsborough_RRF/Modifications/Mod_H_Ash_Transport/Proposed_Conditions_Mod_H.pdf

Copies of the Conditions and/or attachments may also be obtained by contacting the Department of Environmental Protection, Siting Coordination Office, 2600 Blair Stone Rd, Tallahassee, Florida 32399-3000, (850) 717-9000.

Pursuant to Section 403.516, F.S., and Rule 62-17.211, Florida Administrative Code (F.A.C.), all parties to the certification proceeding have 45 days from the issuance of this notice in which to file a written objection to the modification. A public notice will also be published in the Florida Administrative Register (FAR) regarding this Intent to Modify the Conditions. Any person who is not already a party to the certification proceeding and whose substantial interests will be affected by the requested modification has 30 days from the date of publication of the notice in the FAR to object in writing. Failure to act within the time frame constitutes a waiver of the right to become a party. The Department will issue a Final Order Modifying the Conditions of Certification for the DBEC if no written objections are received by the Department.

Written objections must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399-3000. If the Department does not receive any written objections, then an Order Modifying the Conditions of Certification shall be issued by the Department. If written objections are timely filed which address only a portion of the modification, then pursuant to subparagraph 62-17.211(1)(b)5, F.A.C., the Department shall issue an Order approving that portion of the modification to which no objections were filed, unless that portion of the modification is substantially related to or necessary to implement the portion to which written objections are filed. If written objections are raised, then pursuant to Section 403.516(1)(c), F.S., the applicant may file a petition for modification with the Department and the Division of Administrative Hearings seeking approval for those portions of the modification to which written objections were timely filed.

Mediation is not available in this proceeding.

Any questions regarding this Intent to Modify Conditions of Certification should be directed to Ann Seiler at (850) 717-9113. Questions regarding legal issues should be referred to the Department's Office of General Counsel at (850) 245-2257. Such contact with any of the above does not constitute an objection to the modification.



Cindy Mulkey
Administrator
Siting Coordination Office

HCRRF – Notice of Intent to Modify (Mod H)

February 14, 2018

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CC by electronic mail:

District Director, DEP- mary.yeargan@dep.state.fl.us

District Liaison, DEP- mark.langford@dep.state.fl.us

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to §120.52

Florida Statutes, with the designated
Department Clerk, receipt of which is
hereby acknowledged.

Clerk

Date

Service List: *Sent by Electronic Mail – Document Access Verification Requested*

Michael Weiss, Esquire
Department of Environmental Protection
3900 Commonwealth Blvd., M.S. 35
Tallahassee, Florida 32399-3000
michael.weiss@dep.state.fl.us

Vivian Arenas-Battles, Esquire
Assistant General Counsel
Southwest Florida Water Management District
7601 US Highway 301 North
Tampa, FL 33637-6759
Vivian.Arenas-Battles@swfwmd.state.fl.us
James.Golden@swfwmd.state.fl.us

Andrew S. Grayson, Esquire
Florida Fish & Wildlife Conservation
Commission
620 South Meridian Street
Tallahassee, Florida 32399-1600
andrew.grayson@myfwc.com
fwcconservationplanningservices@myfwc.com

Marva M. Taylor, Esquire
Hillsborough County Attorney's Office
27th Floor
601 East Kennedy Blvd.
Tampa, FL 33602-4156
Taylormmm@HillsboroughCounty.org

Jon Morris, Esquire
Department of Economic Opportunity
107 East Madison Street
Tallahassee, Florida 32399
jon.morris@deo.myflorida.com
Scott.Rogers@deo.myflorida.com

Lee Eng Tan, Esquire
Florida Public Service Commission
Office of General Counsel
2450 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850
LTan@psc.state.fl.us

Kimberly Menchion, Esquire
Assistant General Counsel
Department of Transportation
605 Suwannee Street, MS 58
Tallahassee, Florida 32399-0458
kimberly.menchion@dot.state.fl.us
jasmin.raffington@dot.state.fl.us

Rich Tschantz, Esquire
General Counsel
Hillsborough County Environmental
Protection Commission
3629 Queen Palm Drive
Tampa, FL 33619
Tschantz@epchc.org

Jason Aldridge
Department of the State
Division of Historical Resources
500 South Bronough
Tallahassee, Florida 32399-0250
jason.aldridge@dos.myflorida.com
robin.jackson@dos.myflorida.com

Sean T. Sullivan
Tampa Bay Regional Planning Council
4000 Gateway Center Blvd., Suite 100
Pinellas Park, FL 33782
Sean@tbrpc.org