



Florida Department of Environmental Protection

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2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

February 17, 2009

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

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

RE: Palm Beach County Resource Recovery Facility
Modification to Conditions of Certification
DEP Case Number PA 84-20K
OGC Case Number 09-0281

FINAL ORDER MODIFYING CONDITIONS OF CERTIFICATION

Dear Mr. Bruner:

The Siting Board authorized the construction and operation of the Palm Beach County Resource Recovery Facility on July 29, 1986 (PA84-20). The Department of Environmental Protection (Department) has modified the Conditions of Certification by Final Order on ten other occasions.

On September 8, 2008, the Department published notice of its intent to issue Title V Air Operation Permit No. 0990234-013-AV. On December 17, 2008, the Department issued Title V Air Operation Permit No. 0990234-013-AV, which has been incorporated into the Conditions of Certification through this modification.

Pursuant to 403.516 (1) (b), Florida Statutes ("F.S."), the Department may modify specific 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 Conditions of Certification for the Palm Beach County Resource Recovery Facility are hereby modified as follows:

XIV. OPERATION

A. Air

The construction and operation of the Palm Beach County Resource Recovery Facility shall be in accordance with all applicable provisions of Chapters 62-210 through 62-297, F.A.C.

Title V Air Operation Permit 0990234-01013-AV, Air Construction Permits 0990234-008-AC, and 0990234-009-AC and 0990234-012-AC, and PSD permit PSD-FL-108 (including subsequent modifications) are incorporated by reference herein as part of this Certification and attached as Appendix A through Appendix GH.

The provisions of the above shall be conditions of this certification. The licensee shall comply with the substantive provisions and limitations set forth in Title V Air Operation Permit Number 0990234-01013-AV, Air Construction Permits 0990234-008-AC, and 0990234-009-AC and 0990234-012-AC, and PSD permits PSD-FL-108 as part of these Conditions of Certification, and as those provisions may be modified, amended, or renewed in the future by the Department. Such provisions shall be fully enforceable as conditions of this certification. Any violation of such provisions shall be a violation of these Conditions of Certification.

A complete set of the Conditions of Certification (including attachments) can be viewed and downloaded from the following website:

<http://www.dep.state.fl.us/siting/Highlights/conditions.htm>. Copies of the Conditions of Certification and/or attachments may also be obtained by contacting Michael P. Halpin, P.E., Administrator, Siting Coordination Office, Department of Environmental Protection, 3900 Commonwealth Blvd, M.S. 48, Tallahassee, Florida 32399, (850) 245-2002.

Any party to this Order has a right to seek judicial review of it pursuant to Section 120.68, Florida Statutes 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.



Michael P. Halpin, P.E.
Administrator,
Siting Coordination Office

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to §120.52
Florida Statutes, with the designated
Department Clerk, receipt of which is
hereby acknowledged.

Denise Cunningham 2-17-2009
Clerk Date

CC by email (return receipt requested):

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