Florida Department of Environmental Protection
Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

Rick Scott
Governor

Jennifer Carroll
Lt. Governor

Herschel T. Vinyard Jr.
Secretary

July 11, 2011

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Nate Johnson
Hillsborough County Solid Waste Management Department
925 Twiggs St.
Tampa, Florida 33602

RE: Hillsborough County Resource Recovery Facility
Modification to Conditions of Certification
DEP Case Number PA 83-19G
OGC Case Number 11-0611

FINAL ORDER MODIFYING CONDITIONS OF CERTIFICATION

Dear Mr. Johnson:

The Florida Siting Board issued a Site Certification for Hillsborough County Resource Recovery Facility (HCRRF) Units 1-4 on December 18, 1984, and approved the expansion of Unit 4 on September 27, 2006. The Department of Environmental Protection (Department) has modified the Conditions of Certification (Conditions) for HCRFF by Final Order on six other occasions. Pursuant to Section 403.516(1)(b) and (c), Florida Statutes (F.S.), the Department has initiated a modification to HCRRF's Conditions to incorporate federally issued permits as well as a uniform set of general conditions consistent with recent site certifications.

Pursuant to Section 403.516(1)(b), F.S., the Department may modify conditions of a site certification which are inconsistent with the terms of any federally delegated or approved permit. Such modification(s) may be made without further notice if the matter has been previously noticed under the requirements for any federally delegated or approved permit program.

The Department published notice of its intent to issue Air Construction Permit No. 0570261-010-AC for HCRFF on August 8, 2009, and issued the final permit on September 30, 2009. The Department published notice of its intent to issue Title V Air Operation Permit No. 0570261-006-AV for HCRFF on April 4, 2007, and issued the final permit on June 13, 2007.

On May 4, 2011, all parties to the certification proceeding were provided with notice by certified mail of the Department's intent to modify the Conditions for HCRRF to incorporate a uniform set of general conditions consistent with recent site certifications, along with a draft copy of the proposed order modifying the Conditions. On May 20, 2011, notice of the Department's intent

to modify HCRRF's Conditions was also published in the Florida Administrative Weekly (FAW).

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 notice by mail to such party's last address of record in which to file a written objection to the modification. Pursuant to Section 403.516, F.S., and Rule 62-17.211, F.A.C., 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 public notice in the FAW 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 an order modifying the Conditions for this facility if no written objections are received by the Department.

These timeframes have expired and no objections to the modification have been received by the Department. Therefore, the Conditions for HCRRF are hereby modified as follows:

The modified Conditions PA 83-19G (Attachment A) replace the existing Conditions PA 83-19F (Attachment B) in its entirety. Several existing conditions have been updated and incorporated into a more uniform set of general conditions. Many existing conditions have been moved to different sections of the document.

The existing Conditions (Attachment B) contain cross references to the corresponding conditions in the modified Conditions (Attachment A) appearing in red following each section of the document. In the electronic Adobe pdf file of the existing Conditions (Attachment B), the cross references have been electronically linked to the corresponding condition in the Adobe pdf file of the modified Conditions (Attachment A).

In order to toggle between the two documents on your screen, copy both files (Attachments A & B) from http://publicfiles.dep.state.fl.us/Siting/Outgoing/Hillsborough%20RRF%20Mod%20G/ and paste them into a single folder and open both files. (If you open the documents from the ftp site and "Save As", the links will not work. You must copy and paste with the same file names.) Clicking on a link in Attachment B will take you directly to the corresponding condition in Attachment A.

A complete set of the Conditions (including attachments) can be viewed and obtained from the following website: \\publicfiles\pubfds\Siting\Outgoing\Hillsborough_RRF\Hillsborough_RRF_ModG\Hillsborough_RRF_2011_ModG_Appendices.pdf.

Copies of the Conditions and/or attachments may also be obtained by contacting the Department of Environmental Protection, Siting Coordination Office, 3900 Commonwealth Blvd., M.S. 48, Tallahassee, Florida 32399-3000, (850) 245-2002.

Any party to the this order has a right to seek judicial review of it pursuant to Section 120.68, F.S., by filing a Notice of Appeal, pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department of Environmental Protection in the Office of General Counsel,

3900 Commonwealth Boulevard, M.S. 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 order is filed with the Clerk of the Department of Environmental Protection.

Executed in Tallahassee, Florida.

Cindy Mulkey
Administrator,
Siting Coordination Office

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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 7/11/11

Service List: CC by email (return receipt requested):

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